

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1137

Short Title: Wesley Chapel Incorporated.

(Local)

Sponsors: Senators Plyler, Purcell, and Gulley.

Referred to: Rules and Operations of the Senate.

May 18, 1998

A BILL TO BE ENTITLED

AN ACT TO INCORPORATE THE VILLAGE OF WESLEY CHAPEL.

The General Assembly of North Carolina enacts:

Section 1. A Charter for the Village of Wesley Chapel is enacted as follows:

"CHARTER OF VILLAGE OF WESLEY CHAPEL.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Village of Wesley Chapel, which area is described in Section 2.1 of this Charter, are a body corporate and politic under the name 'Village of Wesley Chapel.' Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Sec. 2.1. **Village Boundaries.** Until modified in accordance with the law, the boundaries of the Village of Wesley Chapel are as follows:

BEGINNING at a point in the centerline of Wesley Chapel-Stouts Road (SR 1377) that intersects with the northwestern extension of the northern property boundary line of parcel 001 as shown on tax map 7-096; thence southeasterly with said property boundary line approximately 3,630 feet to the centerline of the East Fork Twelve Mile

1 Creek; thence southerly with said creek to a point being the centerline of Goldmine Road
2 (SR 1162); thence with the centerline of Goldmine Road in an easterly direction to the
3 intersection of the extension of the centerline of Birmingham Lane; thence with the
4 centerline of Birmingham Lane in a southerly direction to the northeast corner of the
5 property boundary line of parcel 26-A as shown on tax map 7-096; thence southeastward
6 approximately 300 feet to the northeast corner of the property boundary line of parcel 26
7 as shown on tax map 7-096; thence southwestward approximately 250 feet to the
8 centerline of Birmingham Lane; thence southeastward along the centerline of
9 Birmingham Lane approximately 800 feet to the extension of the southeast corner
10 property boundary line of parcel 4-F as shown on tax map 7-096; thence southwestward
11 with said property boundary line approximately 1,020 feet and then westward with said
12 property boundary line approximately 1,204 feet to the centerline of East Fork Twelve
13 Mile Creek; thence following the southwesterly direction of said creek approximately
14 2,517 feet with the intersection of N.C. Highway 84; thence following the southerly
15 direction of said creek approximately 1,650 feet to a point being the northernmost corner
16 property boundary line of parcel 7-A as shown on tax map 6-006; thence easterly
17 approximately 333 feet to a point being the northernmost corner of property boundary
18 line of parcel 9 as shown on tax map 6-006; thence southeasterly then southwesterly and
19 then northwesterly with said parcel until it intersects with the centerline of Potter Road
20 (SR 1162); thence southward on said road approximately 247 feet to the intersection of
21 the extension of the centerline of Parkside Drive; thence westward with the centerline of
22 said road approximately 412 feet to a point being the northernmost property boundary
23 corner of parcel 41 as shown on tax map 6-027; thence southeasterly with the eastern
24 property boundary line of said parcel approximately 825 feet to a point being the
25 easternmost property boundary line of parcel 31 as shown on tax map 6-027; thence
26 southwesterly with the southern property boundary line of said parcel approximately 810
27 feet to a point being the southernmost property boundary line of parcel 28 as shown on
28 tax map 6-027; thence northwesterly with the western property boundary line of said
29 parcel approximately 1,155 feet to a point being the southernmost property boundary line
30 of parcel 11 as shown on tax map 6-027; thence northerly and then southwesterly with
31 said parcel approximately 1,002 feet to a point being the northeastern corner property
32 boundary line of parcel 5-A as shown on tax map 6-027; thence southeasterly with said
33 parcel approximately 736 feet to the intersection with the centerline of the East Fork
34 Twelve Mile Creek; thence southwestward with said creek approximately 4,785 feet to a
35 point being the centerline of Chambwood Road (SR 1336); thence northeasterly with the
36 centerline of Chambwood Road approximately 2,475 feet to a point being the
37 southernmost property boundary line of parcel 42 as shown on tax map 6-027; thence
38 northwesterly with the southern property line of said parcel approximately 1,155 feet to a
39 point being the intersection with the southern boundary line of parcel 4-C as shown on
40 tax map 6-027; thence westerly with the southern property line of said parcel
41 approximately 1,072 feet and then northwesterly with the western property line of said
42 parcel approximately 1,815 feet to a point being the northernmost property boundary line
43 of parcel 4-B as shown on tax map 6-027; thence northwesterly with the western property

1 boundary line of parcel 8-B as shown on tax map 6-048 approximately 853 feet to a point
2 being the southeastern property boundary line of parcel 20 as shown on tax map 6-045;
3 thence westerly with said parcel approximately 786 feet and then northwesterly with said
4 parcel approximately 509 feet to a point being the intersection of the extension of said
5 line northwestward and the centerline of N. C. Highway 84; thence easterly with the
6 centerline of N. C. Highway 84 approximately 577 feet to a point being the intersection
7 of said centerline and the southeastward extension of the western property boundary line
8 of parcel 16 as shown on tax map 6-045, thence northwesterly then southeasterly and
9 then northwesterly with said parcel approximately 620 feet to a point being the
10 northwestern most property boundary line of parcel 11 as shown on tax map 6-045;
11 thence northwesterly approximately 1,155 feet to a point being the northeast corner of
12 parcel 7-B as shown on tax map 6-045; thence southerly and then northwesterly with said
13 parcel approximately 1,017 feet to a point being the southwestern most property
14 boundary line of parcel 15-A as shown on tax map 6-045; thence northerly with said
15 parcel approximately 247 feet to a point being the southeastern most property boundary
16 line of parcel 22-B as shown on tax map 6-045; thence westerly and then northerly with
17 said parcel approximately 660 feet to a point being the intersection with the southern
18 property boundary line of parcel 24 as shown on tax map 6-045; thence westerly then
19 northerly with said parcel approximately 577 feet to a point being the intersection with
20 the centerline of Underwood Road (SR 1377); thence southeasterly with the centerline of
21 said road approximately 1,139 feet to a point being the extension of the western property
22 boundary line of parcel 16 as shown on tax map 6-045; thence northerly and then
23 southeasterly with said parcel to a point being the intersection of the centerline of Little
24 Twelve Mile Creek; thence northerly with said creek approximately 2,145 feet to a point
25 being the intersection with Potter Road (SR 1346); thence northerly with said creek
26 approximately 1,520 feet to a point being a corner in the southwestern property boundary
27 line of parcel 2 as shown on tax map 6-021; thence northeasterly, then northerly, then
28 westerly, and then northerly with said property line to a point being the southern property
29 boundary line of parcel 3 as shown on tax map 6-021; thence westerly with said parcel
30 approximately 330 feet to a point being the corner of the southwest property boundary
31 line of said parcel; thence northeasterly approximately 1,815 feet to a point being the
32 intersection with the southwestward property boundary line of parcel 5 as shown on tax
33 map 7-120; thence northwesterly then northeasterly and then southeasterly with said
34 property line to a point being the northernmost corner property boundary line of parcel 7
35 as shown on tax map 7-120; thence with the extension of said property boundary line to
36 the centerline of Hawfield Road (SR 1354); thence southeasterly with the centerline of
37 said road approximately 2,145 feet to the intersection with the centerline of Wesley
38 Chapel-Stouts Road (SR 1377); thence northeasterly with the centerline of said road
39 approximately 1,980 feet to the point and place of BEGINNING.

40 **"CHAPTER III.**

41 **"GOVERNING BODY.**

1 "Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing
2 body of Village of Wesley Chapel is the Village Council, which has four members and
3 the Mayor.

4 "Sec. 3.2. **Temporary Officers.** Until the initial election in 1999 provided for by
5 Section 4.1 of this Charter, Al Black is appointed Mayor, and Allen Callahan, Mike
6 Hafey, Ron Lawrence, and Beverly Williams are appointed members of the Village
7 Council, and they shall possess and may exercise the powers granted to the Mayor and
8 Town Council until their successors are elected or appointed and qualify pursuant to this
9 Charter.

10 "Sec. 3.3. **Manner of Electing Village Council; Term of Office.** The qualified
11 voters of the entire Village shall elect the members of the Village Council. Except as
12 provided by this section, members are elected to a four-year term of office. In 1999, the
13 two candidates receiving the highest numbers of votes are elected to a four-year term, and
14 the two candidates receiving the next highest number of votes are elected to two-year
15 terms. In 2001 and each two years thereafter, two members are elected for a four-year
16 term.

17 "Sec. 3.4. **Manner of Electing Mayor; Term of Office.** The qualified voters of the
18 entire Village shall elect the Mayor. The Mayor shall be elected in 1999 and each two
19 years thereafter for a two-year term.

20 "CHAPTER IV.

21 "ELECTIONS.

22 "Sec. 4.1. **Conduct of Village Elections.** Village officers shall be elected on a
23 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

24 "CHAPTER V.

25 "ADMINISTRATION.

26 "Sec. 5.1. **Village to Operate under Mayor-Council Plan.** The Village of Wesley
27 Chapel operates under the Mayor-Council plan as provided in Part 3 of Article 7 of
28 Chapter 160A of the General Statutes."

29 Section 2. From and after the effective date of this act, the citizens and
30 property in Village of Wesley Chapel shall be subject to municipal taxes levied for the
31 year beginning July 1, 1998, and for that purpose the Village shall obtain from Union
32 County a record of property in the area herein incorporated which was listed for taxes as
33 of January 1, 1998. The Village may adopt a budget ordinance for fiscal year 1998-99
34 without following the timetable in the Local Government Budget and Fiscal Control Act,
35 but shall follow the sequence of actions in the spirit of the act insofar as is practical. For
36 fiscal year 1998-99, ad valorem taxes may be paid at par or face amount within 90 days
37 of adoption of the budget ordinance, and thereafter in accordance with the schedule in
38 G.S. 105-360 as if the taxes had been due and payable on September 1, 1998. If this act
39 is ratified before July 1, 1998, the Village may adopt a budget ordinance for fiscal year
40 1997-98 without following the timetable in the Local Government Budget and Fiscal
41 Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is
42 practical, but no ad valorem taxes may be levied for the 1997-98 fiscal year.

43 Section 3. This act is effective when it becomes law.