

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S

2

SENATE BILL 314*
Finance Committee Substitute Adopted 4/20/99

Short Title: Mineral Springs Incorporated.

(Local)

Sponsors:

Referred to:

March 11, 1999

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE THE TOWN OF MINERAL SPRINGS.

3 The General Assembly of North Carolina enacts:

4 Section 1. A Charter for the Town of Mineral Springs is enacted to read:

5 "CHARTER OF TOWN OF MINERAL SPRINGS.

6 "CHAPTER I.

7 "INCORPORATION AND CORPORATE POWERS.

8 "Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town
9 of Mineral Springs, which area is described in Section 2.1 of this Charter, are a body
10 corporate and politic under the name 'Town of Mineral Springs'. 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 "Section 2.1. **Town Boundaries.** Until modified in accordance with the law, the
16 boundaries of the Town of Mineral Springs are as follows:

17 BEGINNING at a point in the southern boundary of Waxhaw Highway (State
18 Highway 75) at its intersection with the southwestern boundary of Western Union School
19 Road (SR1143); thence westerly with the southern boundary of Waxhaw Highway

1 approximately 2,270 feet to its intersection with the southerly extension of the western
2 property boundary line of parcel 001 as shown on tax map 5-030; thence northerly with
3 said property boundary line approximately 1,620 feet to the northern boundary of the
4 S.A.R.R. right-of-way; thence easterly with said boundary approximately 92 feet to its
5 intersection with the western property boundary line of parcel 012D as shown on tax map
6 6-084; thence northerly then northeasterly and then northwesterly with said parcel to a
7 point being the southeastern corner of parcel 012E as shown on tax map 6-084; thence
8 westerly then northerly and then northwesterly with said parcel until it intersects the
9 eastern boundary of Collins Road (SR1326); thence northeasterly approximately 890 feet
10 with said boundary to its intersection with the southeastern property boundary line of
11 parcel 008 as shown on tax map 6-084; thence northeasterly approximately 1,504 feet,
12 then northerly approximately 475 feet, and then westerly approximately 1,146 feet with
13 said parcel to a point in the western boundary of Collins Road (SR1326); thence with the
14 western boundary of Collins Road in a northerly direction to its intersection with the
15 southern boundary of McNeely Road (SR1325); thence with the southern boundary of
16 McNeely Road in a westerly direction to its intersection with the southerly extension of
17 the western property boundary line of parcel 002A as shown on tax map 6-084; thence
18 northerly approximately 260 feet with said property boundary line to its intersection with
19 the southwestern corner of parcel 002 as shown on tax map 6-084; thence northerly
20 approximately 260 feet with the western boundary of said parcel to its intersection with
21 the northern boundary of Pleasant Grove Road (SR1327); thence with the northern
22 boundary of Pleasant Grove Road in an easterly direction approximately 300 feet to its
23 intersection with the western property boundary line of parcel 008A as shown on tax map
24 6-081; thence northerly with said property boundary line approximately 730 feet to the
25 southwestern corner of parcel 007 as shown on tax map 6-081; thence easterly
26 approximately 1,377 feet, then northerly approximately 620 feet with said parcel to a
27 point in the southern property boundary of parcel 001 as shown on tax map 6-081; thence
28 easterly approximately 683 feet, then northerly approximately 295 feet, then northerly
29 approximately 798 feet, and then westerly approximately 857 feet with said parcel to a
30 point in the western boundary of Waxhaw-Indian Trail Road (SR1008); thence with the
31 western boundary of Waxhaw-Indian Trail Road in a northerly direction approximately
32 2,475 feet to its intersection with the western extension of the northern boundary of
33 Jeanne Drive (private road); thence easterly approximately 825 feet with said road
34 boundary to its intersection with the northwestern property boundary line of parcel 015C
35 as shown on tax map 6-081; thence northeasterly with said property boundary line
36 approximately 1,646 feet to the western corner of parcel 016 as shown on tax map 6-081;
37 thence easterly with the northwestern boundary of said parcel to its intersection with the
38 Bates Branch, being the western boundary of parcel 001B as shown on tax map 6-054;
39 thence following the branch along said boundary in a northerly then an easterly direction
40 to the northeast corner of said parcel; thence southeasterly with said parcel approximately
41 190 feet to a point, being the western corners of parcels 013 and 014 as shown on tax
42 map 6-054; thence along the southeastern property boundary line of parcel 047 as shown
43 on tax map 6-054 as follows: northeasterly approximately 1,105 feet, then northeasterly

1 approximately 450 feet, then westerly approximately 450 feet, then northeasterly
2 approximately 450 feet, then northwesterly approximately 20 feet, and then northeasterly
3 approximately 550 feet to a point in the centerline of Shannon Road (SR1328) where said
4 centerline intersects the southwesterly extension of the western boundary of parcel 055 as
5 shown on tax map 6-054; thence northeasterly approximately 625 feet, then easterly
6 approximately 580 feet with said parcel until it intersects with the northernmost corner of
7 parcel 048 as shown on tax map 6-054; thence with said parcel as follows: southerly
8 approximately 627 feet, then easterly approximately 196 feet, then southerly
9 approximately 1,093 feet, then southerly approximately 565 feet, then southwesterly
10 approximately 394 feet, then southeasterly with the northeastern boundary of Shannon
11 Road (SR1328) approximately 550 feet to its intersection with the northern boundary of
12 Pleasant Grove Road (SR1327), then continuing in the same direction across Pleasant
13 Grove Road, then southwesterly with the southeastern boundary of Pleasant Grove Road
14 approximately 215 feet, then southwesterly approximately 550 feet, then southeasterly
15 approximately 1,691 feet, then northeasterly approximately 728 feet, then southeasterly
16 with the northern boundary of Pleasant Grove Road approximately 860 feet, then
17 southeasterly approximately 130 feet, then northerly approximately 1,050 feet, and then
18 northerly approximately 1,105 feet to the westernmost corner property boundary of parcel
19 051 as shown on tax map 6-054; thence with said parcel southeasterly approximately
20 1,325 feet, then easterly approximately 895 feet to a point in the western property
21 boundary line of parcel 001A as shown on tax map 6-033; thence with said parcel as
22 follows: southerly approximately 1,300 feet, then northeasterly approximately 482 feet,
23 then southeasterly approximately 244 feet, then northeasterly approximately 386 feet,
24 then easterly approximately 27 feet, then easterly approximately 992 feet, then southerly
25 approximately 668 feet, then westerly approximately 25 feet, then southwesterly
26 approximately 127 feet, and then northeasterly approximately 1,218 feet to a point in an
27 unnamed branch of Little Twelvemile Creek; then meandering northerly with said branch
28 approximately 1,700 feet to the southwest corner property boundary of parcel 054 as
29 shown on tax map 6-036; thence northeasterly with the western property boundary line of
30 parcel 054, then northeasterly with the northwestern property boundary line of parcel
31 055, then easterly with the northern property boundary line of parcel 056, then
32 southeasterly with the northeastern property boundary line of parcel 057, then southerly
33 with the eastern property boundary line of parcel 058, then southwesterly with the eastern
34 property boundary line of parcels 059 through 060, then southerly with the eastern
35 property boundary line of parcels 061 through 068, then southeasterly with the
36 northeastern property boundary line of parcels 069 through 074, and then southeasterly
37 with the northeastern property boundary line of parcel 075 to its intersection with the
38 northwestern boundary of Potter Road (SR1162), the aforementioned parcels 054 through
39 075 inclusive as shown on tax map 6-036; thence northeasterly along the northwestern
40 boundary of Potter Road approximately 65 feet to the intersection of the extension of the
41 southern boundary of Roscoe Howey Road (SR1332); thence easterly along the southern
42 boundary of Roscoe Howey Road approximately 890 feet to the intersection with the
43 Little Twelvemile Creek; thence generally southeasterly with the Little Twelvemile

1 Creek as it forms the western boundary of parcel 2A as shown on tax map 6-015 to its
2 intersection with the northern property boundary line of parcel 025 as shown on tax map
3 6-015; thence with said parcel southwesterly approximately 660 feet, then southerly
4 approximately 1,950 feet to the intersection of its western property boundary line with the
5 northern boundary of the S.A.R.R. right-of-way, thence northeasterly with the northern
6 boundary of the S.A.R.R. right-of-way approximately 3,990 feet to its intersection with
7 the western property boundary line of parcel 003 as shown on tax map 9-429; thence with
8 said parcel northeasterly approximately 295 feet, then southeasterly approximately 970
9 feet, then southerly approximately 1,155 feet, then southwesterly approximately 106 feet,
10 then southerly approximately 810 feet to the intersection of the southern extension of its
11 eastern property boundary line with the southern boundary of Old Waxhaw-Monroe Road
12 (SR1150); thence southwesterly with the southern boundary of Old Waxhaw-Monroe
13 Road approximately 265 feet to its intersection with the property boundary line of parcel
14 001B as shown on tax map 9-417; thence with said parcel southeasterly approximately
15 130 feet, then northeasterly approximately 809 feet, then northeasterly approximately 628
16 feet, then easterly approximately 307 feet, then northwesterly approximately 169 feet,
17 then northeasterly approximately 134 feet, then southeasterly approximately 830 feet,
18 then southeasterly approximately 658 feet, then southwesterly approximately 294 feet,
19 then southeasterly approximately 866 feet, then southerly approximately 221 feet, then
20 southerly approximately 109 feet, then southeasterly approximately 237 feet, then
21 southerly approximately 49 feet, then easterly approximately 193 feet, then northerly
22 approximately 894 feet, then northeasterly approximately 606 feet, then southeasterly
23 approximately 129 feet, then southeasterly approximately 120 feet, then northeasterly
24 approximately 1,428 feet, then northerly approximately 661 feet, then northwesterly
25 approximately 320 feet, then northwesterly approximately 140 feet, then northeasterly
26 approximately 286 feet, then easterly approximately 967 feet, then southerly
27 approximately 568 feet, then southwesterly approximately 112 feet, then southwesterly
28 approximately 259 feet, then southerly approximately 561 feet, then southeasterly
29 approximately 734 feet, then southeasterly approximately 597 feet, then southerly
30 approximately 1 foot, then southerly approximately 138 feet, then westerly approximately
31 165 feet, then northwesterly approximately 118 feet, then northwesterly approximately 82
32 feet, then northwesterly approximately 998 feet, then westerly approximately 1,277 feet,
33 then southerly approximately 559 feet to the intersection of the property boundary line
34 with the northern boundary of Doster Road (SR1149), then with the northern boundary of
35 Doster Road easterly approximately 145 feet to its intersection with the northern
36 extension of the eastern property boundary line, then southerly approximately 81 feet,
37 then southerly approximately 1,546 feet, then northwesterly approximately 1,066 feet,
38 then northerly approximately 594 feet, then northeasterly approximately 443 feet, and
39 then northerly approximately 231 feet to the intersection of the property boundary line
40 with the southern boundary of Doster Road; thence westerly with the southern boundary
41 of Doster Road approximately 690 feet to its intersection with the western property
42 boundary line of parcel 001 as shown on tax map 9-417; thence with said parcel
43 southwesterly approximately 2,455 feet, and then westerly approximately 1,960 feet to

1 the intersection of the property boundary line with the eastern property boundary line of
2 parcel 43 as shown on tax map 6-018; thence with said parcel southerly approximately
3 820 feet, then northwesterly approximately 475 feet to the intersection of the property
4 boundary line with the northern boundary of Crow Road (SR1147), then northwesterly
5 with the northern boundary of Crow Road approximately 990 feet to its intersection with
6 the property boundary line, then northwesterly approximately 125 feet, and then
7 southwesterly approximately 937 feet to the northeast corner of the property boundary
8 line of parcel 006 as shown on tax map 6-017; thence with said parcel southwesterly
9 approximately 194 feet, then northwesterly approximately 35 feet, then southwesterly
10 approximately 40 feet, then southeasterly approximately 40 feet, then southwesterly
11 approximately 980 feet, then southeasterly approximately 1,193 feet, then southwesterly
12 approximately 676 feet, then northwesterly approximately 822 feet, and then
13 northwesterly approximately 770 feet to the intersection of the southern property
14 boundary line with the eastern property boundary line of parcel 002B as shown on tax
15 map 6-017; thence with said parcel southerly approximately 30 feet, and then
16 northeasterly approximately 1,537 feet to the intersection of the southern property
17 boundary line with the eastern property boundary line of parcel 001 as shown on tax map
18 6-017; thence with said parcel southwesterly approximately 167 feet, and then
19 northwesterly approximately 571 feet to the intersection of the southern property line
20 with the southeastern boundary of Potter Road (SR1162); thence southwesterly with the
21 southeastern boundary of Potter Road approximately 2,080 feet to its intersection with
22 the southerly extension of the western property boundary line of parcel 019J as shown on
23 tax map 5-006; thence northerly with said property boundary line approximately 637 feet
24 to its intersection with the southern property boundary line of parcel 015 as shown on tax
25 map 5-006; thence westerly with said property boundary line approximately 390 feet to
26 its intersection with the southeastern corner of parcel 001A as shown on tax map 5-003;
27 thence with said parcel westerly approximately 717 feet, then westerly approximately
28 1,591 feet, then westerly approximately 197 feet, then northwesterly approximately 360
29 feet, then northwesterly approximately 714 feet, then northwesterly approximately 337
30 feet, and then northerly approximately 300 feet to the intersection of the property
31 boundary line with the northernmost corner of parcel 009G as shown on tax map 5-006;
32 thence with said parcel southwesterly approximately 462 feet, then westerly
33 approximately 530 feet, and then westerly approximately 246 feet to the intersection of
34 the property boundary line with the eastern property boundary line of parcel 053 as
35 shown on tax map 5-033; thence southerly with said property boundary line
36 approximately 1,000 feet to the intersection of its southern extension with the centerline
37 of Western Union School Road (SR1143); thence from the intersection of the centerline
38 of Western Union Road with the northern extension of the western property boundary
39 line of parcel 010 as shown on tax map 5-006 southerly with said property boundary line
40 approximately 590 feet to its intersection with the northwest corner of the property
41 boundary line of parcel 011 as shown on tax map 5-006; thence southerly with said
42 property boundary line approximately 208 feet to its intersection with the northeast
43 corner of the property boundary line of parcel 188 as shown on tax map 5-033; thence

1 with said parcel westerly approximately 2,090 feet, and then northerly approximately
2 2,345 feet to the intersection of the property boundary line with the southern boundary of
3 Western Union School Road; thence with the southern boundary of Western Union
4 School Road in a northwesterly direction approximately 960 feet to the point and place of
5 BEGINNING.

6
7 EXCEPTED and EXCLUDED from the above described corporate boundary
8 is all of that tract of land consisting of parcel 001 as shown on tax map 6-036, comprising
9 37.160 acres, and more commonly known as the Pleasant Grove Campground.

10 "CHAPTER III.

11 "GOVERNING BODY.

12 "Section 3.1. **Structure of Governing Body; Number of Members.** The governing
13 body of the Town of Mineral Springs is the Town Council, which has six members and
14 the Mayor.

15 "Section 3.2. **Temporary Officers.** Until the initial election in 1999 provided for by
16 Section 4.1 of this Charter, Frederick Becker III is hereby appointed Mayor, and William
17 Henry Blythe, Jr., Gerald Countryman, Lundeen Cureton, Thomas Kalin, Alice Mabe,
18 and Peggy Neill are hereby appointed members of the Town Council, and they shall
19 possess and may exercise the powers granted to the Mayor and Town Council until their
20 successors are elected or appointed and qualify pursuant to this Charter.

21 "Section 3.3. **Manner of Electing Town Council; Term of Office.** The qualified
22 voters of the entire Town shall elect the members of the Town Council. Except as
23 provided by this section, members are elected to a four-year term of office. In 1999, the
24 three candidates receiving the highest numbers of votes are elected to four-year terms,
25 and the three candidates receiving the next highest numbers of votes are elected to two-
26 year terms. In 2001 and each two years thereafter, three members are elected to four-year
27 terms.

28 "Section 3.4. **Manner of Electing Mayor; Term of Office.** The qualified voters of
29 the entire Town shall elect the Mayor. The Mayor shall be elected in 1999 and each two
30 years thereafter for a two-year term.

31 "CHAPTER IV.

32 "ELECTIONS.

33 "Section 4.1. **Conduct of Town Elections.** Town officers shall be elected on a
34 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

35 "CHAPTER V.

36 "ADMINISTRATION.

37 "Section 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of Mineral
38 Springs operates under the Mayor-Council Plan as provided in Part 3 of Article 7 of
39 Chapter 160A of the General Statutes.

40 "Section 5.2. **Budget Ordinance; Municipal Taxes.** From and after the effective
41 date of this act, the citizens and property in the Town of Mineral Springs shall be subject
42 to municipal taxes levied for the year beginning July 1, 1999, and for that purpose the
43 Town shall obtain from Union County a record of property in the area herein

1 incorporated which was listed for property taxes as of January 1, 1999. The Town may
2 adopt a budget ordinance for fiscal year 1999-2000 without following the timetable in the
3 Local Government Budget and Fiscal Control Act, but shall follow the sequence of
4 actions in the spirit of the act insofar as is practical. For fiscal year 1999-2000, ad
5 valorem taxes may be paid at par or face amount within 90 days of adoption of the budget
6 ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes
7 had been due and payable on September 1, 1999. If this act is ratified before July 1, 1999,
8 the Town may adopt a budget ordinance for fiscal year 1998-1999 without following the
9 timetable in the Local Government Budget and Fiscal Control Act, but shall follow the
10 sequence of actions in the spirit of the act insofar as is practical, but no ad valorem taxes
11 may be levied for the 1998-1999 fiscal year."

12 Section 2. On a date established by the Union County Board of Elections no
13 earlier than 60 nor later than 120 days after this bill becomes law, the Union County
14 Board of Elections shall conduct a special election for the purpose of submission to the
15 qualified voters of the area described in Section 2.1 of the Charter of the Town of
16 Mineral Springs, the question of whether such area shall be incorporated as the Town of
17 Mineral Springs.

18 Section 3. In the election, the question on the ballot shall be:

19 " **FOR** **AGAINST**
20 **INCORPORATION OF THE TOWN OF MINERAL SPRINGS**".

21 Section 4. In the election, if a majority of the votes are cast "For the
22 Incorporation of the Town of Mineral Springs", Sections 1 through 3 of this act become
23 effective on the date that the Union County Board of Elections certifies the results of the
24 election. Otherwise, Section 1 of this act has no force and effect.

25 Section 5. This act is effective when it becomes law.