

GENERAL ASSEMBLY OF NORTH CAROLINA  
1991 SESSION

CHAPTER 232  
SENATE BILL 260

AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT.

The General Assembly of North Carolina enacts:

PART I. TOBACCOVILLE

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

"CHARTER FOR THE VILLAGE OF TOBACCOVILLE.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

The inhabitants of the Village of Tobacoville are a body corporate and politic under the name 'Village of Tobacoville.' The Village of Tobacoville has all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general law of North Carolina.

"CHAPTER II.

"VILLAGE BOUNDARIES.

Until modified in accordance with law, the boundaries of the Village of Tobacoville are as follows:

LEGAL DESCRIPTION FOR THE TOBACCOVILLE TOWN LIMITS

BEGINNING on an iron pin in the center of King-Tobacoville Road (SR 1611), said iron pin lying distant South 31 deg. 45 min. 19 sec. West 1663.49 feet from North Carolina Geodetic Survey monument "King"; running thence perpendicular to the centerline of said King-Tobacoville Road 30.0 feet to a point in the northwestern right-of-way line of said King-Tobacoville Road; thence southwardly with the northwestern right-of-way line of said King-Tobacoville Road and 30.0 feet from the centerline to the northeast corner of Lot No. 123 of Forsyth County Tax Block 4728; thence, westwardly with the north line of said Lot No. 123, 489.02 feet to the northwest corner of the 1.619 acre tract currently zoned I-2 from said Lot No. 123 as is shown on sheet D1 of the Official Zoning Map of Forsyth County as is recorded in the office of the City-County Planning Board; thence, with said 1.619 acre tract, the two (2) following lines, namely: southwardly 72.3 feet; thence, eastwardly with the south line of said 1.619 acre tract to a point lying 300 feet westwardly from the centerline of said King-Tobacoville Road at its nearest point; thence, parallel with said King-Tobacoville Road and 300 feet westwardly of its center to a point 300 feet northwardly of the center of Spainhour Mill Road at its nearest point; thence, parallel with said Spainhour Mill Road and 300 feet from its centerline to the eastern margin of Butner Road (SR 1607);

thence, southwestwardly with the eastern margin of said Butner Road extended to a point in the southern margin of said Spainhour Mill Road; thence, eastwardly with the said southern margin of Spainhour Mill Road to a point in the southern line of Lot No. 43C of Forsyth County Tax Block 4729; thence, southwardly to a point in the west line of Lot No. 39D of said Tax Block 4729, said point lying 300 feet southwardly from the center of said Spainhour Mill Road at its nearest point; thence, parallel with the centerline of said Spainhour Mill Road in an eastward direction to a point in the northwardly extension of the west line of Forsyth County Tax Block 4728A; thence, southwardly with the west line of said Tax Block 4728A to the southwest corner of said Tax Block 4728A; thence eastwardly to a corner of said Tax Block 4728A; thence, southwardly with said Tax Block 4728A to a corner of said Tax Block 4728A in the northern margin of Southern Railroad; thence, with the said northern margin of said Southern Railroad to the southeast corner of said Tax Block 4728A; thence, with the east line of said Tax Block 4728A to the northwest corner of Lot No. 16 of Forsyth County Tax Block 4723; thence, with the north line of said Lot No. 16 to the northeast corner of said Lot No. 16; thence with the east line of said Lot No. 16 to the northwest corner of Lot No. 15B of Forsyth County Tax Block 4723; thence, eastwardly with the north side of said Lot No. 15B to the eastern margin of Snyder Farm Road (SR1609); thence, northwardly with the eastern margin of said Snyder Farm Road to the southwest corner of Lot No. 8 of Tax Block 4728B; thence, eastwardly to a corner of said Tax Block 4728B; thence, northwardly with the east side of Tax Block 4728B to a point 300 feet southwardly from the center of said Spainhour Mill Road at its nearest point; thence, eastwardly and parallel to the centerline of said Spainhour Mill Road and 300 feet southwardly of said centerline to a point in the west line of Lot No. 16L of Forsyth County Tax Block 4728; thence, southward with the west line of said Lot No. 16L, 150 feet; thence, parallel with the centerline of said Spainhour Mill Road to a point in the west line of Tax Lot No. 16K of said Tax Block 4728; thence, northwardly with the west line of said Tax Lot No. 16K to a point located 300 feet southward of the centerline of said Spainhour Mill Road at its nearest point; thence, eastward and parallel with the centerline of said Spainhour Mill Road to a point 300 feet westwardly of the centerline of King-Tobaccoville Road at its nearest point; thence, southwardly and parallel to the centerline of said King-Tobaccoville Road and 300 feet westwardly of said centerline to a point in the north line of Lot No. 3 of Forsyth County Tax Block 4725; thence, westwardly with the north line of said Lot No. 3 to the northwest corner of said Lot No. 3; thence, southwardly with the west line of said Lot No. 3 to the center of Southern Railroad; thence, southeastwardly with the center of Southern Railroad to a point 300 feet westwardly of the centerline of said King-Tobaccoville Road at its nearest point; thence, southwardly and parallel to the centerline of said King-Tobaccoville Road to a point 300 feet northwardly from the center of Rolling Hill Road (SR 1612) at its nearest point; thence, westwardly and parallel to the centerline of said Rolling Hill Road to a point in the northern extension of the western line of Lot No. 7B of Forsyth County Tax Block 4723; thence, southeastwardly and falling in with the western line of said Lot No. 7B to a point in the northern margin of said Rolling Hill Road; thence, southwardly and perpendicular to said Rolling Hill Road to a point in the

southern margin of said Road; thence, eastwardly with the southern margin of said Rolling Hill Road to a point in the western line of Lot No. 5C of Forsyth County Tax Block 4726; thence, southwardly to the southwest corner of said Lot No. 5C; thence, eastwardly with the south line of said Lot No. 5C and continuing to the eastern corner of Lot No. 5H of Forsyth County Tax Block 4723; thence, southwardly with the east line of said Lot No. 5H to a point 300 feet northwardly of the center of Tobaccoville Road (SR 1620) at its nearest point; thence, westwardly and parallel with the centerline of said Tobaccoville Road to a point 300 feet northward of a point in the centerline of said Tobaccoville Road located 1200 feet eastwardly of the intersection of the centerline of said Tobaccoville Road and the centerline of Flip Newsom Road (SR 1613); thence, perpendicular to the centerline of said Tobaccoville Road in a northwestwardly direction, 300 feet; thence, parallel with the centerline of said Tobaccoville Road to a point in the western line of Tax Lot No. 6E of Forsyth County Tax Block 4723; thence, southeastwardly with the west side of said Tax Lot No. 6E to a point 300 feet northwardly of the centerline of said Tobaccoville Road at its nearest point; thence, westwardly and parallel with the centerline of said Tobaccoville Road to a point 300 feet eastwardly of the center of Flip Newsom Road (SR 1613) at its nearest point; thence northwardly and parallel with the center of said Flip Newsom Road to a point in the northeast line of Lot No. 33 of Forsyth County Tax Block 4724; thence, southwestwardly to the northwest corner of Lot No. 10A of Forsyth County Tax Block 4723; thence, southwardly with the west line of said Lot No. 10A to a point 300 feet northwardly of the center of said Tobaccoville Road at its nearest point; thence, southwestwardly and parallel with the centerline of said Tobaccoville Road to a point 300 feet northwardly of the center of Ridge Road (SR 1614) at its nearest point; thence, westwardly and parallel to the centerline of said Ridge Road to a point in the east line of Lot No. 12 of said Tax Block 4723; thence, northwardly with the east line of said Lot No. 12, 750 feet; thence westwardly and perpendicular to the east line of said Lot No. 12, 300 feet; thence southwardly and parallel with the east line of said Lot No. 12 to a point 300 feet northwardly of the center of said Ridge Road at its nearest point; thence, westwardly and parallel to the centerline of said Ridge Road to a point in the east line of Lot No. 29 of said Tax Block 4723; thence, northwardly with the east line of said Lot No. 29 150 feet; thence, westwardly and parallel with the centerline of said Ridge Road to the western line of said Lot No. 29; thence, southwardly with the west line of said Lot No. 29 to a point 300 feet northwardly of the center of said Ridge Road at its nearest point; thence, westwardly and parallel to the centerline of said Ridge Road to a point in the east line of Lot No. 26H of said Tax Block 4723; thence, northwardly to the northernmost corner of Lot No. 26C of said Tax Block 4723; thence, northwardly to the northernmost corner of Lot No. 26T of said Tax Block 4723; thence, northwardly to the northeast corner of Lot No. 102F of said Tax Block 4723; thence, northwardly to the northeast corner of Lot No. 102N of said Tax Block 4723; thence, northwardly to the northeast corner of Lot No. 102B of said Tax Block 4723; thence, westwardly with the north line of said Lot No. 102B to a point in the southward extension of the eastern line of Lot No. 102D of said Tax Block 4723; thence, northwardly falling in with the eastern lines of Lot No. 102D and Lot No. 26L of said Tax Block 4723 to the northeast corner

of said Lot No. 26L; thence, westwardly with the north line of said Lot No. 26L to the northwest corner of Lot No. 26L in the east line of Lot No. 25 of the said Tax Block 4723; thence, southwardly with the east line of said Lot No. 25 to the southeast corner of said Lot No. 25; thence, westwardly with the south line of said Lot No. 25 to the northwest corner of Lot No. 23K of Forsyth County Tax Block 4740; thence, southwardly with the western line of said Lot No. 23K to the southwest corner of said Lot No. 23K; thence, eastwardly to the southeast corner of Lot No. 23N of said Tax Block 4740; thence, southwardly with the west line of Lot No. 23F of said Tax Block 4740 to the northern margin of said Ridge Road; thence, crossing said Ridge Road on a line perpendicular to its centerline to a point 300 feet southwardly of the centerline of said Ridge Road at its nearest point; thence, eastwardly and parallel with the centerline of said Ridge Road to a point 300 feet westwardly of the centerline of said Tobacoville Road at its nearest point; thence, southwardly and parallel with the centerline of said Tobacoville Road to a point in the northern margin of Boiling Springs Road (SR 1616); thence, eastwardly with the northern margin of said Boiling Springs Road to a point in the center of said Tobacoville Road; thence, eastwardly and perpendicular with the centerline of said Tobacoville Road at the last said point, 300 feet; thence, northwardly and parallel with the centerline of said Tobacoville Road to a point 300 feet southwardly from the centerline of Kenleigh Forest Road at its nearest point; thence, parallel with the centerline of said Kenleigh Forest Road, eastwardly and southwardly to a point in the southern line of Lot No. 62J of Forsyth County Tax Block 4740; thence, eastwardly with the southern line of said Lot No. 62J extended to a point 300 feet eastwardly of the centerline of said Kenleigh Forest Road at its nearest point; thence, northwardly and parallel with the centerline of said Kenleigh Forest Road to a point 300 feet eastwardly of the centerline of Tabernacle Road (SR 1622) at its nearest point; thence, northwardly and parallel with the centerline of said Tabernacle Road to a point 300 feet eastwardly of the centerline of said Tobacoville Road at its nearest point; thence, northwardly and parallel with the centerline of said Tobacoville Road to a point 300 feet southwardly of the centerline of Reid Road (SR 1623) at its nearest point; thence, eastwardly and parallel to the centerline of said Reid Road to a point in the east line of said Tax Block 4740; thence, northwardly with the east line of said Tax Block 4740 to a point 300 feet northwardly of the centerline of said Reid Road at its nearest point; thence, westwardly and parallel with the centerline of said Reid Road to a point 300 feet eastwardly of the centerline of said Tobacoville Road at its nearest point; thence, northwardly and parallel with the centerline of said Tobacoville Road to a point 300 feet from a point in the centerline of said Tobacoville Road lying 850 feet westward of the intersection of the centerline of said Tobacoville Road and the centerline of Bethania-Tobacoville Road; thence, southward on a line perpendicular to the centerline of said Tobacoville Road 300 feet; thence, eastward on a line parallel with said Tobacoville Road to a point in the east line of Tax Lot No. 8A of Tax Block 4742; thence, northwardly with the east side of said Tax Lot No. 8A to a point 300 feet from the centerline of said Tobacoville Road at its nearest point; thence, eastward and parallel with said Tobacoville Road to a point 300 feet westwardly of the centerline of Bethania-Tobacoville Road at its nearest point; thence, southwardly and parallel with

the centerline of said Bethania-Tobaccoville Road to a point 300 feet northwardly of the western extension of the centerline of Worrell Drive (SR 3920); thence, westwardly and parallel with the northern line of Lot No. 12A of Forsyth County Tax Block 4742 to a point in the east line of Lot No. 8A of said Tax Block 4742; thence, southwardly with the east line of said Lot No. 8A to a point 300 feet southwardly of the western extension of the centerline of said Worrell Drive; thence eastwardly and parallel with the centerline of said Worrell Drive and its westward extension to a point 300 feet southwestwardly of the centerline of said Bethania-Tobaccoville Road at its nearest point; thence, southeastwardly and parallel with the centerline of said Bethania-Tobaccoville Road to a point in the northwestern line of Lot No. 14A of said Tax Block 4742; thence, southwestwardly with the northwestern line of said Lot No. 14A extended to a point in the northeastern extension of the northwestern line of Lot No. 13A of said Tax Block 4742; thence, southwestwardly and falling in with the northwestern line of said Lot No. 13A to the westernmost corner of said Lot No. 13A; thence, with the southwestern line of said Lot No. 13A to the southernmost corner of said Lot No. 13A; thence, northeastwardly with the southeastern lines of said Lot No. 13A and Lot No. 13B of said Tax Block 4742 to an eastern corner of said Lot No. 13B; thence, northeastwardly and parallel with the eastern portion of the centerline of said Worrell Drive to a point 300 feet southwestwardly of the centerline of said Bethania-Tobaccoville Road at its nearest point; thence, southwardly and parallel with the centerline of said Bethania-Tobaccoville Road to a point on the line perpendicular to the centerline of said Bethania-Tobaccoville Road at its intersection with the centerline of Griffin Road (SR 1898); thence, northeastwardly to the intersection of the north margin of said Bethania-Tobaccoville Road and the north margin of said Griffin Road; thence, eastwardly with the northern margin of said Griffin Road to a point 300 feet northeastwardly of the centerline of said Bethania-Tobaccoville Road at its nearest point; thence, northwardly and parallel with the centerline of said Bethania-Tobaccoville Road to a point in the eastern line of Lot No. 31 of Tax Block 4725; thence, northwardly with the east line of said Lot No. 31, 350 feet; thence, westward on a line perpendicular to the eastern line of said Lot No. 31 to the western line of said Lot No. 31; thence, southward with the western line of said Lot No. 31 to a point 300 feet northeast of the centerline of said Bethania-Tobaccoville Road at its nearest point; thence, northwardly and parallel with the centerline of said Bethania-Tobaccoville Road to a point in the eastern line of Lot No. 18 of said Tax Block 4725; thence northwardly with the eastern line of said Lot No. 18 and falling in with the eastern line of Forsyth County Tax Block 4755 to a point 300 feet southwardly of the centerline of said Tobaccoville Road at its nearest point; thence, eastwardly and parallel with the centerline of said Tobaccoville Road to a point 500 feet westwardly of the centerline of Stroupe Road (SR 1633) at its nearest point; thence, southwardly on a line perpendicular to said Tobaccoville Road to a point 397.25 feet northward of the southern line of Lot No. 614 of Tax Block 4725; thence, eastward and parallel with the southern line of said Lot No. 614 to the northwest corner of Lot No. 615 of said Tax Block 4725; thence, eastward with the north line of said Lot No. 615 to a point 300 feet westwardly of the centerline of said Stroupe Road (SR 1633) at its nearest point; thence, parallel with the

centerline of said Stroupe Road, southwardly and eastwardly, to a point in the eastern line of Lot No. 43X of Tax Block 4725; thence, northward with the east side of said Lot No. 43X extended to the north side of said Stroupe Road in the southern line of Lot No. 420 of Tax Block 4725; thence, westwardly with the north line of said Stroupe Road to the eastern line of Lot No. 42K of said Tax Block 4725; thence, northwardly with the east line of said Lot No. 42K to a point 300 feet northwardly of the centerline of said Stroupe Road at its nearest point; thence, westwardly and parallel with the centerline of said Stroupe Road to a point in the west line of said Lot No. 42K; thence, northwardly and falling in with the east line of Forsyth County Tax Block 4725A to the southern line of Lot No. 117B of said Tax Block 4725; thence, eastwardly to the southeastern corner of Lot No. 119B of said Tax Block 4725; thence, northwardly and falling in with the west line of Lot No. 41C of said Tax Block 4725 to a point 300 feet southwardly of the centerline of said Tobaccoville Road at its nearest point; thence, eastwardly and parallel with the centerline of said Tobaccoville Road to a point in the eastern margin of U. S. Highway No. 52; thence, northwestwardly with the eastern margin of said U. S. Highway No. 52 to a point 300 feet northwardly of the centerline of Tobaccoville Road at its nearest point; thence, westwardly and parallel with the centerline of said Tobaccoville Road to a point in the centerline of the track of Southern Railway; thence, eastwardly with the centerline of said Southern Railway to the eastern margin of said U. S. Highway No. 52; thence, northwestwardly with the eastern right-of-way line of said U. S. Highway No. 52 to the southern right-of-way line of Moore-RJR Drive (North Carolina Department of Transportation Project No. 8.1620801); thence eastwardly with the said southern right-of-way line of Moore-RJR Drive to the eastern terminus of said Project No. 8.1620801; thence, northwardly with the eastern terminus of said Project No. 8.1620801 to the southern edge of pavement of said Moore-RJR Drive; thence, westwardly with the said southern edge of pavement to the western terminus of said Project No. 8.1620801; thence, southwardly with the said western terminus of said Project No. 8.1620801 to the common corner of said Moore-RJR Drive at Ramp "D" of said Project No. 8.1620801 and the property of RJR designated as Block 4727, Lot 128B of the Forsyth County Tax Records ("RJR Property"); thence, continuing southwardly along the extension of last said line 50 feet to a point; thence, eastwardly and southwardly parallel to and at all points 50 feet from the common boundary line of the RJR Property and said Ramp "D" and the western right-of-way line of said U. S. Highway No. 52 to a point 50 feet northwardly of the northern right-of-way line of Southern Railway at its nearest point; thence, westwardly parallel to and at all points 50 feet from the common line of the RJR Property and the northern right-of-way line of said Southern Railway to a point 50 feet eastwardly from the eastern right-of-way line of said King-Tobaccoville Road at its nearest point; thence, northwardly parallel to and at all points 50 feet from the common line of said RJR Property and the said eastern right-of-way line of said King-Tobaccoville Road to a point on a line perpendicular to the said eastern right-of-way line of said King-Tobaccoville Road, which line also runs through the point and place of beginning; thence, along said perpendicular line to the point and place of beginning.

"CHAPTER III.

"INVOLUNTARY ANNEXATION EXCLUSION AREA.

"Sec. 3.1. The Village of Tobaccoville shall not, for a period of 40 years from the earlier of the incorporation of the Village of Tobaccoville or the effective date of the Amendment to the City of King Charter enacted during the 1991 Session of the General Assembly, involuntarily annex any property owned by R.J. Reynolds Tobacco Company, a New Jersey corporation ('Reynolds'), as of February 11, 1991, in the area that is bounded on the east by U.S. Highway 52, on the west by King-Tobaccoville Road, and on the south by a right-of-way of Southern Railway, less and except that area proposed to be included in the Village of Tobaccoville upon incorporation and that area proposed to be annexed by the City of King, as more particularly described in the Agreement referred to in Chapter IV below and incorporated herein and described there as the 'Industrial Opportunity Area,' and as more particularly shown on the map attached to the Agreement as Exhibit E.

"Sec. 3.2. The Village of Tobaccoville shall not, for a period of 10 years from the effective date of this Charter, annex any property lying west of King-Tobaccoville Road and east of Butner Road between Spainhour Mill Road and the Forsyth County/Stokes County line, except for certain properties marked 'excluded' on Exhibit F to the Agreement by and among the City of King, Reynolds, and the Steering Committee for the Incorporation of the Village of Tobaccoville (the 'Agreement').

"CHAPTER IV.

"AUTHORITY TO ENTER INTO AGREEMENT.

"Sec. 4.1. This act specifically authorizes the Village of Tobaccoville to enter into and to affirm and ratify an Agreement by and among the City of King, R.J. Reynolds Tobacco Company and the Steering Committee for the Incorporation of Tobaccoville dated February 11, 1991. A copy of the Agreement is incorporated herein by reference. This act further authorizes the Village of Tobaccoville and the parties to the Agreement to modify and amend the Agreement, upon mutual consent of the parties, without the ratification of this legislature.

"CHAPTER V.

"GOVERNING BODY.

"Sec. 5.1. **Structure of the Governing Body and Number of Members.** The governing body of the Village of Tobaccoville shall be the Mayor and the Village Council. The Village Council shall have four members.

"Sec. 5.2. **Manner of Electing Council.** The qualified voters of the entire Village shall elect members of the Village Council.

"Sec. 5.3. **The Term of Office of Council Members.** In 1991, four members of the Council shall be elected. The two persons receiving the highest number of votes shall be elected for four-year terms, and the two persons receiving the next highest number of votes shall be elected for two-year terms. In 1993 and biennially thereafter, two members of the Council shall be elected for four-year terms.

"Sec. 5.4. **Selection of Mayor and Term of Office.** The qualified voters of the entire Village shall elect the Mayor. A Mayor shall be selected in 1991 and every two years thereafter for a two-year term.

The Mayor of Tobaccoville shall have the same voting rights and privileges and shall be subject to the same voting limitations and requirements as are Council members under the general law. In determining a quorum, the Mayor shall be treated as a member of the Council. The Mayor, after participating with Council members in a vote that results in a tie, may not vote a second time to break that tie.

"CHAPTER VI.

"ELECTIONS.

"Sec. 6.1. **Type of Election.** The Village officers shall be elected on a nonpartisan basis and the results determined by the plurality method as provided by G.S. 163-292.

"Sec. 6.2. **Date of Election.** Elections shall be conducted in accordance with Chapter 163 of the General Statutes, with the first election of Village officers on November 5, 1991.

"CHAPTER VII.

"ADMINISTRATION.

"Sec. 7.1. **Mayor-Council Form of Government.** (a) The Village of Tobaccoville shall operate under the mayor-council plan as provided in Part 3 of Article 7 of Chapter 160A of the General Statutes and any other charter provision not in conflict therewith.

(b) The Village Council may appoint such officers and employees as may be necessary, none of whom need be a resident of the Village at the time of appointment. Such employees or officers shall serve at the pleasure of the Village Council. The Village Council shall fix all salaries, prescribe bonds, and require such oaths as they may deem necessary.

(c) The Village Council shall choose a Village Clerk. The Village Clerk shall keep the records of the Village Council and perform other duties as may be required by law or the Village Council.

(d) The Council may assign additional functions or duties to offices, departments, or agencies. Where the positions are not incompatible, the Council may combine in one person the powers and duties of two or more offices created or authorized by this Charter.

"Sec. 7.2. Transitional Government.

Until the Mayor and members of the Village Council are elected in 1991 in accordance with the Village Charter and the law of North Carolina, officers of the Tobaccoville Incorporation Steering Committee shall serve as the interim governing body. Terry Shore, the Chairman of the Steering Committee, shall be the interim Mayor and the following members of the committee shall serve as interim Council members until the results of the 1991 election are certified and the newly-elected successors take office: Ken Bradstock, Kay G. Long, Beth White, and Greg Horton. Vacancies in the interim Council shall be filled by appointment made by the remaining members. A vacancy in the office of interim Mayor shall be filled by appointment made by the interim governing board.

The first Council meeting will be the organizational meeting.

"Sec. 7.3. **Taxes and Budget.** From and after July 1, 1991, the citizens and property in the Village of Tobaccoville shall be subject to municipal taxes levied for the year beginning July 1, 1991, and for that purpose, the Village shall obtain from Forsyth



County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1991, and the businesses in the Village shall be liable for privilege license tax from the effective date of the privilege license tax ordinance.

The Village may adopt a budget ordinance for fiscal year 1990-91 without following the timetable in the local Government Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical. No property taxes may be levied for the calendar year beginning January 1, 1990, through June 30, 1991.

The Village may adopt a budget ordinance for fiscal year 1991-92 without following the timetable in the Local Government Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical.

The Village of Tobacoville will be eligible to receive distributions of State funds during fiscal year 1991-92 as if it had been incorporated with an effective date of June 30, 1991."

Sec. 2. (a) The Forsyth County Board of Elections shall conduct an election on a date set by it, to be not less than 60 nor more than 120 days after the date of ratification of this Charter, for the purpose of submission to the qualified voters of the area described in Chapter II of the CHARTER FOR THE VILLAGE OF TOBACCOVILLE, the question of whether or not such area shall be incorporated as Tobacoville, except that the election may also be held on June 25, 1991, and if held on that date, the Forsyth County Board of Elections may adjust any timetables or deadlines set by law. Registration for the election shall be conducted in accordance with G.S. 163-288.2. Absentee voting shall be allowed as if the municipal governing body had adopted a resolution under G.S. 163-302 to allow absentee voting.

(b) In the election, the questions on the ballot shall be:

1.  **FOR** incorporation of Tobacoville  
 **AGAINST** incorporation of Tobacoville
2. If incorporation is approved, the name of the incorporated area shall be  
 City of Tobacoville  
 Town of Tobacoville  
 Village of Tobacoville

(c) In such election, if a majority of the votes cast are not cast **FOR** incorporation of Tobacoville, this Charter shall have no force and effect.

(d) In such election, if a majority of the votes are cast **FOR** incorporation of Tobacoville, this Charter shall become effective on the date that the Forsyth County Board of Elections determines the result of the election and the Village of Tobacoville shall have that name which receives the highest number of votes in question 2 with all provisions of this Charter being deemed modified to reflect such name.

#### PART II. KING

Sec. 3. Article II of the Charter of the City of King, being Chapter 351, Session Laws of 1983, as amended, is rewritten to read:

"ARTICLE II.  
"CORPORATE BOUNDARIES.

"Sec. 2.1. Until changed in accordance with law, the boundaries of the City of King consist of the area within the corporate limits on June 30, 1991, and also the following:

(Area 'A')

BEGINNING on a concrete right-of-way monument located on the Southwest right-of-way line of US Highway #52, said monument being a present corner of the City of King boundary and said monument being located South 37 degrees 46 minutes 09 seconds East 994.51 feet from a North Carolina Grid monument in the North Carolina Grid System entitled 'King', having the grid system coordinate of x=1, 597, 446.35 and y=916,217.01, thence with the present boundary line of the City of King the following eleven (11) courses and distances: crossing said Highway North 75 degrees 20 minutes 32 seconds East 320.36 feet to a point in the Northeast right-of-way of US Highway #52; thence along the said right-of-way the following seven (7) courses and distances: North 38 degrees 04 minutes 43 seconds West 73.46 feet to a point; thence along a spiral chord to the right North 36 degrees 46 minutes 30 seconds West 191.72 feet to a point; thence South 55 degrees 55 minutes 16 seconds West 30.00 feet to a point; thence a curve to the right North 25 degrees 19 minutes 44 seconds West a chord distance of 409.03 feet with a radius of 1344.39 feet to a point; thence along the spiral chord to the right, North 13 degrees 53 minutes 25 seconds West 193.81 feet to a point; thence North 12 degrees 34 minutes 44 seconds West 80.38 feet to a point; thence along a spiral chord to the left North 13 degrees 39 minutes 55 seconds West 59.02 feet to a point; thence South 88 degrees 38 minutes 29 seconds East 61.87 feet to an existing iron stake and continuing along the same course 249.56 feet for a total distance of 311.43 feet to an existing iron stake, thence North 01 degrees 23 minutes 21 seconds East 188.49 feet to a point; thence South 88 degrees 42 minutes 18 seconds East 676.94 feet to an existing iron; thence South 88 degrees 30 minutes 09 seconds East 790.93 feet to a point; thence South 89 degrees 13 minutes 09 seconds East 155.59 feet to a point; thence South 1 degree 37 minutes 46 seconds West 535.37 feet to a point; thence South 00 degrees 32 minutes 36 seconds West 558.11 feet to a point; thence North 87 degrees 36 minutes 03 seconds West 498.30 feet to a point; thence South 3 degrees 56 minutes 35 seconds West 1162.28 feet to a point on the Northeast right-of-way line of US Highway #52; thence along said right-of-way the following courses and distances; South 38 degrees 05 minutes 51 seconds East 145.53 feet to a concrete right-of-way monument; North 51 degrees 39 minutes 09 seconds East 9.87 feet to a concrete right-of-way monument; South 38 degrees 05 minutes 11 seconds East 203.20 feet to concrete right-of-way monument; South 51 degrees 55 minutes 16 seconds West 10.00 feet to a concrete right-of-way monument; South 38 degrees 05 minutes 29 seconds East 697.59 feet to a concrete right-of-way monument; North 51 degrees 55 minutes 17 seconds East 29.85 feet to a concrete right-of-way monument; thence South 38 degrees 04 minutes 24 seconds East 602.27 feet to a concrete right-of-way monument; South 51 degrees 47 minutes 21 seconds West 29.78 feet to a concrete right-of-way monument; South 38 degrees 04 minutes 15 seconds East 311.75 feet to a concrete right-of-way monument; South 58 degrees 00 minutes 40 seconds East 382.26 feet to a concrete right-of-way monument; South 75 degrees 02 minutes 27 seconds East 191.13 feet to a concrete right-of-way monument; South 75 degrees 02 minutes 40 seconds East 227.63

feet to a concrete right-of-way monument; South 54 degrees 11 minutes 57 seconds East 207.43 feet to a concrete right-of-way monument; South 39 degrees 36 minutes 20 seconds East 122.61 feet to a concrete right-of-way monument; South 28 degrees 11 minutes 36 seconds East 166.35 feet to a concrete right-of-way monument; South 84 degrees 33 minutes 55 seconds East 66.63 feet to a concrete right-of-way monument; South 75 degrees 50 minutes 15 seconds East 158.32 feet to a concrete right-of-way monument; North 69 degrees 19 minutes 30 seconds East 279.64 feet to a concrete right-of-way monument; North 38 degrees 38 minutes 40 seconds East 248.78 feet to a concrete right-of-way monument; thence North 89 degrees 11 minutes 17 seconds East 43.13 feet to a point at the East edge of pavement of the Moore-RJR Drive (SR #1634); thence along the East and South edge of pavement a curve to the right, said curve having a radius of 492.10 feet, a delta angle of 76 degrees 07 minutes 45 seconds and a chord bearing and chord distance of South 47 degrees 55 minutes 47 seconds West 606.81 feet to a point; thence continuing with said South edge of pavement South 85 degrees 59 minutes 39 seconds West 879.35 feet, crossing said Highway #52 to a point; thence along said South edge of pavement South 85 degrees 28 minutes 45 seconds West 458.31 feet to a point; thence continuing along South edge of pavement South 86 degrees 55 minutes 19 seconds West 462.50 feet to a point in the West line of the Department of Transportation's property (State Highway Project No. 8.1620801) described in deed from R.J. Reynolds Tobacco Company to the Department of Transportation in Book 1453, Page 0683, Forsyth County Register of Deeds; thence along the right-of-way lines of Moore-RJR Drive and US Highway #52 the following thirteen (13) courses and distances; North 00 degrees 01 minutes 53 seconds West 145.11 feet to a concrete monument; South 86 degrees 12 minutes 51 seconds East 147.64 feet to a concrete right-of-way monument; North 86 degrees 00 minutes 02 seconds East 214.02 feet to a concrete monument; North 7 degrees 37 minutes 33 seconds West 293.68 feet to a concrete right-of-way monument; North 11 degrees 15 minutes 49 seconds West 371.72 feet to a concrete right-of-way monument; North 26 degrees 26 minutes 56 seconds West 194.47 feet to a concrete right-of-way monument; North 38 degrees 03 minutes 03 seconds West 656.79 feet to a point; North 38 degrees 03 minutes 04 seconds West 662.68 feet to a point; South 48 degrees 00 minutes 02 seconds West 20.05 feet to a point; North 38 degrees 07 minutes 32 seconds West 462.02 feet to a point; North 38 degrees 07 minutes 17 seconds West 146.23 feet to a point; North 53 degrees 39 minutes 28 seconds East 20.05 feet to a point; North 38 degrees 09 minutes 03 seconds West 471.24 feet to a point; thence North 87 degrees 00 minutes 48 seconds West 667.61 feet to a point; North 1 degree 37 minutes 58 seconds East 100.02 feet to a point; North 5 degrees 55 minutes 01 second East 611.43 feet to a point; thence North 49 degrees 56 minutes 11 second East 10.17 feet to the point of BEGINNING. Containing 106.1186 acres, more or less.

All Bearings are oriented to the North Carolina Grid System.

(Area 'B')

BEGINNING on an existing iron stake West of the King-Tobacoville Road, said iron being a present boundary corner for the City of King and being located South 38

degrees 38 minutes 58 seconds East 290.28 feet from NCGS monument entitled 'King', said grid monument coordinates being x=1,597,446.35, y=916,217.01; thence with said City of King's boundary, crossing the King-Tobaccoville Road, South 00 degrees 30 minutes 08 seconds East 272.67 feet to an existing iron stake on the East right-of-way line; thence with said right-of-way line a curve to the right, said curve having a radius of 2914.93 feet, a bearing of South 32 degrees 14 minutes 06 seconds West 395.08 feet to a point; thence continuing along said right-of-way North 53 degrees 52 minutes 45 seconds West 20.00 feet to a point; thence continuing with said right-of-way South 36 degrees 07 minutes 15 seconds West 755.64 feet to a point at the back of curb of the Northern entrance to the Reynolds Tobacco Company; thence crossing said King-Tobaccoville Road North 53 degrees 52 minutes 45 seconds West 60.00 feet to a point; thence parallel with the center line of said highway, being along the right-of-way, Southwestwardly to a point, the Southeastern corner of Lot #202B, Block 4728, Forsyth County Tax Map; thence with the North line of Lot #123 and the South line of Lot #202B, Forsyth County Tax Block 4728, Westwardly to the Southwest corner of Said Lot #202B, said point being a corner of Lot #12R, Forsyth County Tax Block 4728; thence with the West line of Lots #202B, 202A and 201 and being with the East line of Lot #12R, Northwardly to a point in the South line of Forsyth County Tax Block 4728C (said Block 4728C is Coventry Forest Subdivision); thence with the South line of Tax Block 4728C Westwardly to a point, the Southwest corner of Tax Block 4728C; thence with the Western lines of Tax Block 4728C Northwardly to a point the Northwest corner of Tax Block 4728C; thence with the North line of Tax Block 4728C and with the South lines of Lot 27, Tax Map #83, Stokes County Tax Maps, Map #83B, Stokes County Tax Maps, Lot #26, Tax Map #83, Stokes County Tax Maps, Eastwardly to a point, the Southeast corner of Lot #26; thence with the East line of Lot #26 and the West line of Lot #25, Stokes County Tax Maps, Northwardly to a point in the South right-of-way line of Newsome Road (SR 1222), said point being in the present boundary line of the City of King; thence with the present boundary line of the City of King Eastwardly along the South right-of-way line of Newsome Road (SR 1222) to the Northeast corner of Lot #25, Tax Map #83; thence Southwardly with the East boundary of Lot #25, Stokes County Tax Map #83, and being along the City of King's present boundary to the Southwest corner of Lot #24, Tax Map #83, Stokes County Tax Maps; thence with the South lines of Lot #24 and Lot #24A, Stokes County Tax Map #83 and being along the present boundary of the City of King South 85 degrees 59 minutes 56 seconds East 958.15 feet to the point of BEGINNING.

Any and all bearings are oriented to North Carolina Grid.

(Area 'C')

BEGINNING at a point where the North right-of-way line of Ingram Road (SR 1108) intersects the Northeast right-of-way line of US Highway #52; thence with the North right-of-way line of said Ingram Road (SR 1108) Eastwardly to the intersection of said right-of-way line and the West right-of-way line of the King-Tobaccoville Road (SR 1112); thence Northwardly along the West right-of-way line of the said King-Tobaccoville Road (SR 1112) to a point where the West right-of-way line intersects the

South right-of-way line of Meadowbrook Drive; thence Westwardly along the South right-of-way line of Meadowbrook Drive (SR 1105) to a point where the South right-of-way line of Meadowbrook Drive intersects the center line of US Highway #52; thence Northwestwardly with the center line of US Highway #52 to a point, a corner of the present boundary of the City of King, said point lying due South of the Southwestern corner of Meadowbrook Estates Subdivision Plat referenced as Stokes County Tax Map 72-A as per the description of the City of King's Boundaries; thence due South to the intersection of the Southwest right-of-way line of US Highway #52; thence with said right-of-way line of US Highway #52 Southeastwardly to the Northernmost corner of Lot #36 and the Easternmost corner of Lot #38 as shown on the Stokes County Tax Map #83; thence Eastwardly crossing said highway to a point on the Northeast right-of-way line, said point being shown as the Southernmost corner of Lot #42 and also shown as a corner of Lot #44 Stokes County Tax Map #83; thence along said Northeast right-of-way line of said highway Southeastwardly to the point of BEGINNING.

SAVE AND EXCEPT from this description any and all land that was described in the original boundary of the City of King or of any subsequent annexation.

"Sec. 2.2. The City of King is expressly authorized, pursuant to Section 4 of the act ratifying this charter amendment, to enter into the Agreement by and among the City of King, R.J. Reynolds Tobacco Company, a New Jersey corporation ('Reynolds') and the Steering Committee for the Incorporation of the Village of Tobaccoville (the 'Agreement').

"Sec. 2.3. The City of King shall not, for a period of 40 years from the earlier of the incorporation of the Village of Tobaccoville or the effective date of this charter amendment, involuntarily annex any property owned by Reynolds as of February 11, 1991, in the area that is bounded on the east by U.S. Highway 52, on the West by King-Tobaccoville Road, and on the South by a right-of-way of Southern Railway, less and except that area proposed to be included in the Village of Tobaccoville upon incorporation and that area proposed to be annexed by the City of King, as more particularly described in the Agreement as the 'Industrial Opportunity Area' and as more particularly shown on the map attached to the Agreement as Exhibit E.

"Sec. 2.4. The City of King shall not, for a period of 10 years from the effective date of this charter amendment, involuntarily annex any property lying west of King-Tobaccoville Road and east of Butner Road between Spainhour Mill Road and the Forsyth County/Stokes County line, except for certain properties marked 'excluded' on Exhibit F to the Agreement (this area is described in the Agreement as the 'Non-Annexation Area')."

Sec. 4. This act specifically authorizes the City of King to enter into the Agreement; a copy of the Agreement is incorporated herein by reference. This act further authorizes the parties to the Agreement to modify and amend the Agreement, upon mutual consent of the parties, without the ratification of this legislature.

#### PART III. EFFECTIVE DATES

Sec. 5. The agreement by and among the City of King, R.J. Reynolds Tobacco Company and the Steering Committee for the incorporation of Tobaccoville,

dated February 11, 1991, and incorporated in this act by reference shall be recorded by the parties in the registries of Forsyth and Stokes Counties.

Sec. 6. Section 1 of this act is effective as provided herein. Sections 2, 4, and 5 of this act are effective upon ratification. Section 3 of this act becomes effective June 30, 1991.

In the General Assembly read three times and ratified this the 6th day of June, 1991.

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James C. Gardner  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives