

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 231
HOUSE BILL 596

AN ACT TO DESCRIBE THE CORPORATE LIMITS OF THE CITY OF NEW
BERN.

The General Assembly of North Carolina enacts:

Section 1. Section 3 of the Charter of the City of New Bern, being Chapter 1281 of the Session Laws of 1957, as amended by Chapter 1111 of the Session Laws of 1961 and Chapter 213 of the Session Laws of 1969 is rewritten to read:

"Sec. 3. Corporate limits. The corporate limits of the City of New Bern as of March 20, 1995, are as follows:

BEGINNING at the intersection of the channels of the Neuse and Trent Rivers; thence from this beginning, up and with the channel of Neuse River and that portion of same which lies south of the unnamed island which is southeast of Hog Island, to the point of intersection of the channel of Neuse River and the channel of Bachelors Creek; thence northwestwardly with the channel of Bachelors Creek, to the intersection of said channel with the channel of McKornan's Creek, also known as 'McCronan's Creek,' also known as 'McKooham's Creek'; thence up and with McKornan's Creek, the following courses and distances, to a point: South 51° 10' West 156.75 feet; North 32° 05' West 1,518.00 feet; North 73° 25' West 780.45 feet; South 66° 50' West 1,051.05 feet; South 08° 10' East 841.50 feet; thence leaving McKornan's Creek, South 47° 10', West 61.0 feet, and South 76° 35' West 3,617.25 feet; thence North 14° 45' West 425.2 feet; thence South 75° 15' West 600 feet along and with the southerly right-of-way line of Briarwood Lane to the northeastern right-of-way line of NCSR 1401; thence northwestwardly, along and with the northeastern right-of-way line of Washington Post Road (NCSR 1401) to a point in said right-of-way line marked by an iron stake (which said iron stake is located the following courses and distances from the intersection of the northerly right-of-way line of Old US 70 with the southerly right-of-way line of NC 55: southeastwardly, along and with the northern right-of-way line of Old US 70 and NC 55 5,500 feet, more or less, to an iron in the right-of-way of said highway; thence North 39° 48' East 2,855.71 feet to an iron in the right-of-way of NCSR 1401 [Washington Post Road]; thence North 39° 48' East 60 feet, more or less, to the northeastern right-of-way line of the Washington Post Road [NCSR 1401]); thence from said iron stake in the northeastern right-of-way line of NCSR 1401, South 39° 48' West 2,915.71 feet, more or less, to an iron in the northerly right-of-way line of Old US 70 and NC 55; thence a northwesterly course along and with the northerly right-of-way line to the southernmost corner of the property owned by the New Bern-Craven County Board of Education, occupied by the Craven Evaluation and Training Center in January 1991;

