

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-345
HOUSE BILL 750

AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A
REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. A Charter for the Village of Forest Hills is enacted to read:

"CHARTER OF THE VILLAGE OF FOREST HILLS.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Village of Forest Hills are a body corporate and politic under the name 'Village of Forest Hills'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Section 2.1. **Village Boundaries.** Until modified in accordance with law, the boundaries of the Village of Forest Hills are as follows:

BEGINNING at the point of intersection of the projection of a Northwest direction of a line extending along the Northeastern boundary of Lot 1. of the Forest Hills Subdivision shown on Jackson County NC tax map 7559(17) with a Northeast projection of a line extending along the North side of State Road 1330 (Dillard Farm Road),

-Thence Southeast to the easternmost corner of Lot 2, Forest Hills Subdivision,

-Thence turning and running in a south and southeasterly direction to the southeasternmost corner of Lot 14, Forest Hills Subdivision identified as tax parcel 7559-20-2275,

-Thence turning and running in a west and southwest direction with the southeast boundaries of Lots 9, 10, 11, 12, 13, and 14 of the Forest Hills Subdivision identified as Jackson County tax parcels 7559-10-6040, 7559-10-7085, 7559-10-9110, 7559-20-0134, 7559-20-1148 and 7559-20-2275 to the Southwesternmost corner of Lot 9, Forest Hills Subdivision, identified as Jackson County tax parcel 7559-10-6040,

-Thence turning and running generally south with the east boundary of Lots 11, 12, 13, 14, 15, and 16 of the Forest Hills Subdivision identified on Jackson County tax map 7558(05) as parcels 7558-19-5980, 7558-19-5559, 7558-19-5421, 7558-19-5248, 7558-19-5143, and 7558-18-5946 to the southernmost corner of Lot 16, Forest Hills Subdivision identified on Jackson County tax map 7558(05) as parcel 7558-18-5946,

-Thence turning and running west and southwest with the southeast boundaries of Lots 16, 18, 20, and 23 of the Forest Hills Subdivision identified on the Jackson County tax map 7558(05) as parcels 7558-18-5946, 7558-18-4910, 7558-18-2970, and 7558-18-1836 to the Southwesternmost corner of Lot 23 of the Forest Hills Subdivision identified on the Jackson County tax map 7558(05) as parcel 7558-18-1836.

-Thence turning and running southeast with the Northeast boundary of Lot 26 and 27 of the Forest Hills Subdivision identified on Jackson County tax map 7558(05) as parcel 7558-08-9784 and with the Northeast boundary of Lot 20 and Lot 22 of the Oak Forest Subdivision identified on Jackson County tax map 7558(01) as parcels 7558-18-1641 and 7558-18-1443 to the southeasternmost corner of Lot 22 of the Oak Forest Subdivision identified on Jackson County tax map 7558(01) as parcel 7558-18-1443,

-Thence turning and running generally southwest with the southeast boundaries of Lot 22 to the Southwesternmost corner of Lot 22 of the Oak Forest Subdivision identified on Jackson County tax map 7558(01) as parcel 7558-18-1443,

-Thence turning and running southeast with the northeast boundary of Lot 15 Oak Forest Subdivision to the easternmost corner of Lot 15, Oak Forest Subdivision identified on Jackson County tax map 7558(01) as parcel 7558-18-1221,

-Thence turning and running generally south along the eastern boundary of Lot 15, Oak Forest Subdivision identified on Jackson County tax map 7558(01) as parcel 7558-18-1221,

-Thence turning and running generally west with the south boundary of Lot 15, Oak Forest Subdivision as identified on Jackson County tax map as parcel 7558-18-1221,

-Thence turning and running generally southwest to the southernmost corner of Lot 14, Oak Forest Subdivision identified on Jackson County tax map 7558(01) as parcel 7558-08-9276,

-Thence turning and running generally northwest to the northwesternmost corner of Lot 14, Oak Forest Subdivision identified on Jackson County tax map 7558(01) as parcel 7558-08-9276,

-Thence turning and running generally southwest with the southeast boundaries of Lots 31, and 32, Forest Hills Subdivision and Lot 20 Forest Hills Estates Subdivision as identified on Jackson County tax map 7558(05) as parcels 7558-08-7222, 7558-08-5173, and 7558-07-2944 to the southeasternmost corner of Lot 20, Forest Hills Estates Subdivision as identified on Jackson County tax map 7558(05) as parcel 7558-07-2944,

-Thence turning and running generally west with the southern boundary of Lot 20, Forest Hills Estates Subdivision identified on Jackson County tax map 7558(05) and with the southern boundaries of Lots 16, 11, and 9, Forest Hills Estates Subdivision as identified on Jackson County tax map 7548(02) as parcels 7548-97-4329, 7548-87-8394, and 7548-87-0413 to the southwesternmost corner of Lot 9, Forest Hills Subdivision as identified on Jackson County tax map 7548(02) as parcel 7548-87-0413,

