

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 254
HOUSE BILL 538

AN ACT TO AUTHORIZE AN ELECTION IN THE ELLENBORO FIRE
PROTECTION DISTRICT IN RUTHERFORD COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 69-25.1 is amended by rewriting the first sentence thereof to read as follows:

"Upon the petition of thirty-five percent (35%) of the resident freeholders living in the Town of Ellenboro and any unincorporated area adjacent thereto, which area is described in the petition and set out in Section 1.1 of this act and designated as the Ellenboro Fire Protection District, the Board of County Commissioners of Rutherford County shall call an election in said district for the purpose of submitting to the qualified voters therein the question of levying and collecting a special tax on all taxable property in said district of not exceeding ten cents (10c) on the one hundred dollar (\$100.00) valuation of property, for the purpose of providing fire protection in said district."

Sec. 1.1. For the purpose of Section 1 of this act, the boundaries of the proposed Ellenboro Fire Protection District are: Beginning at a point (1) on US 74 Bus. in a Westerly direction .5 mile from intersection of Rd.1913 and US 74 Bus. all property on south side of US Bus 74 .(2) At intersection of Rd. #1576 and Bus 74 West in northerly direction all property on east side of Rd. 1576 to the intersection of Rd. #1595 for .8 miles including East High School and Concord Church .(3) At intersection of Roads 1595 and 1576 going in a Northeasterly direction to point (4) which is .1 mile north of Seaboard overpass on Road 1574 at north end of computer building. From point (4) in Northeasterly direction to point (5) on Road 1574 .1 mile Southwest of intersection of Roads 1574 and 1571 at Doyle Medford property line. Going in Northly direction to point (6) on Terry Road #1566 .4 mile from intersection of Roads #1566 and 1574 in a Southwesterly direction on Road #1574 to Duke Power pole #6. From Point (6) on Road #1574 in Northeasterly direction to Piney Mountain Rd. #1007 1.1 miles from intersection of Roads #1007 and Coyte Rd. #1768 in Northwesterly direction to Point (7(. Going in a Northeasterly direction to intersection of Roads #1770 (Walls Church Rd.) and #1790 is Point (8). Going in Northerly direction on Road #1794 .9 mile from intersection of Roads #1794 and 1770 is Point (9) and is .1 mile South of Intersection of Raods #1794 and 1769. Going in a Southeasterly direction to a bridge and trash dump on dirt road #1787 .6 mile from intersection of Roads #1767 and 1787 in northerly direction, is point (10). At intersection of Roads #1749 and 1787 in westerly direction .3 mile on (dirt road) #1787 is Point (11). Point (12) is at intersection

of Roads #1786 and 1749 .4 mile on #1749 north of Hopewell Church. Point (13) at intersection of Road #1749 and 1760 east on 1760 .4 miles. Point (14) is running in a Southeasterly direction to intersection of Roads #1762 and 1763. From point (14) is 5 miles from Ellenboro Fire Dept. on Rd. #1762 (New) House Rd.) Going in a Southerly direction from intersection of Roads #1762 and 1763 following West side of Sandy Run Creek to Cleveland County line is Point (15). From the Intersection of Roads #1762 (New House Rd.) and 1793 (Dobbins Church Rd.) .6 mile to Cleveland County Line in Easterly direction is Point (16). At intersection of Roads #1762 and 1779 (dirt road) going in Northeasterly direction .8 mile to Cleveland County Line behind Dobbins Church on Road #1779 is Point (17). At intersection of US Bus. 74 East and Rd. 1784 (Campfield Rd.) in Northeasterly direction 1 mile to Cleveland County Line is Point (18). In a Southeasterly direction on US74 Business East 2 1/2 miles to Cleveland County Line is Point (19). Going in an Easterly direction from the intersection of 6 Points Road #1921 and Webb Church Road #1982 3.2 miles to Cleveland County Line on Road #1982, is point (20). Point (21) beginning on NC 120 at Cleveland County Line going in a Southwesterly direction to Us 74 Bypass .8 mile is Point (22). East on US 74 Bypass .2 miles to Cleveland County Line is Point (23). Beginning at intersection of NC120 South and Road #1926 in Southeasterly direction to intersection of Roads #1925 and 1926 then northerly on 1925 to Cleveland County line for .3 mile is Point (24). From intersection of Roads #1925 and 1926 in Southwesterly direction on #1925 .3 mile to home of Mark Franklin is Point (25). NC120 in Southwesterly direction from US 74 Bypass 1.4 miles to Cliffside Fire District and 6 Points is Point (26). From Ellenboro Fire Department on 6 Points Road #1921 in a southeasterly direction 3.4 miles to Intersection of NC120 at 6 Points and Cliffside Fire District is Point (27). In a Westerly direction following existing Ellenboro-Cliffside Fire District Lines to Colfax Township line is Point (28). In Northerly direction to where Road #1923 intersects with Colfax Township lines is Point (29). Then in Northwesterly direction to where Road 1920 (The Ellenboro-Henrietta Road) intersects with Colfax Township line is Point (30). Then in a Northwesterly direction to where it intersects with Road 1935 is Point (31). Then Westerly to Broad River is Point (32). Then following Broad River in Northwesterly pattern to where hwy. 74 bypass crosses Broad River is Point (33). Then in Northwesterly direction including Piney Ridge Nursery then to where it intersects Road 1914 .5 miles West of Intersection of Roads #1913 and 1914 and Boundary of Bostic Fire District is Point (34). Then in Northerly direction to the beginning Point (1).

Sec. 2. G.S. 69-25.7 is amended by rewriting the same to read as follows:

"The special fund provided by the tax herein authorized shall be administered to provide fire protection as provided in G.S. 69-25.5 by a Fire Protection District Commission of three qualified voters of the district to be known as the Ellenboro Fire Protection District Commission. One district commissioner shall be appointed by the Board of County Commissioners, one by the Ellenboro Governing Board, and the other shall be selected by the Board of Directors or by open meeting of the membership of the Ellenboro Fire Department. One member of the initial commission shall be appointed for a three-year term, one member for a two-year term, and one member for a one-year

term. As the terms of the initial members expire, their successors shall be appointed for three-year terms. The Fire District Commission shall select its own chairman."

Sec. 3. G.S. 69-25.14 and G.S. 69-25.15 are repealed.

Sec. 3.1. G.S. 69-25.10 is amended by deleting "fifteen percent (15%)", and substituting "thirty-five percent (35%)", and deleting "two years", and substituting "three years".

Sec. 3.2. The second sentence of G.S. 69-25.1 is amended by deleting "two years", and substituting "three years".

Sec. 4. This act shall apply only to the area of Rutherford County described in Section 1.1 of this act.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 24th day of May, 1985.