

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1794\*  
Committee Substitute Favorable 6/29/94

Short Title: Sandyfield Incorporated.

(Local)

Sponsors:

Referred to:

May 30, 1994

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

4 The General Assembly of North Carolina enacts:

5 Section 1. A Charter for the Town of Sandyfield is enacted to read:

6 "CHARTER OF THE TOWN OF SANDYFIELD.

7 "CHAPTER I.

8 "INCORPORATION AND CORPORATE POWERS.

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

13 "Sec. 1.2. **Map.** An official map of the Town, showing the current boundaries, is  
14 maintained permanently in the office of the Town Clerk and is available for public  
15 inspection. A true copy of such shall be filed in the office of the Columbus County  
16 Register of Deeds.

17 "CHAPTER II.

18 "CORPORATE BOUNDARIES.

19 "Sec. 2.1. **Town Boundaries.** Until modified in accordance with law the  
20 boundaries of the Town of Sandyfield are as follows:

21 Beginning at the point where the Bladen-Columbus County line intersects the center  
22 line of North Carolina Highway 11, thence proceeding along the Bladen-Columbus  
23 County line in a generally southwesterly direction across the Seaboard Coast Line

1 Railroad tracks to the CP&L Powerline, thence following that powerline in a generally  
2 southeasterly direction to a point 1,525 feet past the point where the powerline crosses  
3 Coppersmith Branch, thence in a due line to the point where Waymans Creek intersects  
4 the Seaboard Coast Line Railroad Track, thence along the meanders of Waymans Creek  
5 generally to the east to the point where Waymans Creek intersects North Carolina  
6 Highway 11, thence proceeding along the center line of North Carolina Highway 11 to  
7 the point and place of beginning.

8 "Sec. 2.2. (a) Notwithstanding the provisions of Section 2.1 of this Chapter, the  
9 following described property is excluded from the corporate limits:

10 BEGINNING at an iron pipe in Bladen County on the South edge of State Highway  
11 No. 421, formerly No. 87, from Fayetteville to Wilmington and runs with said State  
12 Highway about South 52 East 66.86 chains to an iron pipe in an old marked line on the  
13 South edge of said highway in Columbus County, thence South 57 degrees 15 minutes  
14 West 17 chains to an iron pipe; thence south 70 degrees 18 minutes west 22 chains to an  
15 iron pipe and old stump; thence north 84 degrees 45 minutes west 7.92 chains to an iron  
16 pipe; thence north 40 degrees 18 minutes east 26 chains to an iron pipe; thence north 82  
17 degrees 42 minutes west 26 chains to an iron pipe; thence south 40 degrees 18 minutes  
18 west 37.11 chains to an old buggy axle in an old marked line; thence with said old  
19 marked line about north 20 degrees 30 minutes east 66.25 chains to the beginning,  
20 containing 171 acres, more or less, and known as the John B. Love, Jr. place according  
21 to survey by Bruce Pierce, October, 1939, recorded in Plat Book 2, Page 72, and being  
22 the same property as described in deed from Lura H. Love, et al, to the party of the first  
23 part dated July 13, 1948 and duly recorded in the office of the Register of Deeds for  
24 Columbus County in Book 182, at page 434, reference to which deed is hereby made for  
25 a full and complete description of said lands and premises herein conveyed.

26 BEING same land described in deed dated 24 August, 1948, from Hobbs Lumber  
27 Company, Inc. to Lura H. Love recorded in Book 182, page 521, office of Register of  
28 Deeds of Columbus County, N.C.

29 That certain tract or parcel of land lying and being in Ransome Township, Columbus  
30 County, North Carolina, about one-half (1/2) mile south of the Bladen County line  
31 adjoining the lands of J.A. Owens and Cape Fear Wood Corporation, and described as  
32 follows, to-wit:

33 Beginning at a tall four-inch pipe corner with a concrete marker beside it near J.A.  
34 Owens Dairy Barn, the northeast corner of the tract of which this is a part; and runs  
35 thence with J.A. Owens' line the following courses and distances: South 44 degrees 40  
36 minutes West 5.60 chains to an iron stake; thence South 43 degrees 35 minutes West  
37 4.35 chains to a stake in the fence; thence South 43 West 8.09 chains to a stake in the  
38 fence; thence South 40 West 2.92 chains to a stake in the fence; thence South 40  
39 degrees 30 minutes West 5.90 chains to a 4-inch pipe corner with a concrete corner  
40 beside it and old pointers at the corner of the fence; thence a new line North 31 West  
41 23.08 chains to a concrete corner in the back line; also J.A. Owens line; thence with  
42 the back line North 41 degrees 30 minutes East 5.96 chains to a tall 4-inch pipe, the  
43 original North-west corner of the tract of which this is a part; thence South 80 degrees

1 15 minutes East 26.42 chains to the point of beginning, containing 36.25 acres, more or  
2 less.

3 This land is a part or parcel of that certain tract of land which contained 80 acres,  
4 more or less which was conveyed by John L. Owens and wife Ruth Owens to Cape Fear  
5 Wood Corporation by deed dated January 11, 1955, which is duly recorded in the  
6 Columbus County Registry.

7 (b) The Town may not exercise any extraterritorial jurisdiction under Article 19  
8 of Chapter 160A of the General Statutes as to any property described in this section  
9 without the written request of the property owner.

### 10 "CHAPTER III.

#### 11 "GOVERNING BODY.

12 "Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing  
13 body of the Town of Sandyfield is the Town Council, which has five members, and the  
14 Mayor.

15 "Sec. 3.2. **Manner of Electing Council.** The qualified voters of the entire Town  
16 elect the members of the Council. To be eligible for election, a person must reside in  
17 the Town.

18 "Sec. 3.3. **Term of Office of Council Members.** Members of the Council are  
19 elected to four-year terms except that of those elected at the initial election in 1995, the  
20 three highest vote getters who are elected shall serve for four-year terms and the next  
21 two highest vote getters shall serve for two-year terms. In 1997 and quadrennially  
22 thereafter, two members of the Council shall be elected for four-year terms. In 1999  
23 and quadrennially thereafter, three members of the Council shall be elected for four-  
24 year terms.

25 "Sec. 3.4. **Election of Mayor; Term of Office.** The qualified voters of the entire  
26 Town of Sandyfield shall elect the Mayor in 1995 and biennially thereafter for a two-  
27 year term. In the event of a vacancy, the Council shall appoint a qualified person to fill  
28 such vacancy for the remainder of the unexpired term, but if the vote is tied, the Clerk  
29 of Superior Court of Columbus County shall break the tie.

### 30 "CHAPTER IV.

#### 31 "ELECTIONS.

32 "Sec. 4.1. **Conduct of Town Elections.** Town elections shall be elected on a  
33 nonpartisan basis, and the results determined by plurality as provided in G.S. 163-292.  
34 Elections shall be conducted by the Columbus County Board of Elections.

### 35 "CHAPTER V.

#### 36 "ADMINISTRATION.

37 "Sec. 5.1. The Town of Sandyfield shall operate under the Mayor-Council plan as  
38 provided in Part 3 of Article 7 of Chapter 160A of the General Statutes."

39 Sec. 2. Until the organizational meeting of the Town Council of Sandyfield  
40 following the 1995 municipal election, Alfonza Brown, Foster Brown, Zannie Hall,  
41 Genoble King, and Annette Williams shall serve as members of the Town Council and  
42 Perry Dixon shall serve as Mayor. In the event of a vacancy on the Council or as  
43 Mayor, the Council shall appoint a qualified person to fill such vacancy until the  
44 organizational meeting, but if the vote is tied, the Clerk of Superior Court of Columbus

1 County shall break the tie. The initial meeting of the Town Council shall be called by  
2 the Mayor.

3 Sec. 3. (a) From and after the effective date of this act, the citizens and property in  
4 the Town of Sandyfield shall be subject to municipal taxes levied for the year beginning  
5 July 1, 1994, and for that purpose the Town shall obtain from Columbus County a  
6 record of property in the area herein incorporated which was listed for taxes as of  
7 January 1, 1994; and the businesses in the Town shall be liable for privilege license tax  
8 from the effective date of the privilege license tax ordinance.

9 (b) If the effective date of this act is before July 1, 1994, the Town may adopt  
10 a budget ordinance for fiscal year 1993-94 without following the timetable in the Local  
11 Government Budget and Fiscal Control Act, but shall follow the sequence of actions in  
12 the spirit of the act insofar as is practical, and no ad valorem taxes may be levied for the  
13 1993-94 fiscal year. The Town may adopt a budget ordinance for fiscal year 1994-95  
14 without following the timetable in the Local Government Budget and Fiscal Control  
15 Act, but shall follow the sequence of actions in the spirit of the act insofar as is  
16 practical. For fiscal year 1994-95, ad valorem taxes may be paid at par or face amount  
17 within 90 days of adoption of the budget ordinance, and thereafter in accordance with  
18 the schedule in G.S. 105-360 as if the taxes had been due and payable on September 1,  
19 1994.

20 (c) If the effective date of this act is after June 30, 1994, the Town of  
21 Sandyfield is eligible to receive distributions of State funds as provided by law during  
22 fiscal year 1994-95 as if it had been in existence on July 1, 1994.

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