

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 501
HOUSE BILL 682

AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF
YANCEYVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE
YANCEYVILLE SANITARY DISTRICT.

The General Assembly of North Carolina enacts:

Section 1. In accordance with G.S. 130A-81(1a), the Town of Yanceyville is incorporated and the Yanceyville Sanitary District is simultaneously dissolved. Such incorporation and dissolution are not subject to referendum.

Sec. 2. A Charter for the Town of Yanceyville is enacted to read:

"CHARTER OF THE TOWN OF YANCEYVILLE.

"Chapter I.

"Incorporation and Corporate Powers.

"Section 1.1. Incorporation and corporate powers. The inhabitants of the Town of Yanceyville are a body corporate and politic under the name 'Town of Yanceyville'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general law of North Carolina.

"Chapter II.

"Corporate Boundaries.

"Sec. 2.1. Town Boundaries. Until modified in accordance with law, the boundaries of the Town of Yanceyville are as follows:

BEGINNING at an iron stake in the northern right of way line of N.C. HWY 86 (100 FT. R/W) and being the southeast corner of Roxboro Lumber Company, Inc. (Ace Hardware); thence crossing N.C. HWY 86 S 5° 30'W - 100.00 FT. to a point in the southern right of way line of N.C. HWY 86; thence S 5° 30'W - 400.00 FT. to a point; thence along a line parallel with and 450.00 FT. from the centerline of N.C. HWY 86 and U.S. HWY 158 in a westerly direction 2,220.00 FT. to a point in the western line of the lot recorded in Plat Book 4 at Page 191, said point being 450.00 FT. from and perpendicular with the centerline of U.S. HWY 158; thence along the said line S 25° 00'E - 110.96 Ft. to a corner with the B.S. Graves Estate; thence along the rear of said lot recorded in Plat Book 4 at Page 191 S 76° 29' 20"W - 911.07 FT. to a corner in the line of the Caswell Board of Education; thence with the line between the Caswell Board of Education and the B. S. Graves Estate S 7° 16' 47"W - 1,790.00 FT. to the corner with Bradner; thence with the line of Bradner N 86° 48'W - 1,970.00 FT. to a corner with the Caswell County Board of Education; thence with the Caswell County Board of Education S 66° 50'W - 158.00 FT.; thence S 56° 17'W - 220.00 FT.; thence N 28° 13'W - 35.00 FT.; thence S 04° 30'W - 110.00 FT.; thence S 55° 00'W - 70.00 FT.;

thence S 49° 30'W - 75.00 Ft.; thence S 14° 00'W - 80.00 FT.; thence S 74° 00'W - 210.00 FT.; thence N 15° 00'W - 510.00 FT. to an iron stake in the south right of way line of South Second Street; thence crossing South Second Street N 38° 55' 30"E - 33.25 FT. to an iron stake in the north right of way line of South Second Street, corner with T. S. Lee Estate recorded in Plat Book 10 at Page 91; thence with said estate the following courses and distances: N44° 07' 30"W - 74.75 FT., S 87° 52' 30"W - 233.00 FT.; N 05° 22' 30"E - 217.25 FT., N 12° 17' 30"W - 136.71 FT., N 43° 55' 30"W - 37.01 FT. to an iron stake in the T. O. Jones Heirs Recorded in Plat Book 10 at Page 55; thence with the line of said Jones Heirs the following courses and distances; N 20° 37' 30"W - 231.00 FT., N 24° 46' 30"W - 198.00 FT., N 11° 40' 30"E - 239.13 FT. to a corner with Caswell County recorded in Plat Book 6 at Page 37; thence N 76° 39' 30"W - 830.00 FT. to an iron stake in the J. H. Kerr Estate; thence with the Estate the following courses and distances: S 06° 08' 30"W - 286.50 FT., S 08° 15' 30"W - 835.00 FT., S 04° 59' 32"W - 1137.23 FT., S 03° 23' 28"W - 109.85 FT. to a corner with said Estate and the Yanceyville Sanitary District as recorded in Plat Book 4 at Page 45; thence with said Sanitary District S 04° 54'W - 2,241.21 FT. to a point in the center of Country Line Creek; thence along the center of Country Line Creek as it meanders in a westerly direction 3,250.00 FT to junction with Fullers Creek; thence along the center of Fullers Creek as it meanders in a northerly direction 2,470.00 FT. to the center line of Old N.C. HWY 62; thence crossing said road and running with the western boundary of the Yanceyville Lake Property in a northerly direction a distance of approximately 1,900 FT. to an iron stake, corner with Roy Atwater; thence with the line of Roy Atwater the following courses and distances: N 55° 55'W - 533.63 FT., N 6° 24'E - 1409.55 FT. to a corner with Underwood, N 5° 01'E - 772.29 FT., N 4° 53' E - 609.94 FT., N 84° 22' 30"W - 1400.27 FT., N 4° 04'E - 1269.05 FT. to the corner with George F. Marshall; thence with the line between George F. Marshall and Underwood N 9° 31'E - 418.36 FT. to the corner with Allen Gwyn Property; thence with the line between George F. Marshall and the Allen Gwyn Property N 5° 18'E - 618.59 FT.; thence S 84° 31'E - 462.29 FT. to the corner with Frank Smith; thence with the line between Frank Smith and the Allen Gwyn Property N 4° 35'E - 1870.00 FT. to a point in the line of Smith; thence across lot No. 3 of the Allen Gwyn Property and along the rear of lot Nos. 2 and 3D of the Allen Gwyn Property as recorded in Plat Book 6, Page 173 S 83° 41' 38"W - 2770.00 FT. to a point in the eastern right-of-way line of Hatchett Road; thence with the eastern right-of-way line of Hatchett Road in a northerly direction 830 FT. to the center of U.S. HWY 158; thence 300 FT. north of and perpendicular to the center line of U.S. HWY 158 to a point; thence along a line being the rear of lot Nos. 1C, 1B, and 1D of the Allen Gwyn Property N 83° 55' 15"E - 2,130 ft. to a point in the western boundary of the J. C. Womack and K. C. Arey Subdivision recorded in Plat Book No. 1 at Page 181; thence with the line between the Allen Gwyn Property and the J. C. Womack and K. C. Arey Subdivision N 4° 55' 27"E - 783.54 FT. to the corner with the Allen Gwyn Property and lot No. 4 of the W. P. Alridge Heirs subdivision recorded in Plat Book 6 at Page 43; thence across said lot No. 4 530 FT. to a point in the line between lot Nos. 3 and 4, said point being 430 FT. perpendicular from the center line of S.R. 1500 (Old N.C. 86); thence along a line parallel with and 430 FT. from the centerline of S.R. 1500

3770.00 FT. to a point 475 FT. from the centerline of N.C. HWY 86; thence N 14° 14'W - 620.00 FT.; thence S 83° 31'E -427.65 FT. to the western right-of-way line of N.C. HWY 86; thence in a line crossing N.C. HWY 86 N 38° 13'E -992.00 FT. to the northwest corner of Public Service Co. of N.C. lot on S.R. 1500; thence along the northern line of Public Service Co. of N.C. S 51° 47'E -360.00 FT. to the eastern right-of-way line of S.R. 1500; thence along the line between lots 14-A and 14-H of the C. E. Kimbro subdivision recorded in Plat Book 5 at Page 307 S 52° 57'E -303.60 FT. to the rear corner of lot 14-H; thence S. 36° 01'W -663.60 FT.; thence S 23° 53'W -406.64 FT. to the rear corner between lot Nos. 15-C and 15-D of the C. E. Kimbro subdivision; thence along the rear of lot Nos 15-C and 15-B of the C. E. Kimbro subdivision N 14° 14'W - 214.94 FT., thence along the line between lots 15-A and 16-A of the C. E. Kimbro subdivision S 65° 32'E -128.14 FT. to a point 475 FT. from the centerline and perpendicular to the centerline with N.C. HWY 86; thence across lot 16-A of the C. E. Kimbro subdivision 475 FT. from the centerline of N.C. HWY 86 S 14° 14'E - 885.00 FT. to a point in the line between lots 16-A and 17-A of the C. E. Kimbro subdivision; thence along the line between 16-A and 17-A of the C. E. Kimbro subdivision S 69° 42'E - 612.11 FT. to the center of Rattlesnake Creek; thence along Rattlesnake Creek as it meanders in a southerly direction 685 FT. to the southeastern corner of lot 18-A of the C. E. Kimbro subdivision; thence along the lot No. 18-A N 85° 17'W - 285.00 FT., thence S 7° 40'W - 160.00 FT. to a point 475 FT. from the centerline and perpendicular to the centerline of N.C. HWY 86; thence along a line 475 FT. from the center line of N.C. HWY 86 in a southerly direction 1,990.00 FT. to a point in the line of Caswell Motor Company, Inc.; thence along the line of Caswell Motor Co., Inc. N 54° 45'E - 157.37 FT. and S 73° 35'E - 361.29 FT. to the rear corner of Caswell Motor Co., Inc.; thence along the line between W. L. Daniel and Tract 2A of the W. L. Hooper Estate as recorded in Plat Book 10 at Page 208 N 38° 17'E - 863.60 FT. to a point; thence S 33° 41' 43"E - 87.04 FT. to the center line of S.R. 1576; thence along the line between Chandler and Tract 2B of the W. L. Hooper Estate S 33° 41'43"E - 186.50 FT; thence S 47° 41' 43"E - 270.60 FT.; thence S 37° 12' 22"E - 691.71 FT. to the corner with the Caswell County Board of Education; thence with the line of the Caswell County Board of Education S 50° 40' 41"E - 168.07 FT. thence N 59° 19'E - 700.00 FT. to the corner with the Caswell County Farm; thence S 0° 19'E - 600.00 ft. to the northern right of way line of S.R. 1572; thence along the northern right of way line of S.R. 1572 in an easterly direction 2,450.00 FT. to a point in the line of the Caswell County Farm, said point being approximately 625 FT. from the center line of S.R. 1589; thence along the Caswell County Farm line S 31° 26'E - 1,000.00 FT; thence S 54° 56'E - 945.00 FT. to the north corner of lot 124 of the T.E. Steed subdivision as recorded in Plat Book 1 at Page 210; thence along the rear of lot Nos. 124, 125, and 126 of the T.E. Steed subdivision S 42° 06'E - 5,144.00 FT. to an iron stake, corner with lot 126 of said subdivision and lot No. 1 of the Norman S. Upchurch Subdivision recorded in Plat Book 1 at Page 179; thence with the rear line of lot Nos. 1 and 2 of the Norman S. Upchurch Subdivision N 53° 04'E - 150.00FT.; thence N 42° 06'W - 125.00FT.; thence N 53° 13'E - 166.00FT.; thence S 56° 06'E - 133.25 FT. to the corner with lot No. 4 of the Norman S. Upchurch Subdivision; thence S 42° 06'E - 240.00 FT. to an iron stake in the line of

