

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 1007
HOUSE BILL 2270

AN ACT TO INCORPORATE THE TOWN OF SANDY CREEK; SUBJECT TO A
REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. A charter is enacted for the Town of Sandy Creek to read:

"CHARTER

FOR THE TOWN OF SANDY CREEK, NORTH CAROLINA

CHAPTER I INCORPORATION

Section 1.1. The Town of Sandy Creek, in the County of Brunswick, of the State of North Carolina is hereby incorporated to be known as the Town of Sandy Creek and is invested with all the powers, rights, privileges and immunities conferred and imposed on cities by the general law of North Carolina.

CHAPTER II BOUNDARIES

Section 2.1. Until modified in accordance with law, the boundaries of the Town are as follows:

Beginning at an Old Stone marking the northwestern corner of Parcel #6 (Tax Map #14) owned by N.C. Pulp Company (reference Deed Book 519 at Page 623 of the Brunswick County Registry; said Stone being located South 44 degrees 18 minutes 05 seconds East 959.15 feet from an Iron Pipe (found), such pipe being approximately 3 inches in diameter and marks the southwestern corner of Parcel #9 (Tax Map #14) conveyed to Tammy Maria Skipper and her guardian Betty M. Jackson by deed duly recorded in Deed Book 391 at Page 30 of the aforesaid registry; said pipe being in the northern right of way line (new R/W Line) of U.S. Highway 74-76 (allowing 187 feet in width as measured from northern line of the old abandoned Railroad to the new northern line of said Highway) (former) width of Highway was 50 feet) and is located at the following N.C. Grid Goordinates: Y=197,241.02 and X=2,255,843.21; said stone further being located in the southern right of way line of the formerly Atlantic Coastline Railroad (abandoned) (allowing 130 feet in width) as the same is shown on a map entitled, "Boundary Survey Map of Sandy Creek, N.C. (Proposed)", and is recorded in Map Book and/or Cabinet _____ at Page _____ of the aforesaid Registry. runs thence from the "Point of Beginning" as described with and along the north westerly line of Parcel #17 (reference Deed Book 606 at Page 418 of the Brunswick County Registry) owned by George D. Young, such line crosses the railroad right of way at a right angle, North 26 degrees 24 minutes East One Hundred Thirty and 0/10 feet to a point in the northern line of said railroad; runs thence with and along the northern line of said railroad South 63 degrees 36 minutes East 292.67 feet to a point in said right of way;

runs thence and leaving said railroad right of way and crossing the right of way of U.S. Highway 74-76 North 30 degrees 41 minutes 50 seconds East 187.52 feet to an Iron Rod (found) in the northern right of way line (new) of said highway, such rod marks the new southwesterly corner of Parcel #12.02 (Tax Map #14) as owned by Wade C. Skipper and described in a deed recorded in Book 438 at Page 191 of the aforesaid registry; runs thence and continuing along Wade C. Skipper's westerly line North 30 degrees 41 minutes 50 seconds East Eight Hundred Ninety and 58/100 (890.58) feet to an old Stone (called for) marking the northwesterly corner of said Parcel #12.02; runs thence with and along the northern line of said parcel South 58 degrees 48 minutes 22 seconds East 535.59 feet to an old stone (called for); runs thence with and along Wade Skipper's northeasterly line South 14 degrees 50 minutes 30 seconds East 440 feet to a point at the northwesterly corner of Parcel #12.01 (Tax Map #14) owned by Samuel K. Caines, Jr. and described in a deed recorded in Book 682 at Page 629 of the aforesaid registry; runs thence with and along Caines' northern line South 56 degrees 40 minutes East 1044 feet, more or less, to an Old Stone (called for); runs thence with and along the southeastern line of Caines' Property South 26 degrees 36 minutes 25 seconds West 72.44 feet, more or less, to a point marking the northwesterly corner of Parcel #35 (Tax Map #15) owned by Joseph Alonzo Moore, Jr. and described in that certain deed recorded in Book 172 at Page 247 of the aforesaid registry; runs thence with and along Moore's northerly line approximately South 63 degrees 36 minutes East 585 feet, more or less, to a point, his northeasterly corner; runs thence with and along Moore's southeasterly line approximately South 26 degrees 24 minutes West 453 feet to a point in the northerly right of way line (old) (allowing 50 feet in width) of said Highway 74-76, passing over said Highway's new right of way line (northerly) at a distance of 316 feet, more or less; runs thence and continuing same course (50) feet to a point in the southerly line of said highway and the northerly right of way line of the hereinbefore mentioned railroad; runs thence with and along the northerly line of said railroad South 63 degrees 36 minutes East 1091.95 feet, more or less, to a point; runs thence and crossing said railroad right of way at a right angle South 26 degrees 24 minutes West One Hundred Thirty (130) feet to an Iron Stake (called for) in a pond, such marking the southern line of said railroad and the northeasterly corner of Sandy Creek Acres East; runs thence and leaving said railroad and running with and along the line of Sandy Creek Acres East South 26 degrees 11 minutes West 2477.51 feet to a Control Corner, the same being shown on the aforesaid map of Sandy Creek, N.C. (proposed); runs thence North 89 degrees 19 minutes West 925.0 feet; runs thence North 00 degrees 41 minutes East 325.0 feet to a point in the run of a Branch marking the common corner of Sandy Creek Acres East and Sandy Creek Acres as the same are shown on those maps duly recorded in Map Cabinet 'M' at Page 290 and Map Cabinet 'M' at Page 111 respectively; runs thence with and along the boundary lines of Sandy Creek Acres South 26 degrees 38 minutes 50 seconds West 983.0 feet; runs thence South 81 degrees 03 minutes 47 seconds West Five Hundred Twelve and 0/10 (512.0) feet; runs thence North 83 degrees 12 minutes 38 seconds West 562.0 feet; runs thence North 61 degrees 42 minutes 38 seconds West One Thousand Nine Hundred Ninety (1990) feet; runs thence South 68 degrees 27 minutes 22 seconds West 120.0 feet; runs thence North 29

degrees 48 minutes 47 seconds West 426.71 feet to a Stone (called for) marking the westerly most corner of said Sancy Creek Acres; runs thence North 30 degrees 58 minutes 47 seconds West 300.3 feet to a Stone (called for); runs thence North 03 degrees 01 minute 13 seconds West 1237.5 feet to a Stone (called for) marking the westerly most corner of a Tract known as The Lee Tract owned by Riegel Paper Corporation (Map #12067-Riegel's Map filing system); runs thence North 83 degrees 56 minutes 13 seconds East 1182 feet, more or less, to a Stone (called for) marking the southwesterly corner of Parcel #6 (Tax Map #14) owned by N.C. Pulp Company; runs thence with and along the northwesterly line of said Pulp Company's Property North 37 degrees 30 minutes East 1585 feet, more or less, to the "Point of Beginning", containing 425 Acres, more or less, and being drawn (on the aforesaid map) and written from data obtained from deeds and maps as referenced on the face of said map of Sandy Creek, N. C. The foregoing description prepared in the office of Jerold W. Lewis, Registered Land Surveyor, N.C. Registration Number L-2589 on or about May 30, 1988 for Mr. Ernest Grainger, a duly authorized representative of Sandy Creek, N. C.

CHAPTER III GOVERNING BODY

Section 3.1. The governing body of the Town of Sandy Creek is the Council, which has five members.

Section 3.2. Manner of electing town officials. The qualified voters of the entire town elect the members of the Council.

Section 3.3. Term of Office of Council members. At the regular municipal election in 1989, the three candidates for Town Council receiving the highest number of votes shall be elected for a term of four years, and the two candidates receiving the next highest number of votes shall be elected for a term of two years. In the municipal election of 1991 and biennially thereafter, Town Council members shall be elected for a term of four years as their terms expire. Municipal elections for Sandy Creek shall be held in accordance with the general law.

Section 3.4. Selection of Mayor: Term of Office. The Mayor shall be selected by the council from among its membership to serve at its pleasure. The Mayor has the right to vote on all matters before the council, but has no right to break a tie vote in which he has participated.

CHAPTER IV ELECTIONS

Section 4.1. Town officers shall be elected on a non-partisan basis and the results determined by a plurality as provided in G.S. 163-292.

CHAPTER V ADMINISTRATION

Section 5.1. The Town of Sandy Creek will operate under the mayor-council plan as provided in Part 3 of Article 7 of Chapter 160A of the General Statutes."

Sec. 2. Until the organizational meeting after the 1989 municipal election, Don Minnis, Harold Caffee, Donald Hamilton, Buddy Grainger, and Buddy Millinor shall serve as the Town Council.

Sec. 3. Interim budget. The Council may adopt a budget ordinance for the 1988-89 fiscal year, following their qualification for office, without having to comply with the budget preparation and adoption timetable set out in the Local Government Budget and Fiscal Control Act. For the budget adopted for fiscal year 1988-89,

property taxes may be paid at par within 90 days of adoption of the budget ordinance, and thereafter according to the schedule in G.S. 105-360 as if the taxes had been due on September 1, 1988.

Sec. 4. (a) The Brunswick County Board of Elections shall conduct an election on September 20, 1988, for the purpose of submission to the qualified voters of the area described in Section 2.1 of the Charter of Sandy Creek, the question of whether or not such area shall be incorporated as Sandy Creek. Registration for the election shall be conducted in accordance with G.S. 163-288.2.

(b) In the election, the question on the ballot shall be:

FOR Incorporation of Sandy Creek

AGAINST Incorporation of Sandy Creek".

Sec. 5. In such election, if a majority of the votes cast are not cast "FOR Incorporation of Sandy Creek", then Sections 1 through 3 of this act shall have no force and effect.

Sec. 6. In such election, if a majority of the votes cast shall be cast "FOR Incorporation of Sandy Creek" then Sections 1 through 3 of this act shall become effective on the date that the Brunswick County Board of Elections determines the result of the election.

Sec. 7. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 28th day of June, 1988.