

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 379
SENATE BILL 299

AN ACT TO ANNEX CERTAIN TERRITORY TO THE VILLAGE OF PINEHURST.

The General Assembly of North Carolina enacts:

Section 1. The Corporate boundaries of the Village of Pinehurst are extended to include the following described territory:

"A certain tract or area of land in Mineral Springs and Sandhills Townships, Moore County, North Carolina, bounded on the North by Morganton Road (State Road No. 1205), on the Northeast by U.S. Highway No. 15-501, on the East by the Town of Aberdeen, N.C., and on the West by the Village of Pinehurst, N.C., described as follows:

BEGINNING at a concrete monument in the south right of way line of State Road No. 1205, (Morganton Road), where the Dixie Pipeline crosses said road, said monument being in the corporate limit line of the Village of Pinehurst, N.C., said monument further located as being the north corner of Lot No. 8, in Block "X", as shown on a Plat recorded in Map Book 9 at Page 1 in the Office of Register of Deeds for Moore County, North Carolina; running thence from the beginning N 37° 17' E 30.00 feet to a corner in the center of State Road No. 1205; thence S 54° 52' E 94.15 feet to a corner in State Road No. 1205, a corner of the John Warren Watson 776.91 acre tract recorded in Map Book 7 at Page 46 in the Office of Register of Deeds for Moore County; thence as the lines of said Watson tract, the following calls S 51° 16' E 799.65 feet to a corner in State Road No. 1205; thence S 52° 19' E 591.00 feet to a corner in State Road No. 1205; thence S 72° 38' E 305.69 feet to a corner in State Road No. 1205; thence N. 86° 42' E 264.91 feet to a corner in State Road No. 1205; thence N 73° 28' E 477.76 feet to a corner in State Road No. 1205; thence N. 85° 44' E 216.68 feet to a corner in State Road No. 1205; thence S 85° 20' E 555.27 feet to a corner in State Road No. 1205; thence S 84° 29' E 449.25 feet to a corner in State Road No. 1205; thence S 78° 25' E 345.83 feet to a corner in the right of way of State Road No. 1205; thence S 72° 31' E 960.63 feet to a corner in the intersection of the right of ways of State Road No. 1205 and U.S. Highway No. 15-501; thence continuing as the lines of the Watson 776.91 acre tract S 44° 26' E 478.29 feet to a corner in the right of way of U.S. Highway No. 15-501; thence S 39° 40' E 937.18 feet to a corner in the right of way of U.S. Highway No. 15-501; thence S 32° 05' E 583.44 feet to a corner in the right of way of U.S. Highway No. 15-501; thence leaving the highway and continuing as the lines of the Watson tract S 18° 41' W 879.40 feet to a corner of Lots 16 and 17, in Block "G" of the subdivision shown on Plat recorded in Map Book 7 at Page 62 in the Office of Register of Deeds for Moore County; thence S 78° 58' E 136.21 feet to a corner of

Lot No. 16, Block "G"; thence S 00° 33' E 1724.45 feet to the southeast corner of Lot No. 9, Block "G"; thence S 89° 27' W 969.46 feet to a corner in the south line of Lot No. 6, Block "G"; thence leaving the Watson tract and running to and as the east line of the Villa Lake Development Co. 189.46 acre tract S 00° 35' E 2418.35 feet to an iron stake, a corner of the Villa Lake Development Co.; thence continuing as the lines of the Villa Lake Development Co. S 89° 59' W 222.98 feet to a concrete monument; thence S 00° 18' E 1266.16 feet to a corner of the Villa Lake Development Co.; thence S 74° 55' W 1850.13 feet to a corner of the Villa Lake Development Co.; thence N 75° 28' W 628.16 feet crossing Aberdeen Creek to a corner of the Villa Lake Development Co.; thence North 300.00 feet to a corner of the Villa Lake Development Co. in the south line of the subdivision Plat of which is recorded in Map Book 7 at Page 62 in the Office of the Register of Deeds for Moore County; thence as the south lines of that subdivision N 88° 02' W 1504.55 feet to a concrete monument at the common corner of Lots 2 and 3, Block "Q"; thence N 87° 55' W 935.71 feet to a concrete monument at the common corner of Lots 7 and 5, Block "Q"; thence N 88° 12' W 943.86 feet to a corner at the southwest corner of Lot No. 16, the southeast corner of the Country Club of North Carolina, Inc. property entitled "Fourth Nine Addition, Phase One" recorded in Plat Cabinet 2 at Slide 23 in the Office of Register of Deeds for Moore County, N. C.; thence as the lines of the Fourth Nine Addition N 79° 01' W 1137.87 feet to a corner of Lot No. 52; thence N 1° 30' W 609.62 feet to a corner of Lot No. 51; thence S 83° 26' W 2199.47 feet, crossing the Dixie Gas Pipeline to a corner of Lot No. 45; thence as the line of Lot No. 45 N 00° 19' W 79.04 feet to a corner in the line of Lot No. 45; thence as the line of an addition to Lot No. 45 and Lot No. 44, N 88° 02' W 425.45 feet to a corner; thence N 53° 25' W 116.72 feet to a corner in the south line of Lot No. 44; thence as the south line of Lots 44 and 43 West 536.53 feet to a corner of Lot No. 43; thence N 70° 04' W 473.36 feet to a corner; thence West 15.89 feet to a common corner of the Country Club of North Carolina, Inc. property and Blake; thence as the common line of the Country Club of North Carolina, Inc. property and Blake, the following calls, N 6° 24' W 512.73 feet to a corner; thence N 10° 37' W 1348.89 feet to a corner; thence N 3° 57' W 594.37 feet to a corner; thence N 00° 54' E 549.12 feet to a corner; thence N 03° 13' W 60.00 feet to a corner; thence N 9° 46' W 538.28 feet to a corner; thence leaving the Blake property and continuing as the lines of the Country Club of North Carolina, Inc., Fourth Nine Addition, Phase One property, the following calls N. 79° 32' E 995.00 feet to a corner; thence N 42° 24' W 388.71 feet to a corner of Lot No. 19; thence N 88° 25' W 229.92 feet to a corner of Lot No. 19; thence N 42° 42' E 710.10 feet to a common corner of Lots 18 and 19; thence N 60° 29' E 498.25 feet to a corner of Lot No. 17; thence N 77° 52' E 500.00 feet to a corner of Lot No. 14 in the line of Lot No. 16; thence N. 12° 08' W 435.00 feet to a corner of Lot No. 14; thence N 77° 52' E 388.52 feet to a corner of Lots 14 and 13; thence S 75° 36' E 1501.44 feet to a corner of Lot No. 10; thence S 87° 34' E 754.84 feet to a corner of Lot No. 1 in the line of Lot No. 26, Block "X" of the subdivision Plat of which is recorded in Map Book 10 at Page 9 in the Office of Register of Deeds for Moore County in the right of way line of the Dixie Gas Pipeline right of way; thence as the following lines of Block "X" of the aforesaid subdivision shown in Map Book 10 at Page 9 in the Office of Register of Deeds for

Moore County N 20° 08' W 301.62 feet to a corner of Lots 25 and 26, Block "X"; thence N 37° 17' E 3524.36 feet to the Beginning, containing 1844.59 acres more or less".

Sec. 2. Notwithstanding G.S. 40A-3(b)(1) or the provisions of Article 9 of Chapter 136 of the General Statutes, no city shall have the power to acquire by condemnation any property in the area described in Section 1 of this act for the purpose of opening, widening, extending, or improving roads, streets, alleys, and sidewalks, or acquiring rights-of-way for streets, sidewalks and highways.

Sec. 3. No city may extend into the area described in Section 1 of this act any public enterprise described in G.S. 160A-311 without the written consent of seventy-five percent (75%) of the lot owners in that area, unless found necessary by state or county health authorities.

Sec. 4. Notwithstanding Article 4A of Chapter 160A of the General Statutes or the charter of any city, no city other than the Village of Pinehurst may annex the territory described in Section 1 of this act, nor may any city exercise extra-territorial power under Article 19 of Chapter 160A of the General Statutes prior to annexation in the area described in Section 1.

Sec. 5. This act does not affect any existing contractual rights or obligations between the Town of Southern Pines and the Country Club of North Carolina, Inc., or its predecessors in interest.

Sec. 6. The Town of Southern Pines and the Village of Pinehurst shall by contract transfer the ownership and operation of any public enterprises located and provided within the area defined by Section 1 of this act from the Town of Southern Pines to the Village of Pinehurst, at such time as the Village of Pinehurst is operating similar enterprises. Upon such transfer, the rates charged by the Village of Pinehurst for such services shall be the same within the area defined by Section 1 of this act as for areas outside the Village corporate limits if transfer is effective prior to annexation; and, as for areas inside the Village corporate limits if transfer is effective after annexation. The transfer of public enterprises described herein shall occur as soon as practical after the Village of Pinehurst has established similar public enterprises for the provision of services to the other areas within its municipal boundaries.

Sec. 7. Sections 1 and 3 of this act shall become effective December 31, 1989, or at the time of any prior annexation as herein provided. Property in the area annexed by Section 1 of this act shall be subject to taxation by the Village of Pinehurst for fiscal year 1989-1990 under the provisions of G.S. 160A-58.10. Sections 2, 4, 5 and 6 of this act are effective upon ratification. However, if sooner a written request for such annexation is made by the Board of Directors of the Country Club of North Carolina, Inc., which Board represents the residents and property owners of the area described in Section 1, such annexation shall be effective as soon as practical after such written request is submitted to and approved by the Village of Pinehurst, which approval shall not be withheld nor unreasonably delayed. In the event annexation takes place prior to December 31, 1989 by request of the Board of Directors of the Country Club of North Carolina, Inc., the annexed area will be taxed in the same manner as if annexed under G.S. 160A- 31.

In the General Assembly read three times and ratified, this the 12th day of June, 1985.