lot No. 4 and corner with lot No. 5 of the Norman S. Upchurch subdivision, thence along the rear of lot Nos. 5, 6, 7, and 8 of the Norman S. Upchurch subdivision N 52° 15'E - 220.00 FT.; thence N 42° 06'W - 15.00 FT.; thence N 52° 15'E - 75.00 FT.; thence S 42° 06'E - 175.00 FT. to a point in the northern right of way line of N.C. HWY 62; thence along the northern right of way line of N.C. HWY 62 in an easterly direction S 52° 15'W - 195.00 FT.; thence crossing N.C. HWY 62 S 36° 15'E - 570.00 FT.; thence S 43° 45'W - 500.00 FT. to the northeast corner of Roxboro Lumber Co., Inc.; thence with the western boundary of Roxboro Lumber Co., Inc. S 5° 30'W - 350.00 FT. to the POINT OF BEGINNING, containing 2,579.00 acres, the same being 4.03 square miles.

"Chapter III.

"Governing Body.

"Sec. 3.1. Structure of governing body; number of members.

The governing body of the Town of Yanceyville is the Town Council, which has five members.

"Sec. 3.2. Manner of electing board. The qualified voters of the entire Town nominate and elect the members of the Council.

"Sec. 3.3. Term of office of Council members. Until members are elected in accordance with this section, the Town Council shall consist of the three members of the Yanceyville Sanitary District Board, and two other persons appointed by those three members at the Town Council's first meeting in July, 1986. The two persons on the Yanceyville Sanitary District Board whose terms expire in 1986 shall serve until the 1987 municipal election. The person on the Yanceyville Sanitary District Board whose term expires in 1988 shall serve until the 1989 municipal election. One of the two persons appointed to the Town Council by the three members of the Yanceyville Sanitary District Board shall serve until the 1987 municipal election, and the other shall serve until the 1989 municipal election. The three members of the Yanceyville Sanitary District Board shall designate whom shall serve which term. In the 1987 municipal election and quadrennially thereafter, the three persons receiving the highest numbers of votes shall be elected for four-year terms on the Town Council. In the 1989 municipal election and quadrennially thereafter, the two persons receiving the highest numbers of votes shall be elected for four-year terms on the Town Council.

"Sec. 3.4. Selection of Mayor; term of office. The Mayor shall be appointed by the Town Council from among its own membership for a two-year term. The Mayor shall have the right to vote on all questions that come before the Council, but shall have no right to break a tie vote in which he participated.

"Sec. 3.5. Filling of vacancies. Vacancies occurring for any reason in the Town Council shall be filled by the remaining members of the Council for the remainder of the unexpired term.

"Chapter IV.

"Elections.

"Sec. 4.1. Conduct of Town elections. The Town Council shall be elected on a nonpartisan basis and the results determined by the plurality method as provided by G.S. 163-292.

"Chapter V.
"Administration.

"Sec. 5.1. Mayor-council plan. The Town of Yanceyville operates under the mayor-council plan as provided by Part 3 of Article 7 of Chapter 160A of the General Statues."

Sec. 3. The incorporation of the Town of Yanceyville and the simultaneous dissolution of the Yanceyville Sanitary District shall become effective at 12:00 noon on July 1, 1986. The Yanceyville Sanitary District shall take all actions necessary to effect this transfer of the assets and liabilities of the Sanitary District to the Town of Yanceyville by June 28, 1986.

Sec. 4. From and after January 1, 1986, the citizens and property in the Town of Yanceyville shall be subject to municipal taxes levied for the year beginning January 1, 1986, and the town shall obtain from Caswell County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1986, and the businesses in the town shall be liable for privilege license tax from the effective date of the privilege license tax ordinance. The Town may adopt a budget ordinance for fiscal year 1986-87 without following the timetable in the Local Government Budget and Fiscal Control Act.

Sec. 5. The transitional provisions of G.S. 130A-81(5) a. through g. shall apply to the Town of Yanceyville and the Yanceyville Sanitary District.

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of June, 1985.