

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SESSION LAW 2021-21
SENATE BILL 171

AN ACT REMOVING THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF BELVILLE AND WINGATE, REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SURF CITY, AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ASHEBORO.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-58.1 reads as rewritten:

"§ 160A-58.1. Petition for annexation; standards.

...
(b) A noncontiguous area proposed for annexation must meet all of the following standards:

...
(5) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.

This subdivision does not apply to the Cities of Asheboro, Belmont, Claremont, Concord, Conover, Durham, Elizabeth City, Gastonia, Greenville, Hickory, Kannapolis, Locust, Marion, Mount Airy, Mount Holly, New Bern, Newton, Oxford, Randleman, Roanoke Rapids, Rockingham, Saluda, Sanford, Salisbury, Southport, Statesville, and Washington and the Towns of Ahoskie, Angier, Apex, Ayden, Belville, Benson, Bladenboro, Bridgeton, Bunn, Burgaw, Calabash, Carthage, Catawba, China Grove, Clayton, Columbia, Columbus, Cramerton, Creswell, Dallas, Dobson, Four Oaks, Franklin, Franklinton, Fuquay-Varina, Garner, Godwin, Granite Quarry, Green Level, Grimesland, Harrisburg, Holly Ridge, Holly Springs, Hookerton, Hope Mills, Huntersville, Jamestown, Kenansville, Kenly, Knightdale, Landis, Leland, Lillington, Louisburg, Maggie Valley, Maiden, Mayodan, Maysville, Middlesex, Midland, Mocksville, Morrisville, Mount Pleasant, Nashville, Oak Island, Ocean Isle Beach, Pembroke, Pine Level, Pollocksville, Princeton, Ranlo, Richlands, Rolesville, Rutherfordton, Shallotte, Siler City, Smithfield, Spencer, Spring Lake, Stem, Stovall, Surf City, Swansboro, Taylorsville, Troutman, Troy, Wallace, Warsaw, Watha, Waynesville, Weldon, Wendell, West Jefferson, Wilson's Mills, Windsor, Wingate, Yadkinville, Youngsville, and Zebulon.

...."

SECTION 2.(a) The following described property is removed from the corporate limits of the Town of Surf City:

Beginning at a new iron in the southern line of Sharks Landing, a 45' access easement, said beginning point being located the following courses and distances from an existing iron



found within the 45' access easement known as Oscar Edens Rd. and said existing iron also being the western corner of the George Grubbs property (Deed Book 4637, Page 2945):

1. S47°43'18"E 201.04' to an existing iron in the southeastern corner of said George Grubbs property, and being a common corner with Lot 1 of the Cordts Family Division, thence,

2. S47°45'52"E 551.62' to an existing iron in the southern line of Sharks Landing, a common corner of Lots 3 & 4 of Cordts Family Division as shown in Map Book 63, Page 94, thence,

Thence, from said point of beginning N39°50'13"E 245.11' with the dividing line of Lots 3 & 4 to an existing iron, thence, S47°52'09"E 40.0' to a point, thence, S39°50'13"W 200.48' to a point on the northern line of Sharks Landing, thence, S47°47'25"E 651.92' to a point in the western right-of-way of Cordts Lane, thence, S39°47'36"W 45.03' along the right-of-way of Cordts Lane, thence, N47°45'42"W 692.00' along the southern line of Sharks Landing to the place and point of beginning, containing 0.90 acres, as surveyed by Weston Lyall, PLS.

SECTION 2.(b) This section has no effect upon the validity of any liens of the Town of Surf City for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the Town of Surf City.

SECTION 2.(c) This section becomes effective June 30, 2021. Property in the territory described in this section as of January 1, 2021, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2021.

SECTION 3.(a) The following described property is removed from the corporate limits of the City of Asheboro:

DEANNEXATION AREA 1

Cedar Grove Township, Randolph County, North Carolina:

BEGINNING on the existing City of Asheboro satellite city limits line at stones and a 1/2-inch existing iron rod that is up 10 inches at the southwest corner of both Deannexation Area 1 and the Farrell D. Potts and wife, Brenda C. Potts property, which is the tract of land containing two areas of territory to be removed from the satellite corporate limits of the City of Asheboro, the Farrell D. Potts and wife, Brenda C. Potts property (the "Potts Tract") is described in Deed Book 2734, Page 596, Randolph County Registry and shown as Lot 15 in Plat Book 164, Page 17, Randolph County Registry; thence from the beginning point at the southwest corner of Deannexation Area 1 and proceeding along the existing City of Asheboro satellite city limits line by following the shared boundary line between the Potts Tract and the Donald Lanier property described in Deed Book 2675, Page 187, Randolph County Registry and shown as Lot 14 in Plat Book 166, Page 9, Randolph County Registry the next two bearings and distances: North 06 degrees 28 minutes 20 seconds East 127.70 feet to a 1/2-inch existing iron rod that is up 2 inches; thence North 06 degrees 28 minutes 20 seconds East 16.30 feet to a point at the northwest corner of Deannexation Area 1, this northwest corner of Deannexation Area 1 is located by means of the North Carolina Coordinate System at the coordinates of North 688,919.25 feet and East 1,728,306.26 feet (NAD 83 (2011)); thence continuing to run along the existing City of Asheboro satellite city limits line by departing from the western boundary line for the Potts Tract and Deannexation Area 1 in order to follow the northern boundary line for Deannexation Area 1 across the Potts Tract the next two bearings and distances: South 73 degrees 46 minutes 57 seconds East 172.97 feet to a point; thence North 87 degrees 49 minutes 26 seconds East 90.96 feet to a point at the northeastern corner of Deannexation Area 1; thence departing from the northern boundary line of Deannexation Area 1 by following the next three bearings and distances along the shared boundary line between the Potts Tract and the Tot Hill Farm, LLC