-Thence turning and running generally north with the west boundaries of Lots 9, 7, 5, and 4 of the Forest Hills Estates Subdivision identified on Jackson County tax map 7548(02) as parcels 7548-87-0413, 7548-77-9820, 7548-78-8182, and 7548-78-9470 to the northwesternmost corner of Lot 4, Forest Hills Estates Subdivision identified on Jackson County tax map as parcel 7548-78-9470,

- Thence turning and running generally west with the southern boundaries of the parcels identified on Jackson County tax map 7548(02) as parcel numbers 7548-78-6523, 7548-78-5506, 7548-78-3569 to the southeasternmost corner of parcel 7548-78-3569 on Jackson County tax map 7548(02),
- Thence turning and running south and southwest with the east and southeast boundaries of parcel number 7548-78-2539 and 7548-68-9458 on Jackson County tax map 7548(02) to the southernmost corner of parcel 7548-68-9458 on Jackson County tax map 7548(02),
- Thence turning and running generally west with the southern boundaries of parcels 7548-68-9458 and 7548-68-5586 on Jackson County tax map 7548(02) to the southwesternmost corner of parcel 7548-68-5586 on Jackson County tax map 7548(02),
- Thence turning and running generally south with the eastern boundary of Lot 41 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel number 7548-68-2313 to the southernmost corner of Lot 41 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-68-2313,
- Thence turning and running generally west with the southern boundaries of Lot 44, 45, 46, and 48 Dillard Subdivision as identified on Jackson County tax map 7548(02) as parcels 7548-58-8172, 7548-58-5171, 7548-58-3123, and 7548-58-0251 to the southwesternmost corner of Lot 48 Dillard Subdivision identified on Jackson County tax map as parcel 7548-58-0251,
- Thence turning and running generally north with the western boundaries of Lot 48 Forest Hills, and Lot 57 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-58-0251, 7548-58-1742, and 7548-59-1077 to the northwesternmost corner of Lot 57 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-59-1077,
- Thence turning and running generally northeast with the northern boundaries of Lots 57, 58, 60, 62, Dillard Subdivision Lot 344 and 342 Forest Hills Subdivision and Lot 64 Dillard Subdivision identified on Jackson County tax map as parcels 7548-59-1077, 7548-59-6138, 7548-69-9241, 7548-69-2219, 7548-69-6483 and 7548-69-6892 to the northeasternmost corner of Lot 64, Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-69-6892,
- Thence turning and running north with the western boundaries of Lot 67 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-1217 to the northwesternmost corner of Lot 67 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-1217,
- Thence turning and running generally northeast with the northern boundary of Lot 67 Dillard subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-1217 to the northeasternmost corner of Lot 67 Dillard identified on Jackson County tax map 7548(02) as parcel 7548-79-1217,
- Thence turning and running generally southeast with the eastern boundary of Lot 67 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-1217,
- Thence turning and running generally northeast along the northern boundary of Lot 70 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-

7849 to the northeasternmost corner of Lot 70 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-7849,
-Thence turning and running generally southeast with the eastern boundary of Lot 70 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-7849,
-Thence turning and running generally northeast with the boundaries of Lots 316, 306, 304, and 302 Forest Hills Subdivision identified on Jackson County tax map 7548(02) as parcels 7548-89-2866 and two unnumbered parcels,
-Thence turning and running generally north with the western boundary of Lot 79 Dillard Subdivision identified on Jackson County tax map 7549(02) as parcel 7549-80-7281 to the northeasternmost corner of Lot 79 Dillard Subdivision identified on Jackson County tax map 7549(02) as parcel 7549-80-7281,
-Thence turning and running generally southeast with the eastern boundary of Lot 79 Dillard Subdivision identified on Jackson County tax map 7549(02) as parcel 7549-80-7281 to the northeasternmost corner of Lot 79 Dillard Subdivision identified on Jackson County tax map 7549(02) as parcel 7549-80-7281,
-Thence turning and running generally northeast for approximately 400 feet with the northern boundary of an unidentified parcel shown on Jackson County tax map 7548(02) to the northwesternmost corner of Lot 84 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-99-4947,
-Thence turning and running generally southeast with the northeast boundary of Lot 84, Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-99-4947 to the northeasternmost corner of Lot 84, Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-99-4947,
-Thence turning and running generally northeast with the northwest boundary of parcel 7548-99-8653 on Jackson County tax map 7548(02) to the northernmost corner of parcel 7548-99-8653 identified on Jackson County tax map 7548(02),
-Thence turning and running generally southeast with the northeast boundary of parcel 7548-99-8653 identified on Jackson County tax map 7548(02) to the intersection of the northern edge of State Road 1330, Dillard Farm Road, as shown on Jackson County tax map 7548(02),
-Thence turning and running generally east with the north side of State Road 1330, Dillard Farm Road, for approximately 210 ft to the southwesternmost corner of parcel 7558-09-3995 identified on Jackson County tax map 7558(05),
-Thence turning and running north with the western boundary of parcel 7558-09-3995 as identified on Jackson County tax map 7558(02) to the northwesternmost corner of parcel 7558-09-3995 as identified on Jackson County tax map 7558(02),
-Thence turning and running northeast with the northern boundaries of parcels 7558-09-3995 and 7558-09-7459 identified on Jackson County tax map 7558(05) to the northeasternmost corner of parcel 7558-09-7459 identified on Jackson County tax map 7558(05),
-Thence turning and running generally southeast with the northeast boundary of parcel 7558-09-7459 identified on Jackson County tax map 7558(05) to the southeasternmost corner of parcel 7558-09-7459 identified on Jackson County tax map 7558(05),

-Thence turning and running generally north and northwest with the western boundary of parcel 7559-10-1074 identified on Jackson County tax map 7559(17) to the northwesternmost corner of parcel 7559-10-1074 identified on Jackson County tax map 7559(17),

-Thence turning and running generally northeast with the northwest boundary of parcel 7559-10-1074 identified on Jackson County tax map 7559(17) to the northeasternmost corner of parcel 7559-10-1074 identified on Jackson County tax map 7559(17),

-Thence turning and running generally southeast with the northeast boundary of parcel 7559-10-1074 identified on Jackson County tax map 7559(17) to the intersection with the north side of State Road 1330, Dillard Farm Road,

-Thence turning and running generally northeast for approximately 1050 feet with the north side of State Road 1330, Dillard Farm Road, identified on Jackson County tax map 7559(17) to the point of BEGINNING. All references to 'tax maps' refer to Jackson County Tax Maps as of March 3, 1997.

"CHAPTER III.

"GOVERNING BODY.

"Section 3.1. **Structure of Governing Body; Number of Members.** The governing body of the Village of Forest Hills is the Village Council, which has four members and the Mayor.

"Section 3.2. **Manner of Electing Village Council.** The qualified voters of the entire Village of Forest Hills shall elect the members of the Village Council.

"Section 3.3. **Term of Office for Village Council Members.** Members of the Village Council are elected to four-year terms, except for the initial election in 1997 or 1998. In 1997 or 1998, two members of the Village Council shall be elected to four-year terms, and two members of the Village Council shall be elected to two-year terms. Thereafter, each member of the Village Council shall be elected for four-year terms.

"Section 3.4. **Selection of Mayor; Term of Office.** The Mayor is elected to a two-year term. The qualified voters of the entire Village of Forest Hills shall elect a Mayor. A Mayor shall be elected in 1997 or 1998 and biennially thereafter for a two-year term.

"CHAPTER IV.

"ELECTIONS.

"Section 4.1. **Conduct of Village Elections.** Village officers shall be elected on a nonpartisan basis, and the results determined by the plurality method.

"CHAPTER V.

"ADMINISTRATION.

"Section 5.1. **Mayor-Council Plan.** The Village of Forest Hills operates under the Mayor-Council Plan as provided by Part 3 of Article 7 of Chapter 160B of the General Statutes. The Mayor shall vote only in those cases necessary to break a tie.

"Section 5.2. **Interim Mayor and Village Council.** Until members of the Village Council are elected in 1997 in accordance with the Village Charter and the law of North Carolina, Irene M. Hooper shall serve as interim Mayor; and Jean Adams, Lawrence G. Kolenbrander, James W. Pearce, and Harold J. Williford shall serve as interim members of the Village Council, with all powers and authority as if they had been duly elected."

Section 2. On or before November 4, 1997, the Jackson County Board of Elections shall conduct a special election for the purpose of submission to the qualified voters of the area described in Section 2.1 of the Charter of the Village of Forest Hills, the question of whether or not such area shall be incorporated as the Village of Forest Hills.

Section 3. In the election, the question on the ballot shall be:

"[] FOR [] AGAINST

Incorporation of the Village of Forest Hills".

Section 4. In the election, if a majority of the votes are cast "For the incorporation of the Village of Forest Hills", this Charter becomes effective on the date that the Jackson County Board of Elections certifies the results of the election. Otherwise, Sections 1 through 3 of this act shall have no force and effect.

Section 5. If a majority of the voters approve an incorporation of the Village of Forest Hills, the election of the Village Council and Mayor shall take place at an election held on a date set by the Jackson County Board of Elections, but no later than July 1, 1998. Initial terms shall expire at the time provided by general law as if the election had taken place at the general election on the Tuesday after the first Monday in November 1997.

Section 6. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of July, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives