

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1514
Finance Committee Substitute Adopted 7/1/98

Short Title: Hemby Bridge Incorporated.

(Local)

Sponsors:

Referred to:

May 28, 1998

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE THE TOWN OF HEMBY BRIDGE.

3 The General Assembly of North Carolina enacts:

4 Section 1. A Charter for the Town of Hemby Bridge is enacted as follows:

5 "CHARTER OF TOWN OF HEMBY BRIDGE.

6 "CHAPTER I.

7 "INCORPORATION AND CORPORATE POWERS.

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

13 "CHAPTER II.

14 "CORPORATE BOUNDARIES.

15 "Sec. 2.1. **Town Boundaries.** Until modified in accordance with the law, the
16 boundaries of the Town of Hemby Bridge are as follows:

17
18 Beginning at the Center of Stevens Mill Road (1524) and the South fork of Crooked
19 Creek and running E. using the center of Crooked Creek as outside boundary of Proposed

1 Town of Hemby Bridge including property of Larry Love and running 1,051' East down
2 Crooked Creek to property of Manuel Hicks, continuing on 620' down center of Crooked
3 Creek. Creek bends 55 degrees N and runs 858' connecting with and including property
4 of James and Vera McBride then 90 degrees W. and 295' then 90 degrees S. and
5 continuing down center of Creek 2,640' continuing floodplain that connects with Lot 78
6 at end of Woody Grove Rd. belonging to Sharon McInnis and SE 315' which is Lot 79
7 belonging to Nelson and Doris Howlett, containing all homes on Woody Grove Rd., and
8 all homes on Hillcrest Circle. Crooked Creek continues and connects with Lot 50 on
9 Hillcrest Circle belonging to Earl McCoy and continuing S. 165' to property of Doris
10 Button which is Lot 49, continuing S. 165' to Lot 48 belonging to Archie and Rachel
11 Townsend, then to Lot 47 belonging to Jacqueline Oliver and 165' to Lot 46 belonging to
12 Brian and Sara Cook, continuing and including Lot 45 belonging to Enrico Gallinaro,
13 then 165' and including Lot 44 belonging to Holt McAdams, then 165' and including Lot
14 43, Richard Hicks then 165' to Lot 42, Joseph Young. Continuing S. down Crooked
15 Creek including property of Theodore and Demetra Karres continuing on 83' and
16 including property of Lemuel Cannon to S. 83' to include property of Dolly McKee, then
17 83' to include property of Dolly McKee, then 83' to include property of J.C. McClain,
18 then 248' including property of Carolina Water Service then 453' to include property of
19 Southern Fabric Exchange, then 83' to property of Sonny and Judy Richardson, then
20 turning out of Creek 90 degrees South and 126' to Center of Indian Trail Fairview Road
21 and connecting to and including property of W.R. McQuay then 90 degrees W. to nail in
22 center of Rd (1520) connecting with and including property of Curtis and Libby Williams
23 then 85' to include property of Charles Conner then 83'W. to include property of Jimmy
24 Stroupe then 83' to include property of Elaine Wooten then 83' to include property of
25 Garnet and Clifton Jones then 83' to include property of Jesse Carson, then 83' to include
26 property of James and Mildred Rowell then 83' to include property of Bob Carpenter.
27 Then 42' crossing and including right-of-way drive belonging to George and Colleen
28 Sherin and 165' to include property of Donald Deese then 83' to include property of Terry
29 King. Continuing W. on Indian Trail Fairview (1520) to include property of Christine
30 Horne then 248' to include property of Ethel Brooks then 165' to include property of N.C.
31 Telephone Co., then 372' to include property of Billy Stegall then 381' to include
32 property of Ruby Williams then 151' to include property of Ethel Brooks then 572' to
33 include property of Jody Stegall continuing W. 165' to include property of Billy and
34 Barbara Thompson then 148' to include property of Don and Catherine Baucom, then
35 147' to include property of Harrison Spencer then 295' to include property of Charles and
36 Shirley Honey, then 413' to include property of Harold Sherrin then 250' to include
37 property of Robert and Connie Gillespie then 173' to include property of James Robinson
38 continuing 150' to include property of Carol and Billie Cunningham then crossing 3rd
39 Avenue (1566) and continuing W. 248' to include property of Marilyn R. Layman then
40 crossing 2nd Avenue and continuing W. 248' to center of 1st Avenue then 90 degrees S.
41 and 165' to include property of Lee and Carolyn Mayberry, then 90 degrees and 248'
42 crossing back over 2nd Avenue then 269' to center of 3rd Avenue to a nail in center of
43 Rd. and include property of James Taylor then 82' to include property of William

1 Threadgill. Third Avenue intersects with Carole Ave. in an Easterly direction and
2 continues 185' to include property of Wilson Johnson continuing center of Carole Ave.
3 (1587) past Reid Rd. (1557) 248' to a nail in center of Rd. to include property of Dennis
4 Hawkins continuing on to include property of Doug McLain continuing on to include
5 property of Leroy Shillmore also marked by nail in center of Rd. continuing center of
6 Carole Ave. 412' to include property of Ray Stegall next nail will mark and include
7 property of David Swanner, then 90 degrees E. to back of property belonging to Nathlee
8 Strickland continuing 92' to wooden stake to include property of Elizabeth Harris, then
9 92' to metal post to include property of Mae Conder, continuing E. to metal stake to
10 include David Howell's property, then 100' to metal stake to include Jeff and Wanda
11 McSheehan's property next metal stake will mark and include property of Carl Cassados
12 continuing E. to include property of Michele Klass 200' to next stake to include property
13 of Daniel and Gloria Smith 100' to metal stake to include property of Alfred Helms at
14 their metal stakes 120 degrees SW and 884' to metal fence post then 80 degrees E. and
15 445' to metal pipe then 40 degrees S. and 142' to metal pipe to include property of Bruce
16 and Linda Simpson continuing SE 1,167' to include property of Norma Simpson
17 continuing E. 536' to metal rod to include property of Charles and Janice Byrum, at metal
18 rod 90 degrees NE and 712' to include property of Scott and Wendy McGuirt then 30
19 degrees E and 165' to metal pipe then 90 degrees S and 594' to include property of Joe
20 and Kathryn Byrum continuing on and crossing Faith Church Rd. (1518) to connect with
21 metal stake at corner of Dennis and Kathy Helms' property then 80 degrees NE and 701'
22 to metal rod to include property of Helen Snyder continuing NE 247' to the center of
23 Secrest Short Cut Rd. (1501) then 90 degrees N and 245' to center of Faith Church Rd.
24 (1518) then 90 degrees E in center of Rd. to include property of Charles and Janice
25 Byrum from nail in center of Faith Church Rd. 659' to include property of Ervin Barr
26 then 660' to include property of Harold Pressley then 178' to include property of Frank
27 Owens continuing 299' down Faith Church Rd. to include property of Dale Pressley then
28 344' to include Carl Helms' property at this spike in Rd. Rd bends N. and 165' to include
29 property of Philip Simpson, then continues on 580' to include Ralph Boulet property,
30 then 165' to include Sandra Long's property then 1,359' to include Stan and Patricia
31 Pressley's property. Road bends West and continues 102' to include Lawrence Martin
32 property then 82' to include Donald Brize property, continuing NW on Faith Church Rd.
33 to include Marlen Moore's property then 90 degrees N and 300' to include Dennis Price's
34 property continue 206' to include Floyd Price property then 136' to include Paul McLain
35 property, then 150' to include Paul and Linda Voglewed property, then 140' to Robert and
36 Joan Thompson's property then 536' to center of Indian Trail Fairview Rd. and which
37 includes Charles Burgess property, then 90 degrees W in center of Indian Trail Fairview
38 Rd. and 194' to nail in center of Rd. then 200' to include property of Thomas and Martha
39 Dushak, then from nail 300' to include property of James and Myrtle Benton continuing
40 W. 167' to nail in center of Rd. 90 degrees N. and 233' to include property of Charles
41 Funderburk at 233' marker connects with and includes property of Lawrence Funderburk
42 continuing 1,016 to center of Crooked Creek and connecting to property of Steve Dunn
43 and East up center of Creek 123' to include property of Betty Knece then E. in center of

1 Creek 1,064' to include property of Edwin Dury then 825' E. in center of Creek then out
2 of Creek bank and 973' to flint rock to include property of William Humble then 300' to
3 metal stake to include Delano Trull property then E. 102' to Stanley Edwards' property
4 and at metal pipe continuing NE 300' and connecting to Typar property, then 1,564' to
5 iron rod at Maurice Rowell's property and 650' E to include property of Sam Edwards
6 then at metal pipe 436' to include Tommy Edwards' property, then 299' to include Jamie
7 Haney's property at this point 20 degrees SE and 185' to metal pipe and 1,155' E to
8 include property of Ted Edwards and at metal rod NE 75 degrees and 2,640' to include
9 Tract No. 7015002 of Linda Blackmore's property, which is center of Goose Creek using
10 center of Creek as boundary and N. 577' to include property of Danny Myers, Creek
11 travels 306' N. then turns and 165' E. then 204' NE then 112' to center of Mill Grove Rd.
12 (1525). Boundary turns E. on Mill Grove Rd. and connects with property of Kenneth
13 Dorton continuing E. on Mill Grove Rd. to include property of William Lemond then
14 165' E. to include property of Bertie Lemond then 330' to center of Lawyers Rd. (1004)
15 then 400' to include property of William Lemond again then from nail in center of Rd.
16 668' to include property of Danny Myers Tract No. 2, then 82' to include property of
17 Debrah Dorton then N. 165' to include property of Kenneth Dorton then 160' N. to
18 include property of Dennis Dorton then 120 degrees W. and 295' to large metal rod then
19 NW 367' to metal rod then W. 165' then S. 255' to metal axle at back of Danny Myers'
20 property than at metal axle 195' to metal rod at back of William Lemond's property then
21 247' to center of Goose Creek enclosing third Tract of Kenneth Dorton's property,
22 continuing S. 739' down Goose Creek to center of Mill Grove Rd., then using center of
23 Mill Grove Rd. (1525) as boundary continuing W. 1,980' down front of Linda Blackmore
24 property to nail in center of Rd., including property of Luther Wetherington property,
25 then 165' to include Greg and Kim Mullis' property, then 990' to include property of King
26 Heirs, then 330' to include property of Steve Turner, then 123' to include James Crump's
27 property, then 295' to include Larry King's property, then 315' to include Helen Gibson's
28 property then 136' to include Jerry Cooper's land still using center of Mill Grove as
29 boundary 110' then 82' to include property of Kenneth and Wanda Rayley, then 82' to
30 include property of Sue Gordon then 82' to include Clayton Barnes' property then 82' to
31 include James Harris' property, then 82' to include property of Leon and Shelby Dial,
32 then 82' to include property of Robert Bemis, then 82' to include property of Edward
33 Kanis, then 82' to include property of Gary and Sandra Antigo, then 82' to include
34 property of James Dickerson, then 82' to include Garland Thomas property, then 82' to
35 include James Baker property, then 82' to include property of Murry Family Partnership,
36 then 82' to include property of Albert Mattock, then 82' to include property of Hal
37 Oswalt, then 82' to include property of William Reinke, then 82' to include property of
38 Lyndel McIver. Then crossing Beacons Hills Rd. to iron pipe at back corner of Randall
39 Johnson property also included, then continuing on S. 102' to include property of Edward
40 Hartis, then 102' to include Leonard Benfield, then 102' to include property of Ray and
41 Mary O'Shields, then 102' to include property of Herbert Himes, then 102' to include
42 property of Irene Leake, then 102' to include property of Enoch Glory, then 102' to
43 include James Helrigle property, then 102' to include property of D.P. and Arlene

1 Somotherman, continuing on 102' to include property of Sharon Hendrickson, then 102'
2 to include property of Danny Myers, then continuing on 30' to center of Hemby Wood
3 Dr. then 90 degrees S. to center of Mill Grove Rd. (1525) then 90 degrees E. and 742' to
4 center of Idlewild Rd. (1582) then 90 degrees N. on Idlewild Rd. and 1,320 to nail in
5 center of Rd. then 90 degrees E. and 225' to wooden stake at back corner of Darren
6 Linsey property to include his property and continue on NW 90' to include property of
7 Steven Revette, then 80' to include property of Virginia Matthews, then 80' to include
8 property of Wayne and Cindy Gordon, then 80' to include property of Donald Moyers,
9 then 80' to include property of Mary Jones, then 80' to include property of Mark Rowell,
10 then 80' to include property of Loreta Fowler, 80' to include David and Rita Hinson
11 property, 80' to include property of Ernestene Aliff, 80' to include Ken Bailey property, at
12 corner of Kent Bailey property 90 degrees W. and 20' to corner of Linda Compton's
13 property also included then 90 degrees N. and continuing on to cross Bridle Trail Rd. and
14 connecting to and including property of Aron McPhatter, then 80' to include Richard
15 Hodge's property, then 80' to include property of Roger McCover, then 80' to include
16 property of Danny and Sandra Hyatt, then 80' to include property of Glenn Lowery, then
17 80' to include property of Marvin Naylor, then 80' to include property of Elizabeth Price,
18 then 80' to include property of Ray Gormon, then 80' to include property of Betty
19 Johnson, then 80' to include property of Wanda Rogers, then 80' to include property of
20 Clayton Liles, then 90 degrees W. and 80' to corner of Mark McCall property, then 90
21 degrees N. and crossing Rockwell Dr. to include property of Emma Metheney, then 80' to
22 include property of Jimmy and Wendy Brown, then NW 165' to center of Idlewild Rd.,
23 then 90 degrees down center of Idelwild Rd. (1582) to nail in center of Rd, then 90
24 degrees E. and connect with and include property of J.R. and Kim Price, then continuing
25 on E. 335' to connect and include property of Philip and Carol Pressley, then 737' to
26 connect and include property of Mr. Swindler at large metal rod NW 1112 to connect and
27 include property of Gene and Lois Belk, continuing on 665' down Belk property line to
28 connect with, but not include, Woodrow-Crump Estate, then 90 degrees NW and 825' to
29 connect and include property of Douglas Dixon, then 210' N. to connect and include
30 property of J.C. McClain, then 165' to connect and include property of James and Frances
31 Crump. Then 409' N. to center of Stevens Mill Rd. (1524) to include Emmanuel Baptist
32 Church, then 90 degrees W. down center of Stevens Mill Rd. crossing Idlewild Rd.
33 (1582) 247' to include property of J. Springstead, continuing on NW on Stevens Mill Rd.
34 270' to include property of David and Fran McClain, then 440' to include property of J.C.
35 McClain, then 335' to include property of Carol Brands, then 879' to center of South Fork
36 of Crooked Creek and Stevens Mill Rd. which is back of property of Larry Love.

37

38

"CHAPTER III.

39

"GOVERNING BODY.

40

"Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing
41 body of the Town of Hemby Bridge is the Board of Aldermen, which has five members.

42

"Sec. 3.2. **Temporary Officers.** Until the organizational meeting after the initial
43 election in 1999 provided for by Section 4.1 of this Charter, Bill Baucom, J.C. McClain,

1 and Phil Pressley are appointed members of the Board of Aldermen, and they shall
2 possess and may exercise the powers granted to the Board of Aldermen until their
3 successors are elected or appointed and qualify pursuant to this Charter. The Board of
4 Aldermen shall have three members until the organizational meeting after the 1999
5 municipal election.

6 "Sec. 3.3. **Manner of Electing Board of Aldermen; Term of Office.** The qualified
7 voters of the entire Town shall elect the members of the Board of Aldermen. In 1999,
8 five members of the Board of Aldermen are elected. The three persons receiving the
9 highest numbers of votes are elected to four-year terms, and the two persons receiving the
10 next highest numbers of votes are elected to two-year terms. In 2001 and quadrennially
11 thereafter, two persons are elected to four-year terms. In 2003 and quadrennially
12 thereafter, three persons are elected to four-year terms.

13 "Sec. 3.4. **Manner of Electing Mayor; Term of Office.** At its organizational
14 meeting after each election, the Board of Aldermen shall elect one of its members as
15 Mayor to serve at the pleasure of the Board of Aldermen.

16 "CHAPTER IV.

17 "ELECTIONS.

18 "Sec. 4.1. **Conduct of Town Elections.** Town officers shall be elected on a
19 nonpartisan election and runoff basis and results determined as provided in G.S. 163-293.

20 "CHAPTER V.

21 "ADMINISTRATION.

22 "Sec. 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of Hemby
23 Bridge operates under the Mayor-Council plan as provided in Part 3 of Article 7 of
24 Chapter 160A of the General Statutes."

25 Section 2. This act does not affect the boundaries or taxing power of any fire
26 tax district. Notwithstanding G.S. 69-25.15 or any other provision of law, any area which
27 may be annexed by the Town of Hemby Bridge shall remain in the fire tax district.

28 Section 3. From and after the effective date of this act, the citizens and
29 property in the Town of Hemby Bridge shall be subject to municipal taxes levied for the
30 year beginning July 1, 1998, and for that purpose the Town shall obtain from Union
31 County a record of property in the area herein incorporated which was listed for taxes as
32 of January 1, 1998. The Town may adopt a budget ordinance for fiscal year 1998-99
33 without following the timetable in the Local Government Budget and Fiscal Control Act,
34 but shall follow the sequence of actions in the spirit of the act insofar as is practical. For
35 fiscal year 1998-99, ad valorem taxes may be paid at par or face amount within 90 days
36 of adoption of the budget ordinance, and thereafter in accordance with the schedule in
37 G.S. 105-360 as if the taxes had been due and payable on September 1, 1998.

38 Section 4. This act is effective when it becomes law.