property described in Deed Book 1684, Page 1799, Randolph County Registry in order to proceed along the proposed City of Asheboro satellite city limits line, which will be the new satellite city limits line for the City of Asheboro after the removal of the territory within Deannexation Area 1 from the satellite corporate limits of the City of Asheboro: South 51 degrees 43 minutes 28 seconds West 39.10 feet to a point; thence South 83 degrees 23 minutes 26 seconds West 193.63 feet to a 3/4-inch existing iron pipe that is up 7 inches; thence South 44 degrees 07 minutes 48 seconds West 72.06 feet to the point and place of BEGINNING, and containing a total of 13,652.004 square feet (0.313 of an acre) of land, more or less, within Deannexation Area 1 that is to be removed from the satellite corporate limits of the City of Asheboro.

The above-stated description is in accordance with a plat of survey titled "PLAT OF PROPOSED DEANNEXATION of Certain Territory at the Request of the CITY OF ASHEBORO(;) PROPERTY OF FARRELL D. POTTS AND BRENDA C. POTTS" that was drawn under the supervision of William C. Burrow, Professional Land Surveyor with License Number L-2497. The project number listed on the plat is 5782, and the plat of survey's title block bears the date of February 22, 2021.

DEANNEXATION AREA 2

Cedar Grove Township, Randolph County, North Carolina:

BEGINNING at a point in the western margin of the 60-foot public right-of-way for Tot Hill Farm Road (North Carolina Secondary Road 1163) that is both (a) the easternmost corner of the Farrell D. Potts and wife, Brenda C. Potts property (the "Potts Tract") described in Deed Book 2734, Page 596, Randolph County Registry and shown as Lot 15 in Plat Book 164, Page 17, Randolph County Registry; and (b) the southeast corner of Deannexation Area 2, which is one of two areas within the "Potts Tract" containing territory that is proposed for removal from the satellite corporate limits of the City of Asheboro; thence from the beginning point proceeding South 51 degrees 43 minutes 28 seconds West 136.85 feet along the southern boundary line of Deannexation Area 2 to a point at the southwest corner of Deannexation Area 2 (this southern boundary line for Deannexation Area 2 is labeled as the proposed City of Asheboro satellite city limits line and will be the new satellite city limits line subsequent to the removal of the territory within Deannexation Area 2 from the satellite corporate limits of the City of Asheboro), the above-referenced southern boundary line for Deannexation Area 2 follows the southern boundary line for the Potts Tract that runs along the Tot Hill Farm, LLC property described in Deed Book 1684, Page 1799, Randolph County Registry; thence departing from the proposed City of Asheboro satellite city limits line and the Potts Tract boundary line shared with the Tot Hill Farm, LLC property in order to proceed across the Potts Tract and follow the existing City of Asheboro satellite city limits line, which is the northern boundary line for Deannexation Area 2, the next two bearings and distances: North 34 degrees 15 minutes 27 seconds East 60.61 feet to a point; thence North 54 degrees 27 minutes 55 seconds East 80.27 feet to a point in the western margin of the 60-foot public right-of-way for Tot Hill Farm Road; thence departing from the existing City of Asheboro satellite city limits line to follow the proposed City of Asheboro satellite city limits line, which is also the eastern boundary line for Deannexation Area 2, South 33 degrees 43 minutes 15 seconds East 14.40 feet along the western margin of the 60-foot public right-of-way for Tot Hill Farm Road to the point and place of BEGINNING, and containing a total of 1,822.557 square feet (0.042 of an acre) of land, more or less, within Deannexation Area 2 that is to be removed from the satellite corporate limits of the City of Asheboro.

The above-stated description is in accordance with a plat of survey titled "PLAT OF PROPOSED DEANNEXATION of Certain Territory at the Request of the CITY OF ASHEBORO(;)"

PROPERTY OF FARRELL D. POTTS AND BRENDA C. POTTS" that was drawn under the supervision of William C. Burrow, Professional Land Surveyor with License Number L-2497. The project number listed on the plat is 5782, and the plat of survey's title block bears the date of February 22, 2021.

SECTION 3.(b) This section has no effect upon the validity of any liens of the City of Asheboro for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the City of Asheboro.

SECTION 3.(c) This section becomes effective June 30, 2021. Property in the territory described in this section as of January 1, 2021, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2021.

SECTION 4. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 12th day of May, 2021.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives