

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

FILED SENATE
May 11, 2016
S.B 875
PRINCIPAL CLERK

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SENATE BILL DRS15360-LMx-168B (04/28)

Short Title: Town of Sunset Beach/Deannexation. (Local)

Sponsors: Senator Rabon (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED

AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF SUNSET BEACH.

The General Assembly of North Carolina enacts:

SECTION 1. The following described property is removed from the corporate limits of the Town of Sunset Beach:

TRACT I

Being all that certain tract or parcel of land lying and being in Shallotte Township, Brunswick County, North Carolina to and being more particularly described as follows: Beginning at a new rebar set in the southern right of way line of West Main Street, said rebar being located the following bearings and distances from an existing pipe found in the centerline intersections of West Main Street and 40th Street (said iron pipe is noted as "Control Corner A" in Map Cabinet 87, Page 10, Brunswick County Registry and has NC Grid coordinates, N=43538.82 feet, E=2146864.04 feet); thence from said iron pipe, S11°15'49"E, 30.32 feet to an existing iron pipe found in the southern right of way line of West Main Street, thence S69°14'12"W, 9.98 feet to the Place and Point of Beginning. Thence from the BEGINNING and with the northern boundary lines of the lands owned by Gerald Otteni as claimed in Deed Book 1837, Page 1424, the lands owned by Surazal, LP as claimed in Deed Book 1394, Page 84 and Deed Book 709, Page 325 and the lands owned by Sun's Set, LP as claimed in Deed Book 1123, Page 627, S69°14'12"W, 154.86 feet to a rebar set; thence N20°43'54"W, 60.00 feet to a rebar set; thence with the southern boundary line of lands owned by At My Table, LLC as claimed in Deed Book 3360, Page 50, N69°16'06"E, 154.83 feet to an iron pipe found; thence S20°45'48"E, 59.91 feet to the Place and Point of Beginning. Containing 0.21 acres and being shown as Tract 1 on a map prepared by Christopher D. Stanley, P.L.S., titled "Survey For Sunset Beach West, LLC" dated November 10, 2014, as recorded in Map Cabinet 87, Page 10 of the Brunswick County Registry, to which reference is hereby made for a more full and accurate description.

TRACT II

Being all that certain tract or parcel of land lying and being in Shallotte Township, Brunswick County, North Carolina to and being more particularly described as follows: Beginning at a point, said point being located the following bearings and distances from an existing pipe found in the centerline intersections of West Main Street and 40th Street (said iron pipe is noted as "Control Corner A" in Map Cabinet 87, Page 10, Brunswick County Registry and has NC Grid coordinates, N=43538.82 feet, E=2146864.04 feet); S59°15'01"W, 172.46 to a point; thence N20°43'54"W, 60.00 feet to a point in the southern boundary line of lands owned by At My Table, LLC as claimed in Deed Book 3360, Page 50; thence with the southern boundary line of At My Table, LLC, S69° 16'06"W, 11.44 feet to the Place and Point of Beginning. Thence from the Beginning



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1 and with the approximate extension of the southern boundary line of the lands claimed by At My
2 House, LLC, S69°16'06"W, for approximately 1,758 feet to a point in the eastern boundary line of
3 the lands claimed by State of North Carolina as recorded in Deed Book 1537, Page 375 (Reference
4 Map Cabinet 25, Page 232 of the Brunswick County Registry; thence with the eastern boundary
5 line of State of North Carolina S01°42'41"W, for approximately 745 feet to a point in a mean high
6 water line; thence northeasterly with the mean high water line the following bearings and
7 distances: N52°26'45"E, 8.92 feet to a point; thence S80°49'24"E, 18.83 feet to a point; thence
8 N59°56'27"E, 19.65 feet to a point; thence N66°14'32"E, 19.06 feet to a point; thence
9 S56°20'27"E, 17.23 feet to a point; thence N35°32'45"E, 11.62 feet to a point; thence
10 N05°22'14"W, 18.25 feet to a point; thence N04°12'26"W, 10.09 feet to a point; thence
11 N32°04'44"E, 14.97 feet to a point; thence N54°13'16"E, 12.31 feet to a point; thence
12 S48°34'16"E, 13.09 feet to a point; thence S60°50'19"E, 9.40 feet to a point; thence S53°46'23"E,
13 4.24 feet to a point; thence S26°09'16"E, 14.81 feet to a point; thence S77°13'58"E, 11.53 feet to a
14 point; thence N89°14'47"E, 15.22 feet to a point; thence N89°38'38"E, 18.78 feet to a point;
15 thence N59°57'25"E, 7.21 feet to a point; thence S76°29'06"E, 18.53 feet to a point; thence
16 N62°39'45"E, 14.19 feet to a point; thence N20°28'30"E, 3.61 feet to a point; thence N76°25'58"E,
17 25.38 feet to a point; thence N53°30'00"E, 6.88 feet to a point; thence N59°58'41"E, 28.02 feet to
18 a point; thence N59°04'39"E, 31.96 feet to a point; thence N60°47'46"E, 33.38 feet to a point;
19 thence N 58°51'27"E, 29.71 feet to a point; thence N57°17'14"E, 34.25 feet to a point; thence
20 N58°25'44"E, 41.56 feet to a point; thence N51°25'53"E, 29.86 feet to a point; thence
21 N47°29'48"E, 31.66 feet to a point; thence N44°09'42"E, 30.97 feet to a point; thence
22 N45°49'25"E, 28.70 feet to a point; thence N39°40'41"E, 30.94 feet to a point; thence
23 N38°38'25"E, 31.05 feet to a point; thence N45°13'16"E, 34.04 feet to a point; thence
24 N37°35'33"E, 28.84 feet to a point; thence N36°52'20"E, 30.86 feet to a point; thence
25 N40°37'28"E, 29.10 feet to a point; thence N32°01'31"E, 19.46 feet to a point; thence
26 N23°00'04"E, 26.95 feet to a point; thence N06°32'31"W, 29.19 feet to a point; thence
27 N22°58'22"W, 9.52 feet to a point; thence N74°37'53"E, 13.53 feet to a point; thence
28 N71°13'09"E, 19.51 feet to a point; thence N82°17'18"E, 31.87 feet to a point; thence
29 N68°07'38"E, 31.14 feet to a point; thence N52°12'25"E, 34.41 feet to a point; thence
30 N41°14'34"E, 21.69 feet to a point; thence N80°10'14"E, 22.40 feet to a point; thence
31 S72°34'35"E, 28.77 feet to a point; thence N47°04'11"E, 25.17 feet to a point; thence
32 N51°15'39"E, 43.37 feet to a point; thence N52°13'39"E, 21.00 feet to a point; thence
33 N32°11'31"E, 19.33 feet to a point; thence N23°19'23"W, 30.12 feet to a point; thence
34 N07°14'03"E, 22.45 feet to a point; thence N21°10'33"W, 17.07 feet to a point; thence
35 N25°07'24"E, 19.97 feet to a point; thence N41°37'33"E, 32.28 feet to a point; thence
36 N63°10'17"E, 34.95 feet to a point; thence N69°27'58"E, 34.50 feet to a point; thence
37 N82°37'31"E, 33.94 feet to a point; thence N68°18'20"E, 28.19 feet to a point; thence
38 N60°56'56"E, 20.56 feet to a point; thence N76°20'28"E, 30.34 feet to a point; thence
39 S80°13'00"E, 25.28 feet to a point; thence S88°04'14"E, 28.01 feet to a point; thence S86°50'59"E,
40 29.20 feet to a point; thence N72°03'40"E, 19.68 feet to a point; thence N80°21'39"E, 21.66 feet to
41 a point; thence N75°01'49"E, 21.38 feet to a point; thence N54°00'58"E, 19.60 feet to a point;
42 thence N66°20'34"E, 24.38 feet to a point; thence N70°26'49"E, 21.60 feet to a point; thence
43 N56°54'30"E, 31.39 feet to a point; thence N48°50'53"E, 33.05 feet to a point; thence
44 N54°37'12"E, 25.78 feet to a point; thence N79°47'22"E, 14.39 feet to a point; thence
45 N52°07'15"E, 18.88 feet to a point; thence N47°36'52"E, 29.40 feet to a point; thence
46 N24°13'12"E, 26.31 feet to a point; thence N30°46'51"E, 25.98 feet to a point; thence
47 N22°41'06"E, 17.93 feet to a point; thence N66°18'30"E, 18.02 feet to a point; thence
48 N10°19'12"E, 8.14 feet to a point; thence N32°41'35"W, 21.15 feet to a point; thence
49 N22°35'34"W, 43.57 feet to a point; thence N54°35'04"W, 11.49 feet to a point; thence
50 N34°51'38"W, 15.53 feet to a point; thence N19°11'43"W, 86.90 feet to a point; thence
51 N19°19'51"W, 49.61 feet to a point; thence N01°41'40"W, 20.79 feet to a point; thence

1 N09°34'15"E, 25.66 feet to a point; thence N05°23'47"E, 38.75 feet to the Place and Point of
2 Beginning. Containing approximately 18 acres and being partially shown on a map prepared by
3 Christopher D. Stanley, P.L.S., dated June 18, 2014, to which reference is hereby made for a more
4 full and accurate description

5 TRACT III

6 Being all that certain tract or parcel of land lying and being in Shallotte Township, Brunswick
7 County, North Carolina to and being more particularly described as follows: Beginning at a new
8 rebar set, said rebar being located the following bearings and distances from an existing pipe
9 found in the centerline intersections of West Main Street and 40th Street (said iron pipe is noted as
10 "Control Corner A" in Map Cabinet 87, Page 10, Brunswick County Registry and has NC Grid
11 coordinates, N=43538.82 feet, E=2146864.04 feet); S59°15'01"W, 172.46 feet to the Place and
12 Point of Beginning. Thence from the Point of Beginning and with the northern boundary line of
13 the lands owned by Sun's Set, LP as claimed in Deed Book 1123, Page 627, S69°16'06"W, 35.17
14 feet to a point; thence with the eastern boundary line of the lands claimed by Sun's Set, LP,
15 S20°43'54"E, 974.94 feet to the mean high water line of the Atlantic Ocean; thence with the mean
16 high water line of the Atlantic Ocean the following bearings and distances, S64°16'53"W, 65.56
17 feet to a point; thence S65°09'19"W, 90.06 feet to a point; thence; S65°40'34"W, 90.77 feet to a
18 point; thence; S64°13'12"W, 91.01 feet to a point; thence S63°56'33"W, 90.89 feet to a point;
19 thence S62°23'02"W, 88.83 feet to a point; thence S61°44'58"W, 90.45 feet to a point; thence
20 S61°50'54"W, 88.64 feet to a point; thence S64°07'23"W, 94.29 feet to a point; thence
21 S63°16'35"W, 95.07 feet to a point; thence S63°40'50"W, 96.07 feet to a point; thence
22 S63°18'05"W, 94.64 feet to a point; thence S62°55'46"W, 97.30 feet to a point; thence
23 S62°52'02"W, 94.30 feet to a point; thence S62°48'31"W, 94.15 feet to a point; thence
24 S64°17'42"W, 92.41 feet to a point; thence S61°38'40"W, 91.18 feet to a point; thence
25 S64°01'29"W, 96.61 feet to a point; thence S62°14'45"W, 94.99 feet to a point; thence
26 S61°00'18"W, 94.32 feet to a point; thence S61°18'58"W, 95.28 feet to a point; thence
27 S63°26'23"W, 8.68 feet to a point in the mean high water line of the Atlantic Ocean; thence
28 leaving the mean high water line of the Atlantic Ocean, N00°01'00"E, 296.50 feet to a point;
29 thence N01°41'04"E, 201.07 feet to a concrete monument found; thence N02°18'20"E, 31.15 feet
30 to an existing iron pipe found; thence N01°42'41"E, 64.80 feet to a point in a mean high water
31 line; thence northeasterly with the mean high water line the following bearings and distances:
32 N52°26'45"E, 8.92 feet to a point; thence S80°49'24"E, 18.83 feet to a point; thence N59°56'27"E,
33 19.65 feet to a point; thence N66°14'32"E, 19.06 feet to a point; thence S56°20'27"E, 17.23 feet to
34 a point; thence N35°32'45"E, 11.62 feet to a point; thence N05°22'14"W, 18.25 feet to a point;
35 thence N04°12'26"W, 10.09 feet to a point; thence N32°04'44"E, 14.97 feet to a point; thence
36 N54°13'16"E, 12.31 feet to a point; thence S48°34'16"E, 13.09 feet to a point; thence
37 S60°50'19"E, 9.40 feet to a point; thence S53°46'23"E, 4.24 feet to a point; thence S26°09'16"E,
38 14.81 feet to a point; thence S77°13'58"E, 11.53 feet to a point; thence N89°14'47"E, 15.22 feet to
39 a point; thence N89°38'38"E, 18.78 feet to a point; thence N59°57'25"E, 7.21 feet to a point;
40 thence S76°29'06"E, 18.53 feet to a point; thence N62°39'45"E, 14.19 feet to a point; thence
41 N20°28'30"E, 3.61 feet to a point; thence N76°25'58"E, 25.38 feet to a point; thence N53°30'00"E,
42 6.88 feet to a point; thence N59°58'41"E, 28.02 feet to a point; thence N59°04'39"E, 31.96 feet to
43 a point; thence N60°47'46"E, 33.38 feet to a point; thence N 58°51'27"E, 29.71 feet to a point;
44 thence N57°17'14"E, 34.25 feet to a point; thence N58°25'44"E, 41.56 feet to a point; thence
45 N51°25'53"E, 29.86 feet to a point; thence N47°29'48"E, 31.66 feet to a point; thence
46 N44°09'42"E, 30.97 feet to a point; thence N45°49'25"E, 28.70 feet to a point; thence
47 N39°40'41"E, 30.94 feet to a point; thence N38°38'25"E, 31.05 feet to a point; thence
48 N45°13'16"E, 34.04 feet to a point; thence N37°35'33"E, 28.84 feet to a point; thence
49 N36°52'20"E, 30.86 feet to a point; thence N40°37'28"E, 29.10 feet to a point; thence
50 N32°01'31"E, 19.46 feet to a point; thence N23°00'04"E, 26.95 feet to a point; thence
51 N06°32'31"W, 29.19 feet to a point; thence N22°58'22"W, 9.52 feet to a point; thence

1 N74°37'53"E, 13.53 feet to a point; thence N71°13'09"E, 19.51 feet to a point; thence
 2 N82°17'18"E, 31.87 feet to a point; thence N68°07'38"E, 31.14 feet to a point; thence
 3 N52°12'25"E, 34.41 feet to a point; thence N41°14'34"E, 21.69 feet to a point; thence
 4 N80°10'14"E, 22.40 feet to a point; thence S72°34'35"E, 28.77 feet to a point; thence
 5 N47°04'11"E, 25.17 feet to a point; thence N51°15'39"E, 43.37 feet to a point; thence
 6 N52°13'39"E, 21.00 feet to a point; thence N32°11'31"E, 19.33 feet to a point; thence
 7 N23°19'23"W, 30.12 feet to a point; thence N07°14'03"E, 22.45 feet to a point; thence
 8 N21°10'33"W, 17.07 feet to a point; thence N25°07'24"E, 19.97 feet to a point; thence
 9 N41°37'33"E, 32.28 feet to a point; thence N63°10'17"E, 34.95 feet to a point; thence
 10 N69°27'58"E, 34.50 feet to a point; thence N82°37'31"E, 33.94 feet to a point; thence
 11 N68°18'20"E, 28.19 feet to a point; thence N60°56'56"E, 20.56 feet to a point; thence
 12 N76°20'28"E, 30.34 feet to a point; thence S80°13'00"E, 25.28 feet to a point; thence
 13 S88°04'14"E, 28.01 feet to a point; thence S86°50'59"E, 29.20 feet to a point; thence
 14 N72°03'40"E, 19.68 feet to a point; thence N80°21'39"E, 21.66 feet to a point; thence
 15 N75°01'49"E, 21.38 feet to a point; thence N54°00'58"E, 19.60 feet to a point; thence
 16 N66°20'34"E, 24.38 feet to a point; thence N70°26'49"E, 21.60 feet to a point; thence
 17 N56°54'30"E, 31.39 feet to a point; thence N48°50'53"E, 33.05 feet to a point; thence
 18 N54°37'12"E, 25.78 feet to a point; thence N79°47'22"E, 14.39 feet to a point; thence
 19 N52°07'15"E, 18.88 feet to a point; thence N47°36'52"E, 29.40 feet to a point; thence
 20 N24°13'12"E, 26.31 feet to a point; thence N30°46'51"E, 25.98 feet to a point; thence
 21 N22°41'06"E, 17.93 feet to a point; thence N66°18'30"E, 18.02 feet to a point; thence
 22 N10°19'12"E, 8.14 feet to a point; thence N32°41'35"W, 21.15 feet to a point; thence
 23 N22°35'34"W, 43.57 feet to a point; thence N54°35'04"W, 11.49 feet to a point; thence
 24 N34°51'38"W, 15.53 feet to a point; thence N19°11'43"W, 86.90 feet to a point; thence
 25 N19°19'51"W, 49.61 feet to a point; thence N01°41'40"W, 20.79 feet to a point; thence
 26 N09°34'15"E, 25.66 feet to a point; thence N05°23'47"E, 38.75 feet to a point; thence
 27 N69°16'06"E, 11.44 feet to a point; thence S20°43'54"E, 60.00 feet to the Place and Point of
 28 Beginning. Containing 24.95 acres and being shown on a map prepared by Christopher D. Stanley,
 29 P.L.S., dated June 18, 2014, to which reference is hereby made for a more full and accurate
 30 description.

31 TRACT IV

32 BEING ALL THAT CERTAIN lot or parcel of land lying and being located in Shallotte
 33 Township, Brunswick County, North Carolina, and being more particularly described as follows:
 34 BEGINNING at a 1/2" rebar set in the eastern right-of-way of NC Highway 904 (60 foot right-of-
 35 way), said rebar having NC grid coordinates (NAD 83/86) of N = 56,756.6469' and E =
 36 2,154,937.6319'; thence from said point and place of BEGINNING North 87°15'02" East, a
 37 distance of 127.37 feet to a 1/2" rebar set; thence North 79°27'13" East, a distance of 94.01 feet to
 38 a 1/2" rebar set; thence along a curve to the left having a radius of 189.50 feet, an arc length of
 39 42.57 feet and a chord bearing and distance of North 73°01'03" East, a distance of 42.48 feet to a
 40 1/2" rebar set; thence North 66°34'53" East, a distance of 924.41 feet to a 1/2" rebar set; thence
 41 South 08°40'20" East, a distance of 542.20 feet to a point in the center of Calabash Creek; thence
 42 with the run of Calabash Creek the following seven (7) calls: (1) South 66°23'43" West, a distance
 43 of 50.49 feet to a point; (2) South 63° 31'28" West, a distance of 34.25 feet to a point; (3) South
 44 63°41'31" West, a distance of 62.72 feet to a point; (4) South 50°34'20" West, a distance of 74.29
 45 feet to a point; (5) South 59°44'42" West, a distance of 55.60 feet to a point; (6) South 62°31'45"
 46 West, a distance of 97.58 feet to a point; and (7) South 65°42'52" West, a distance of 60.39 feet to
 47 a point; thence leaving said Calabash Creek North 09°17'38" West, a distance of 530.44 feet to a
 48 1/2" rebar set; thence South 66°34'53" West, a distance of 484.18 feet to a 1/2" rebar set; thence
 49 along a curve to the right having a radius of 239.50 feet, an arc length of 53.81 feet and a chord
 50 bearing and distance of South 73°01'03" West, a distance of 53.69 feet to a 1/2" rebar set; thence
 51 South 79°27'13" West, a distance of 133.32 feet to a 1/2" rebar set; thence South 72°51'33" West, a

1 distance of 88.22 feet to a 1/2" rebar set in the eastern right-of-way of NC Highway 904; thence
2 with the eastern right-of-way of NC Highway 904 the following two (2) calls: (1) North 09°57'05"
3 West, a distance of 41.07 feet to a 1/2" rebar set; and (2) North 10°02'08" West, a distance of
4 36.34 feet to a 1/2" rebar set, being the point and place of BEGINNING, containing 6.22 acres,
5 more or less, as shown on a survey entitled "ALTA/ACSM Land Title Survey For: Sunset Creek
6 Commons" prepared by Norris & Ward Land Surveyors, P.A. dated June 17, 2015.

7 TRACT V

8 Beginning at a point being the common corner of lot 1 Palm Cove as shown and recorded in Map
9 Cabinet 31 Page 190 and lot 41 as shown and recorded in Map Cabinet V page 57, said corner also
10 being on the southern right-of-way of East Main Street extension, all references to the Brunswick
11 County Registry, thence N 61°59'33" W a distance of 60.01' to a point, said point being the
12 common corner of the aforementioned lot 1 and lot 41A, as shown and recorded in Map Cabinet
13 17 page 208 of the Brunswick County Registry, said point also being on the northern right-of-way
14 of East Main Street extension; thence with the common line of the aforementioned lots 1 and 41A,
15 N 14°05'09" W a distance of 175.95' to a point at the mean high water line; thence N 09°48'48" W
16 a distance of 1058.55' to a point in Jinx's Creek; thence N 84°14'18" E a distance of 595.59' to a
17 point in Jinx's Creek, said point also being on the division line between the Town of Sunset Beach
18 and the Town of Ocean Isle Beach (See Section 2 of Chapter 93 of the 1963 Session Laws, Tract
19 4); thence with the division line between the Towns of Sunset Beach and Ocean Isle Beach, S
20 27°21'51" E a distance of 1285.45' to a point, said point being the northeast corner of lot 10 Palm
21 Cove, as shown and recorded in Map Cabinet 31 page 190; thence with the eastern line of the
22 aforementioned lot 10 Palm Cove, S 27°21'51" E a distance of 641.88' to the mean high water line
23 of the Atlantic Ocean; then with the mean high water line of the Atlantic Ocean the following
24 eleven courses: thence S 41°39'01" W a distance of 19.82' to a point; thence S 35°28'09" W a
25 distance of 62.50' to a point; thence S 45°55'57" W a distance of 66.12' to a point; thence S
26 56°14'53" W a distance of 61.86' to a point; thence S 78°35'32" W a distance of 68.29' to a point;
27 thence S 71°15'44" W a distance of 55.17' to a point; thence S 65°45'05" W a distance of 100.31'
28 to a point; thence S 78°07'12" W a distance of 63.49' to a point; thence S 80°10'24" W a distance
29 of 109.00' to a point; thence S 76°04'07" W a distance of 42.34' to a point; thence S 73°10'40" W a
30 distance of 41.33' to a point, said point also being the southwestern corner of the aforementioned
31 lot 1 Palm Cove; thence with the westerline of the aforementioned lot 1 Palm Cove, N 40°59'47"
32 W a distance of 903.99' to the Point of Beginning, containing 36.169 acres.

33 **SECTION 2.** This act has no effect upon the validity of any liens of the Town of
34 Sunset Beach for ad valorem taxes or special assessments outstanding before the effective date of
35 this act. Such liens may be collected or foreclosed upon after the effective date of this act as
36 though the property were still within the corporate limits of the Town of Sunset Beach.

37 **SECTION 3.** This act becomes effective June 30, 2016.