

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

FILED SENATE  
May 4, 2026  
S.B. 1074  
PRINCIPAL CLERK

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SENATE BILL DRS15465-BA-29

Short Title: Eden/Duke Energy Annexation Agreement. (Local)

Sponsors: Senator Berger (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT AUTHORIZING THE CITY OF EDEN TO ENTER INTO AN ANNEXATION  
3 AGREEMENT WITH DUKE ENERGY FOR PAYMENTS IN LIEU OF ANNEXATION.  
4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Notwithstanding any applicable provision of the General Statutes or  
6 any other public or local law, the City of Eden is granted certain contract powers as follows:

- 7 (1) The City of Eden may, by agreement, provide that certain property, described  
8 in Section 3 of this act as the "Dan River Plant Property," may not be  
9 involuntarily annexed by the City during the period beginning July 1, 2025,  
10 and ending June 30, 2030, under the General Statutes as they now exist or may  
11 be subsequently amended, except as provided in the agreement. The City of  
12 Eden shall not seek to repeal this act upon its approval by the General  
13 Assembly.  
14 (2) Any agreement entered into as provided in subdivision (1) of this section is  
15 specifically determined to be proprietary and commercial in nature and is  
16 specifically determined to be consistent with the public policy of the State of  
17 North Carolina.  
18 (3) Any agreement entered into as provided in subdivision (1) of this section is a  
19 continuing agreement and is binding on and enforceable against the current  
20 and future members of the City Council of the City of Eden during the full  
21 term of the agreement and any extension thereof.  
22 (4) The parties to the agreement entered into as provided in subdivision (1) of this  
23 section are authorized by this section to further modify, amend, and extend  
24 the agreement on mutual written consent, without the approval of the General  
25 Assembly, provided that any modification or amendment does not materially  
26 alter the concept of the agreement.

27 **SECTION 2.** The City of Eden may accept, as consideration for the agreement  
28 authorized in Section 1 of this act, payments in lieu of taxes in the amount of one million dollars  
29 (\$1,000,000), which shall be made by Duke Energy in annual payments in the amount of two  
30 hundred thousand dollars (\$200,000) for five successive and consecutive calendar years.

31 **SECTION 3.** The agreement under Section 1 of this act shall apply to the Dan River  
32 Plant Property described as follows:  
33 Tract 1

34 Beginning at a concrete monument set in the westerly line of S.R. # 1779 (Edgewood  
35 Road) and running thence from said beginning point, S 36° 45' E 80.6 feet to a stake, thence N  
36 69° 26' E 826.6 feet to an iron rod found; thence N 20° 32' W 239.7 feet to an iron rod; thence N



1 69° 28' E 97.1 feet to an iron rod found; thence N 20° 39' W 180.0 feet to an iron rod found;  
2 thence N 69° 18' E 54.7 feet to a concrete monument found; thence N 20° 30' W 240.4 feet to an  
3 iron rod; thence N 69° 30' E 87.0 feet to an iron rod found; thence N 20° 35' W 180.1 feet to an  
4 iron rod found; thence N 69° 27' E 515.5 feet to an iron rod and iron pipe found in the westerly  
5 boundary of the property of Fieldcrest Mills, Inc.; thence with said property line S 10° 19' E  
6 1390.2 feet to a concrete monument found in the southwesterly corner of the property of  
7 Fieldcrest Mills, Inc.; thence with the southerly line of Fieldcrest Mills, Inc., N 79° 03' E 161.9  
8 feet to a concrete monument found; thence S 80° 53' E 1126.3 feet to an iron rod found in the  
9 centerline of the CNW Railroad Spur Track; thence with the centerline of said Spur track the  
10 following courses and distances: S 4° 02' E 100.0 feet to a point; S 0° 02' E 99.9 feet to a point;  
11 S 4° 04' W 100.0 feet to a point; S 7° 43' W 100.0 feet to a point; S 11° 45' W 100.0 feet to a  
12 point; S 15° 57' W 100.0 feet to a point; S 20° 00' W 100.0 feet to a point; S 24° 15' W 100.0 feet  
13 to a point; S 28° 05' W 100.0 feet to a point; S 31° 33' W 72.0 feet to a spike found; thence N 88°  
14 54' E 623.1 feet to an iron rod found; thence S 18° 36' E 367.2 feet to an iron pipe found; thence  
15 S 6° 02' W 74.9 feet to an iron pipe found; thence S 24° 38' E 141.5 feet to a point in the northerly  
16 bank of the Dan River; thence with the Dan River the following courses and distances: S 66° 35'  
17 W 48.8 feet; S 54° 44' W 77.0 feet; S 61° 37' W 108.8 feet; S 55° 43' W 74.6 feet; S 53° 05' W  
18 203.1 feet; S 32° 02' W 281.5 feet; S 27° 20' W 140.7 feet; S 27° 58' W 436.3 feet; S 29° 28' W  
19 142.1 feet; S 26° 31' W 236.2 feet; S 41° 30' W 204.0 feet; S 52° 38' W 266.5 feet; S 58° 31' W  
20 263.2 feet; S 63° 40' W 317.8 feet; S 57° 38' W 75.4 feet; S 65° 46' W 312.0 feet; S 71° 46' W  
21 148.1 feet; S 75° 07' W 232.9 feet; S 76° 21' W 205.8 feet; N 6° 55' W 64.0 feet; S 68° 04' W  
22 235.4 feet; S 17° 07' E 61.4 feet; S 66° 21' W 108.2 feet; S 67° 33' W 318.2 feet; S 68° 11' W  
23 220.3 feet; S 70° 06' W 139.5 feet; S 78° 35' W 234.8 feet; S 65° 10' W 88.2 feet to a point in the  
24 southeasterly margin of the property of Fieldcrest Mills, Inc.; thence with the property line of  
25 Fieldcrest Mills, Inc.; N 18° 51' W 176.4 feet to an iron rod set; thence S 56° 26' W 96.7 feet to  
26 an iron pipe found; thence N 19° 06' W 1090.1 feet to a concrete monument found; thence N 82°  
27 22' E 247.0 feet to a point in the westerly bank of a pond; thence with the westerly bank of said  
28 pond, eight courses and distances as follows: (1) N 46° 33' W 98.7 feet; (2) N 32° 44' W 86.0  
29 feet; (3) N 47° 00' W 82.7 feet; (4) N 84° 22' W 45.6 feet; (5) N 39° 52' W 147.9 feet; (6) N 18°  
30 33' W 89.6 feet; (7) N 7° 38' E 206.9 feet; (8) N 36° 54' E 60.4 feet at an intersection of the said  
31 pond and Moir Branch; thence with the centerline of Moir Branch the following courses and  
32 distances: (1) N 22° 07' W 200.2 feet; (2) N 25° 40' W 40.5 feet; (3) N 45° 48' W 58.0 feet; (4)  
33 N 11° 08' W 47.0 feet; (5) S 79° 32' E 37.3 feet; (6) N 4° 09' E 25.0 feet; (7) N 6° 39' W 132.1  
34 feet; (8) N 5° 28' E 193.7 feet; (9) N 7° 04' W 76.1 feet; (10) S 30° 57' W 48.8 feet; (11) S 73°  
35 25' W 18.4 feet; (12) N 15° 37' W 44.9 feet; (13) N 3° 35' E 122.1 feet; (14) N 3° 20' W 34.8  
36 feet; (15) N 14° 01' W 129.2 feet; (16) N 50° 22' W 61.7 feet; (17) N 22° 47' W 85.8 feet; (18) N  
37 34° 56' W 29.7 feet; (19) N 4° 25' E 177.2 feet; (20) N 16° 48' E 54.7 feet; (21) N 30° 16' E 28.2  
38 feet; (22) N 18° 14' W 25.5 feet; (23) N 13° 26' W 47.0 feet; (24) N 4° 41' E 115.3 feet; (25) S  
39 89° 12' E 26.5 feet; (26) N 41° 02' E 26.5 feet; (27) N 9° 00' W 94.8 feet; (28) N 1° 43' W 62.0  
40 feet; (29) N 40° 28' E 15.7 feet; (30) N 22° 50' E 46.8 feet; (31) N 11° 42' E 37.1 feet; (32) S 82°  
41 45' E 40.0 feet; (33) N 16° 55' E 45.3 feet; (34) N 21° 40' E 37.9 feet; (35) N 6° 31' E 114.3 feet  
42 to a point in the southerly line of the property of Fieldcrest Mills, Inc.; thence with the southerly  
43 line of said property N 63° 10' E 308.3 feet to an iron pipe found; thence N 63° 14' E 523.5 feet  
44 to an iron pipe found; thence N 63° 07' E 132.1 feet to an iron pipe found; N 63° 20' E 171.2 feet  
45 to an iron pipe found; thence N 63° 13' E 357.6 feet to the point of beginning, containing 371.48  
46 acres.

47 Tract 2

48 Beginning at a point on the west bank of Miry Branch at the confluence of Miry  
49 Branch and Dan River; thence with the west branch of Miry Branch the following courses and  
50 distances: S 33° 39' W 85.4 feet; S 57° 48' W 80.0 feet; S 30° 56' W 51.1 feet; S 14° 24' E 36.7  
51 feet; S 43° 41' E 74.3 feet; S 1° 31' W 72.2 feet; S 6° 51' W 117.5 feet; S 5° 17' W 37.8 feet; S

1 45° 12' W 74.0 feet; S 41° 15' W 117.0 feet; S 31° 11' W 36.9 feet; S 15° 35' E 72.8 feet; S 31°  
2 08' W 52.5 feet; S 24° 33' E 44.3 feet; S 24° 09' W 94.5 feet; S 7° 15' W 35.1 feet; S 36° 54' E  
3 71.5 feet to an iron rod; thence S 72° 11' W 395.3 feet to a concrete monument found; thence N  
4 2° 25' E 917.1 feet to the southerly line of said river; thence with the southerly bank of Dan River  
5 three calls as follows: N 70° 00' E 336.4 feet; N 69° 52' E 115.1 feet; N 79° 21' E 154.5 feet to  
6 the point of beginning, containing 9.08 acres.

7 **SECTION 4.** This act is effective when it becomes law.