thence North 30° 20' East, 128 feet; thence South 59° 40' East 125 feet; thence North 30° 20' East 100 feet; thence North 59° 40' West 125 feet; thence North 30° 20' East 249 feet; thence North 30° 45' East 479.5 feet; thence North 57° West 632.57 feet; thence South 68° 10' West 310.17 feet; thence South 26° 50' East 657 feet; thence South 26° 10' West 383.8 feet to the northerly right-of-way line of NCSR 1005, NC 55 (Old US 70 West); thence continuing along and with the northerly right-of-way line of Old US 70 and NC 55 to the point of intersection of the northerly right-of-way line of Old US 70 with the southerly right-of-way line of NC 55; thence northwestwardly, westwardly and southwestwardly along and with the northerly right-of-way line of Old US 70 (SR1005) to its point of intersection with the southeasterly right-of-way line of SR 1242; thence southwestwardly with the southeasterly right-of-way line of SR 1242, and said line extended, to the southerly right-of-way line of the Atlantic & North Carolina Railroad at a point which is 300.9 feet, South 66° 23' East from the intersection of the southerly right-of-way line of said railroad and the southeasterly right-of-way line of SR 1225; thence southeastwardly along and with the southerly right-of-way line of the Atlantic & North Carolina Railroad 14,200 feet to the northernmost corner of the property of Crayton & Company, consisting of 104.25 acres which was annexed to the City of New Bern by ordinance adopted on January 28, 1986; thence South 63° 39' 28" West 311.50 feet; thence South 48° 17' 01" East 4,633.43 feet, more or less, to the northernmost corner of property now or formerly owned by Westminster Company, which was annexed to the City of New Bern by ordinance adopted on May 22, 1979, the effective date of which was June 1, 1979; thence South 39° 26' West, along and with the Westminster line 1,450.96 feet; thence continuing along and with the southwest line of said Westminster property South 48° 13' East 1,469.52 feet to the northwesterly right-of-way line of Racetrack Road; thence South 48° 13' East 60 feet, more or less, to the southeasterly right-of-way line of Racetrack Road, a point in the northwestern line of property owned by the New Bern-Craven County Board of Education on which H. J. MacDonald School is located; thence southwardly, along and with the easterly right-of-way line of Racetrack Road and Racetrack Road, extended, i.e., in the same location in which it was prior to its being closed, in part, to accommodate the US 70 Bypass, to the southwesterly right-of-way line of said US Highway 70 Bypass, the northernmost corner of property owned by Quaere, Ltd., a partnership, annexed to the City of New Bern by ordinance bearing date September 6, 1977; thence northwesterly along and with the southwesterly right-of-way line of said U.S. Highway 70 Bypass to the northwestern corner of Lot 479 of Section VI, Phase II, P.U.D. at Greenbrier; thence South 00° 10' 59" East along and with the western line of Section VI, Phase II, Greenbrier, and the western line of Section VI, Phase I, Greenbrier, to the southwestern corner of Lot 390 of said Phase I, Section VI; thence North 89° 49' 02" East along and with the southern line of Section VI, Phase I, Greenbrier, to a point which is North 26° 39' 56" West 24.89 feet from the southwestern corner of Lot 242, Section IV-B, Greenbrier; thence South 26° 39' 56" East 24.89 feet to said corner of said Lot 242; thence South 26° 39' 56" East 1,027.76 feet, and South 26° 08' 35" East 274.55 feet; thence continuing southeastwardly along the southwesterly lines of Lots 220, 219, 218, 217, 216, 215, 214, 213, 212, 211, 210, 209, and 208 of Greenbrier, Section III-C, which appears of

record in Plat Cabinet E, at Slide 220, Craven County Registry, South 26° 08' 35" East 1,357.81 feet; thence continuing said southeastern course along and with the southwestern lines of Section III-A and Section II, Greenbrier Subdivision, to the northeast corner of the property of the New Bern-Craven County Board of Education on which a new high school has been constructed, being the northeast corner of 'Parcel III' on that certain map entitled 'survey for New Bern-Craven County Board of Education of NBHSH Site, Raines Tract,' by Robert M. Chiles, P.E., dated March 17, 1989, and recorded in Map Cabinet E; thence along and with the northern line of said tract North 84° 25' 00" West 1,323.51 feet, more or less, to the northwest corner of the high school site; thence South 09° 02' 52" West 2,502.60 feet to a point; thence south 00° 16' 00" West 1,017.12 feet to a point in the northerly right-of-way line of US Highway 17; thence along a line perpendicular to the northerly right-of-way line of US 17 South 00° 16' 00" West 150 feet across US Highway 17 to the southerly right-of-way line thereof; thence westwardly along and with the southerly right-of-way line of US Highway 17 to the northwesterly corner of the strip of land 60 feet wide fronting on US Highway 17, which is a part of the 23.17 acres, more or less, conveyed to the New Bern-Craven County Board of Education by deed bearing date June 12, 1989, which appears of record in Book 1224, at Page 910, in the office of the Register of Deeds of Craven County (the subject 23.17 acres being Tract I described in said deed), the said strip of land is now the road entering the property on which is located the 'Ben Quinn Elementary School'; thence South 02° 40' West 399.34 feet; thence North 87° 20' West 643.09 feet; thence South 02° 38' West 159.84 feet; thence North 87° 22' West 94.30 feet; thence South 06° 40' West 690 feet; thence South 82° 30' West 1,419.00 feet; thence South 01° 30' West approximately 700 feet to the centerline of Haywood Creek; thence eastwardly along and with the centerline of Haywood Creek to a point in the run of Haywood Creek, which is the southwest corner of Lot 60 of Haywood Farms Subdivision, Section IV, as shown upon a map of the same by Eastern Engineering and Associates bearing date November 4, 1985, recorded in Plat Cabinet D, at Slide 653, in the office of the Register of Deeds of Craven County; thence continuing along and with the centerline of Haywood Creek in a southerly direction to the southernmost corner of Lot No. 52 in the Plan of Haywood Farms, Section II, which is recorded in Plat Cabinet C, at Slide 347, in the office of the Register of Deeds of Craven County, a point in the city limit lines of the Town of Trent Woods; thence along and with the southernmost line of said lot and Lot No. 53 of said subdivision in a northeasterly direction to the southeastern corner of said Lot No. 53, being the southwestern corner of Lot No. 6 of the Plan of Haywood Farms, Section I, as recorded in Plat Cabinet B, at Slide 339, in the office of the Register of Deeds of Craven County; thence along and with the southernmost line of said subdivision to the southeastern corner of Lot No. 15 of said subdivision; thence in a straight line in a southeasterly direction to the point in the southernmost right-of-way line of River Road (NCSR 1214), which is the center of the curve of the southernmost right-of-way line of River Road as shown on the aforesaid map; thence along and with the southernmost right-of-way line of River Road in a northeasterly direction to the centerline of Morris Branch; thence along and with the centerline of Morris Branch in a southeasterly and an easterly direction to that point

where the centerline of Morris Branch intersects with the centerline of Jimmy's Creek; thence along and with the centerline of Jimmy's Creek in a northerly direction to that point where the centerline of Jimmy's Creek intersects with the centerline of Spring Branch; thence along and with the centerline of Spring Branch in a northeasterly direction to the southwestern corner of Lot No. 9 of the Patterson Farm, as recorded in Map Book 2, at Page 75, in the office of the Register of Deeds of Craven County; thence along and with the southernmost line of said lot in an easterly direction to the westernmost right-of-way line of Pembroke-Chelsea Road (NCSR 1200); thence along and with the westernmost line of Pembroke-Chelsea Road in a southwesterly direction to that point where the westernmost right-of-way line of Pembroke-Chelsea Road intersects with a line extended at a right angle to the right-of-way line of Pembroke-Chelsea Road from the southwestern corner of New Bern Memorial Cemetery; thence in a straight line in an easterly direction, crossing Pembroke-Chelsea Road at a right angle to the right-of-way line of Pembroke-Chelsea Road to the southwestern corner of New Bern Memorial Cemetery; thence along and with the southernmost line of New Bern Memorial Cemetery in an easterly direction to the westernmost line of the Plan of Bellefern–Section Six–Phase 2, as recorded in Plat Cabinet D, at Slide 559, in the office of the Register of Deeds of Craven County; thence along and with the westernmost line of said subdivision in a northeasterly direction to the northwestern corner of Lot 11 of said subdivision; thence along and with the northernmost line of said lot in an easterly direction to the southwestern corner of Lot No. 12 in the Plan of Bellefern–Section Six–Phase 1, as recorded in Plat Cabinet D, at Slide 531, in the office of the Register of Deeds of Craven County; thence along and with the westernmost lines of said lot and Lot No. 13 of said subdivision to the southeastern corner of the J.R. Harris and wife, Ruby H. Harris, lot, as recorded in Book 515, at Page 505, in the office of the Register of Deeds of Craven County; thence along and with the southernmost line of said lot in a westerly direction to the southwestern corner of said lot, the southeastern corner of the property of the Bootery, Inc., which was annexed to the City of New Bern by ordinance adopted by the Board of Aldermen of the City of New Bern on June 27, 1989; thence along and with the eastern line of the Bootery property to the southernmost right-of-way line of Trent Road; thence along and with the southernmost right-of-way line of Trent Road in an easterly direction to the point at which the easternmost right-of-way line of Highland Avenue intersects the southernmost right-of-way line of Trent Road (NCSR 1278); thence from said point of intersection along and with the easternmost right-of-way line of Highland Avenue in a southeasterly direction to the northwestern corner of Lot No.1, Block D, of Highland Park Subdivision, as recorded in Map Book 7, at Page 23, in the office of the Register of Deeds of Craven County; thence along and with the northernmost lines of said block in a northeasterly direction to the northernmost corner of Lot No. 8 of said subdivision; thence in a straight line in a northerly direction to the westernmost corner of Lot No. 21, Block E, of said subdivision; thence along and with the northernmost lines of said subdivision in a northerly and an easterly direction to the easternmost corner of said subdivision; thence along and with the easternmost line of said subdivision in a southwesterly direction to a point in the easternmost line of said subdivision, being the northwestern corner of Lot No. 31, Fox Hollow–Section One, as

recorded in Map Book 11, at Page 55, in the office of the Register of Deeds of Craven County; thence along and with the northeasternmost line of said subdivision in a southeasterly direction to the northeastern corner of Lot No. 32 of said subdivision; thence along and with the southeasternmost line of said subdivision in a southwesterly direction to the southeastern corner of Lot No. 37 of said subdivision, being a point in the northernmost line of Fox Hollow–Section Three, as recorded in Plat Cabinet A, at Slide 82-B, in the office of the Register of Deeds of Craven County; thence along and with the northernmost lines of said subdivision and the property designated 'Reserved' on the plat thereof to the westernmost right-of-way line of Pembroke-Country Club Road (NCSR 1200); thence in a straight line, in a southeasterly direction, crossing Pembroke-Country Club Road at a right angle to the right-of-way line of Pembroke-Country Club Road to a point in the easternmost right-of-way line of Pembroke-Country Club Road; thence along and with the easternmost right-of-way line of Pembroke-Country Club Road in a southwesterly direction to that point where the easternmost right-of-way line of Pembroke-Country Club Road intersects with the northeasternmost right-of-way line of Trent Shores Drive (NCSR 1206); thence along and with the northeasternmost right-of-way line of Trent Shores Drive in a southeasterly direction to the westernmost corner on Trent Shores Drive of Lot No. 9 of Trent Shores–Section E, as recorded in Plat Cabinet B, at Slide 69, in the office of the Register of Deeds of Craven County; thence along and with the western line of said lot in a northerly direction to the northwestern corner of said lot; thence along and with the northern line of said lot and Lot No. 10 of said subdivision, in an easterly direction to the northeastern corner of said Lot No. 10; thence along and with the eastern line of said lot in a southerly direction to the easternmost corner on Trent Shores Drive of said lot; thence along and with the northeasternmost right-of-way line of Trent Shores Drive in a southeasterly direction to the northernmost corner on Trent Shores Drive of Lot No. 22 of Trent Shores Subdivision–Lots 21 and 22, Section A, 'Addition,' as recorded in Plat Cabinet D, at Slide 501, in the office of the Register of Deeds of Craven County; thence along and with the northwesternmost line of said lot in a northeasterly direction to the northernmost corner of said lot; thence along and with the northeasternmost line of said lot in a southeasterly direction to the northernmost shoreline of Trent River; thence in a straight line, continuing in the same direction, to the channel of Trent River; thence northeasterly and easterly along and with the channel of Trent River to the point of intersection of the channels of the Neuse and Trent Rivers, the point of BEGINNING.

THE FOLLOWING TRACTS ARE NONCONTIGUOUS TO THE PRIMARY CORPORATE LIMITS OF THE CITY OF NEW BERN, ANNEXED TO THE CITY PURSUANT TO THE AUTHORITY CONTAINED IN PART 4, 'ANNEXATION OF NONCONTIGUOUS AREAS,' OF CHAPTER 160A OF THE NORTH CAROLINA GENERAL STATUTES.

PARCEL 1
SATELLITE ANNEXATION DESCRIPTION OF
WEYERHAEUSER'S CRAVEN 32 AND THE REGISTER PARCEL

All that certain tract or parcel of land lying and being in Township No. 7, Craven County, North Carolina, and being more particularly described as follows:

BEGINNING at a concrete marker now or formerly W.G. Taylor's southwest corner on the east shore of Brice's Creek at a point 12,012 feet, more or less, northwardly along the shore of said creek from the mouth of the run of Boleyn Swamp and said point of BEGINNING, being more particularly defined as being 9,500 feet, more or less, from the shoreline at Wards Point, the closest land within the corporate limits of the City of New Bern; thence from said point of beginning with and along the Taylor's line North 86° East 1,268 feet, more or less; thence due East 465 feet, more or less; thence North 86° 20' East 1,980 feet, more or less; thence North 86° East 355 feet, more or less; thence North 86° 20' East 1,188 feet, more or less, to a concrete marker in the west edge of the right-of-way of the Old New Bern to Morehead Road (now SR 1111); thence leaving the line of W. G. Taylor and running along the west side of said road right-of-way South 3° 30' West 1,155 feet, more or less, to a concrete marker in the center of a ditch; thence crossing the Old New Bern to Morehead Road (now SR 1111) and up the center of said ditch with H. Wooten's line North 65° 30' East 241 feet, more or less; thence South 76° 15' East 660 feet, more or less; thence South 74° 15' East 901 feet, more or less, to a concrete marker in the west side of an old road; thence with the west side of said road North 13° 20' East 1,626 feet, more or less, to H. Wooten's northeast corner in the west side of said road; thence North 86° 30' East 30 feet, more or less, to a corner marker, now or formerly T. A. Grantham's northwest corner; thence with Grantham's line South 24° 15' East 1,673 feet, more or less, to a concrete marker, a corner of said Grantham; thence with Grantham's line North 56° East 825 feet, more or less, to a concrete marker in the west edge of the right-of-way of the Atlantic & North Carolina Railroad; thence with the edge of said right-of-way South 19° 20' East 1,551 feet, more or less, to a new point cornering; thence across the right-of-way of the Atlantic & North Carolina Railroad North 69° 44' 39" East 100.02 feet to an iron pipe the northwesterly corner of the Weyerhaeuser Real Estate Company, formerly the Evelyn C. Register property; thence North 69° 44' 39" East 380.98 feet to an iron pipe in the westerly right-of-way U.S. Highway 70 cornering; thence with and along the westerly right-of-way of U.S. Highway 70 South 20° 15' 21" East 400 feet to an iron pipe cornering; thence South 61° 49' 39" West 392.03 feet to an iron pipe in the easterly right of the Atlantic & North Carolina Railroad; thence continuing across the Atlantic & North Carolina Railroad South 61° 49' 39" West 101.20 feet to a point in the westerly right-of-way of said railroad cornering; thence with and along the westerly right-of-way of the Atlantic & North Carolina Railroad South 19° 20' East 2,079 feet, more or less, to a concrete marker, now or formerly a corner of J. S. McGowan; thence leaving said railroad right-of-way South 66° 25' West 313 feet, more or less to a poplar and iron pipe, a corner of said McGowan; thence North 38° 10' West 785 feet, more or less, to a granite marker; thence South 62° 30' West 132 feet, more or less to a concrete marker in the run of Boleyn Swamp, a corner of J. S. McGowan; thence down the run of Boleyn Swamp westwardly with the line of J.S. McGowan across SR 1111 and with the line now or formerly T. A. Grantham 6,732 feet more or less, to Brice's Creek; thence down the east shore of said creek northwardly 12,012 feet, more or less to the BEGINNING, containing 1,043.1 acres, more or less.

The above parcel is recorded in Deed Book 348, Page 6; Deed book 624, Page 2; Deed Book 1399, Page 920; Map Book 1, Page 144; and Plat Cabinet F, Slide 157-H, of the Craven County Register of Deeds.

PARCEL 2

MILTON AND ANNA ASKEW, HIGHWAY 17 SOUTH

All those certain tracts or parcels of land lying and being situate in Number Eight Township, Craven County, North Carolina, and being more particularly described as follows:

TRACT ONE

Beginning at a point which lies North 18° 29' West 35 feet from the southeastern corner of the property conveyed by Wray to Dentico by deed recorded in Book 810, Page 716, in the office of the Register of Deeds of Craven County. Thence from this point of beginning so located continuing North 18° 29' West 212.4 feet to a point; thence North 11° 43' West 586.2 feet to the southern line of the abandoned Seaboard Coastline Railroad right-of-way; thence along and with the southern line of the abandoned Seaboard Coastline Railroad right-of-way North 84° 7' East 424.7 feet to a point; thence South 0° 3' West 821.1 feet to a point; thence North 88° 59' West to the point of beginning. Also included is all the property lying between the northern line of the aforesaid property and the centerline of the abandoned Seaboard Coastline Railroad right-of-way between the eastern and western lines of the aforesaid property extended northwardly to the centerline of the abandoned Seaboard Coastline Railroad right-of-way.

TRACT TWO

Beginning at a point in the western line of the property described by deed recorded in Book 490, Page 295, from Harrison to Harrison, which said point of beginning lies North 18° 8' West 35 feet along the western line of said Harrison parcel from the northern line of U.S. Highway No. 17. Thence from this point of beginning so located North 18° 8' West 212.7 feet along the western line of the Harrison parcel to a point in said line; thence North 89° 6' West 420 feet along the southern line of the property described by deed recorded in Book 490, Page 293, from Harrison to Harrison; thence South 18° 8' East 212.7 feet to a point; thence South 89° 6' East a straight line to the point of beginning.

TRACT THREE

All that certain lot, tract or parcel of land located west of the City of New Bern, bounded by the centerline of the abandoned Atlantic Coast Line Railroad on the north, Sherwood Miller Harrison (formerly) on the east, Tract Two described above on the south, and the heirs of Mrs. Don White (formerly) on the west, consisting of '5.57 acres,' and more fully described and shown on the map prepared by Darrel D. Daniels, P.E.,

dated May 3, 1973, and to which map reference is hereby made for a more perfect description as to metes and bounds, said map being attached to deed recorded in Book 814, Page 941. Said property is described by metes and bounds as follows: Beginning at a point in the western line of the Harrison property which said point of beginning marks the northeastern corner of Tract Two described above. Thence from this point of beginning so located along and with the northern line of Tract Two North 89° 6' West 420 feet to a point; thence North 18° 8' West 528.25 feet to the southern line of the Seaboard Coastline Railroad right-of-way; thence North 81° 56' East 469.78 feet to a point; thence South 11° 43' East 586.70 feet to the point of beginning. Also included is the property lying north of the property shown on the map recorded in Book 814, Page 941, south of the centerline of the abandoned railroad and between the side lot lines of said tract extended northwardly.

PARCEL 3
STEPHEN BEST, et ux - HIGHWAY 55

All that certain tract or parcel of land situate, lying, and being in Number Eight Township, Craven County, North Carolina, and being more particularly described as follows:

Beginning at a point in the northeastern right-of-way line of N.C. Highway 55 (Old U.S. 70), which said point of beginning is located South 57°15' East, 311.55 feet along and with said right-of-way line from the center of an old ditch which is the southernmost corner of property now or formerly owned by the Craven County Board of Education depicted on a plat of record in Map Book 4, at Page 69, in the office of the Register of Deeds of Craven County; thence from said point of beginning, which is marked by an iron pipe, North 32°45' East, 296.00 feet to an iron pipe; thence South 65°00' East, 96.87 feet to an iron pipe; thence South 32°45' West, 309.06 feet to the right-of-way line of said highway; thence North 57°15' West along and with said right-of-way line 95.99 feet to the point of beginning.

Being Lot 1 of the division of property of the Roscoe Jackson, Sr. Heirs, a plat of which was prepared by Lonnie Nelms, Jr., R.L.S., November 2, 1987."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 13th day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives