

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 505*

Local Government and Regional Affairs Committee Substitute Adopted 6/11/91
Third Edition Engrossed 7/4/91

Short Title: Incorporate Whitsett.

(Local)

Sponsors:

Referred to:

April 8, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE THE TOWN OF WHITSETT IN GUILFORD
3 COUNTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. A charter for the Town of Whitsett is enacted to read:

6 "CHARTER OF THE TOWN OF WHITSETT.

7 "CHAPTER I.

8 "INCORPORATION AND CORPORATE POWERS.

9 "Section 1-1. **Incorporation and Corporate Powers.** The inhabitants of the Town
10 of Whitsett are a body corporate and politic under the name 'Town of Whitsett.' Under
11 that name they have all the powers, duties, rights, privileges, and immunities conferred
12 and imposed on cities by the general law of North Carolina.

13 "Sec. 1-2. **Corporate Limits.** The corporate limits are those existing at the time of
14 ratification of this Charter, as set forth on the official map of the Town and as they may
15 be altered from time to time in accordance with law. An official map of the Town,
16 showing the current boundaries, is maintained permanently in the office of the Town
17 Clerk and is available for public inspection. Immediately upon alteration of the
18 corporate limits made pursuant to law, the appropriate changes to the official map shall
19 be made and copies shall be filed in the office of the Secretary of State, the Guilford
20 County Register of Deeds, and the appropriate board of elections.

21 "CHAPTER II.

22 "CORPORATE BOUNDARIES.

1 "Sec. 2-1. **Town Boundaries.** Until modified in accordance with the law the
2 boundaries of the Town of Whitsett are as follows:

3 BEGINNING at a point in the center of the intersection of S.R. 3064 (Whitsett Park
4 Road) and S.R. 3066, said point being identified as Point '1' on a map showing the
5 boundary of the Town of Whitsett; thence South 05 deg. 00 min. West 1613 feet to a
6 point (Point '2'); thence North 83 deg. 31 West 881 feet to a point (Point '3'); thence
7 North 07 deg. 35 min. East 221 feet to a point (Point '4') on the Southern margin of S.R.
8 3065 (Greeson Road); thence along the Southern margin of Greeson Road North 79 deg.
9 01 min. West 1130 feet to a point (Point '5'); thence along the Southern margin of
10 Greeson Road North 83 deg. 13 min. West 1578 feet to a point (Point '6') at the
11 intersection of Greeson Road and N. C. Highway 61; thence along N. C. Highway 61
12 South 19 deg. 19 min. West 457 feet to a point (Point '7'); thence along N.C. Highway
13 61 South 41 deg. 26 min. West 330 feet to a point (Point '8'); thence North 82 deg. 59
14 min. West 1250 feet to a point (Point '9'); thence North 80 deg. 57 min. West 543 feet
15 to a point (Point '10'); thence North 80 deg. 00 min. West 504 feet to a point '11');
16 thence South 21 deg. 57 min. West 101 feet to a point (Point '12'); thence North 83 deg.
17 11 min. West 239 feet to a point (Point '13'); thence North 07 deg. 28 min. East 373 feet
18 to a point (Point '14'); thence North 05 deg. 09 min. East 513 feet to a point (Point '15');
19 thence North 87 deg. 38 min. West 1808 feet to a point (Point '16') on the East Right-
20 of-Way of S.R. 3060 (Penn-Lo Drive); thence North 87 deg. 38 min. West 61 feet to a
21 point (Point '17') on the West Right-of-Way of Penn-Lo Drive; thence North 87 deg. 38
22 min. West 300 feet to a point (Point '18'); thence North 87 deg. 38 min. West 1117 feet
23 to a point (Point '19'); thence North 06 deg. 32 min. East 216 feet to a point (Point '20');
24 thence North 02 deg. 54 min. East 134 feet to a point (Point '21'); thence North 02 deg.
25 54 min. East 241 feet to a point (Point '22'); thence North 00 deg. 59 min. East 1009
26 feet to a point (Point '23'); in the centerline of U.S. Highway 70-A (Burlington Road);
27 thence along the centerline of Burlington Road North 68 deg. 19 min. East 3610 feet to
28 a point (Point '24'); thence along the centerline of Burlington Road North 57 deg. 28
29 min. East 1466 feet to a point (Point '25'); thence along the centerline of Burlington
30 Road North 81 deg. 11 min. East 2050 feet to a point (Point '26'); thence South 16 deg.
31 18 min. East 30 feet to a point (Point '27'); in the southern margin of Burlington Road;
32 thence along the southern margin of Burlington Road North 73 deg. 42 min. East 1212
33 feet to a point (Point '28'); thence South 01 deg. 19 min. West 2045 feet to a point
34 (Point '29'); thence North 85 deg. 30 min. West 401 feet to a point (Point '30'); thence
35 South 05 deg. 34 min. West 471 feet to a point (Point '31'); thence North 83 deg. 55
36 min. West 190 feet to a point (Point '32'); thence South 06 deg. 08 min. West 490 feet
37 to a point (Point '33'); thence South 04 deg. 30 min. West 843 feet to a point (Point
38 '34'); thence South 84 deg. 50 min. East 418 feet to a point (Point '35'); thence North 04
39 deg. 30 min. East 829 feet to a point (Point '36'); thence South 80 deg. 23 min. East 803
40 feet to a point (Point '37'); thence South 79 deg. 51 min. East 1526 feet to a point (Point
41 '38'); thence South 04 deg. 09 min. West 653 feet to a point (Point '1'); said point being
42 the POINT AND PLACE OF BEGINNING and containing 740 Acres, more or less.

43 "Sec. 2-2. **Limitation on Boundary Extension.** The Town of Whitsett shall not
44 extend its boundaries by annexation pursuant to Article 4A of Chapter 160A of the

1 General Statutes to the east of its eastern boundary, to the south of its southern boundary
2 as described in Section 2-1 of the Charter, or to the north of U.S. Highway 70 between
3 N.C. 61 and the Town of Gibsonville unless such extension is affirmatively permitted by
4 an annexation agreement entered into by the Town of Whitsett and the Town of
5 Gibsonville in accordance with Article 4, Part 6 of Chapter 160A of the General
6 Statutes.

7 **"CHAPTER III.**
8 **"GOVERNING BODY.**

9 "Sec. 3-1. **Structure of Governing Body; Number of Members.** The governing
10 body of the Town of Whitsett is the Town Council, which has five members.

11 "Sec. 3-2. **Manner of Electing Council.** The qualified voters of the entire Town
12 elect the members of the Council.

13 "Sec. 3-3. **Term of Office of Council Members.** Members of the Council are
14 elected to four-year terms except that at the initial election in 1991, when the three
15 highest vote getters who are elected shall serve for four-year terms and the next two
16 highest vote getters shall serve for two-year terms. In 1993 and quadrennially
17 thereafter, two members of the Council shall be elected for four-year terms. In 1995
18 and quadrennially thereafter, three members of the Council shall be elected for four-
19 year terms.

20 "Sec. 3-4. **Election of Mayor; Term of Office.** At the organizational meeting of
21 the Council following each election, the Council shall elect one of its members to serve
22 as Mayor. The Mayor serves as such at the pleasure of the Council.

23 **"CHAPTER IV.**
24 **"ELECTIONS.**

25 "Sec. 4-1. **Conduct of Town Elections.** Town officers shall be elected on a
26 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

27 **"CHAPTER V.**
28 **"ADMINISTRATION.**

29 "Sec. 5-1. **Town to Operate Under Mayor-Council Plan.** The Town of Whitsett
30 operates under the Mayor-Council plan as provided in Chapter 160A, Article 7, Part 3
31 of the General Statutes."

32 Sec. 2. Until the organizational meeting of the Town Council of Whitsett
33 following the 1991 municipal election, Walter Blythe, Andy Brown, Judy Flora, Tanya
34 Gold, and Oscar Smith shall serve as members of the Town Council. The initial
35 meeting of the Town Council shall be called by the clerk to the Guilford County Board
36 of Commissioners. The interim governing body shall, at its first meeting, elect from
37 among its members a chairman who shall have the powers of a mayor provided by
38 general law.

39 Sec. 3. From and after the effective date of this act, the citizens and property
40 in the Town of Whitsett shall be subject to municipal taxes levied for the year beginning
41 July 1, 1991, and for that purpose the Village shall obtain from Guilford County a
42 record of property in the area herein incorporated which was listed for taxes as of
43 January 1, 1991; and the businesses in the town shall be liable for privilege license tax
44 from the effective date of the privilege license tax ordinance. The Town may adopt a

1 budget ordinance for fiscal year 1991-92 without following the timetable in the Local
2 Government Budget and Fiscal Control Act, but shall follow the sequence of actions in
3 the spirit of the act insofar as is practical. For fiscal year 1991-92, ad valorem taxes
4 may be paid at par or face amount within 90 days of adoption of the budget ordinance,
5 and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes had been
6 due and payable on September 1, 1991. The Town of Whitsett is eligible to receive
7 distributions of State funds during fiscal year 1991-92.

8 Sec. 4. This act is effective upon ratification.