

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 1346

Short Title: Eden Annexation Contracts. (Local)

Sponsors: Senators Berger; and Foxx.

Referred to: Finance.

June 12, 2002

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION
2 CONTRACTS.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The City of Eden may, by contract, provide that certain
6 property described in the contract may not be annexed by the City under Parts 2 or 3 of
7 Article 4A of Chapter 160A of the General Statutes prior to December 31, 2013.
8 Nothing in this act impairs the right of the General Assembly to annex any such
9 property by specific local act.

10 **SECTION 2.** The City of Eden may accept, as consideration for such
11 contract, "Payments in lieu of taxes".

12 **SECTION 3.** Payments in lieu of taxes under this act shall be annually
13 computed based upon the tax valuations of the properties subject to contracts under
14 Section 1 of this act as determined by the Rockingham County Tax Department, with
15 the formula for making the computation being stated in each contract.

16 **SECTION 4.** Contracts under Section 1 of this act apply only to the
17 following described properties:

DUKE POWER

Tract 1

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22 Beginning at a concrete monument set in the westerly line of S. R. # 1779 (Edgewood
23 Road) and running thence from said beginning point, S 36 deg. 45 min. E 80.6 feet to a
24 stake, thence N 69 deg. 26 min. E 826.6 feet to an iron rod found; thence N 20 deg. 32
25 min. W 239.7 feet to an iron rod; thence N 69 deg. 28 min. E 97.1 feet to an iron rod
26 found; thence N 20 deg. 39 min. W 180.0 feet to an iron rod found; thence N 69 deg. 18
27 min. E 54.7 feet to a concrete monument found; thence N 20 deg. 30 min. W 240.4 feet
28 to an iron rod; thence N 69 deg. 30 min. E 87.0 feet to an iron rod found; thence N 20
29 deg. 35 min. W 180.1 feet to an iron rod found; thence N 69 deg. 27 min. E 515.5 feet to

1 an iron rod and iron pipe found in the westerly boundary of the property of Fieldcrest
2 Mills, Inc.; thence with said property line S 10 deg. 19 min. E 1390.2 feet to a concrete
3 monument found in the southwesterly corner of the property of Fieldcrest Mills, Inc.;
4 thence with the southerly line of Fieldcrest Mills, Inc., N 79 deg. 03 min. E 161.9 feet to
5 a concrete monument found; thence S 80 deg. 53 min. E 1126.3 feet to an iron rod
6 found in the centerline of the CNW Railroad spur track; thence with the centerline of
7 said Spur track the following courses and distances: S 4 deg. 02 min. E 100.0 feet to a
8 point; S 0 deg. 02 min. E 99.9 feet to a point; S 4 deg. 04 min. W 100.0 feet to a point; S
9 7 deg. 43 min. W 100.0 feet to a point; S 11 deg. 45 min. W 100.0 feet to a point; S 15
10 deg. 57 min. W 100.0 feet to a point; S 20 deg. 00 min. W 100.0 feet to a point; S 24
11 deg. 15 min. W 100.0 feet to a point; S 28 deg. 05 min. W 100.0 feet to a point; S 31
12 deg. 33 min. W 72.0 feet to a spike found; thence N 88 deg. 54 min. E 623.1 feet to an
13 iron rod found; thence S 18 deg. 36 min. E 367.2 feet to an iron pipe found; thence S 6
14 deg. 02 min. W 74.9 feet to an iron pipe found; thence S 24 deg. 38 min. E 141.5 feet to
15 a point in the northerly bank of the Dan River; thence with the Dan River the following
16 courses and distances: S 66 deg. 35 min. W 48.8 feet; S 54 deg. 44 min. W 77.0 feet; S
17 61 deg. 37 min. W 108.8 feet; S 55 deg. 43 min. W 74.6 feet; S 53 deg. 05 min. W 203.1
18 feet; S 32 deg. 02 min. W 281.5 feet; S 27 deg. 20 min. W 140.7 feet; S 27 deg. 58 min.
19 W 436.3 feet; S 29 deg. 28 min. W 142.1 feet; S 26 deg. 31 min. W 236.2 feet; S 41
20 deg. 30 min. W 204.0 feet; S 52 deg. 38 min. W 266.5 feet; S 58 deg. 31 min. W 263.2
21 feet; S 63 deg. 40 min. W 317.8 feet; S 57 deg. 38 min. W 75.4 feet; S 65 deg. 46 min.
22 W 312.0 feet; S 71 deg. 46 min. W 148.1 feet; S 75 deg. 07 min. W 232.9 feet; S 76
23 deg. 21 min. W 205.8 feet; N 6 deg. 55 min. W 64.0 feet; S 68 deg. 04 min. W 235.4
24 feet; S 17 deg. 07 min. E 61.4 feet; S 66 deg. 21 min. W 108.2 feet; S 67 deg. 33 min.
25 W 318.2 feet; S 68 deg. 11 min. W 220.3 feet; S 70 deg. 06 min. W 139.5 feet; S 78
26 deg. 35 min. W 234.8 feet; S 65 deg. 10 min. W 88.2 feet to a point in the southeasterly
27 margin of the property of Fieldcrest Mills, Inc.; thence with the property line of
28 Fieldcrest Mills, Inc.; N 18 deg. 51 min. W 176.4 feet to an iron rod set; thence S 56
29 deg. 26 min. W 96.7 feet to an iron pipe found; thence N 19 deg. 06 min. W 1090.1 feet
30 to a concrete monument found; thence N 82 deg. 22 min. E 247.0 feet to a point in the
31 westerly bank of a pond; thence with the westerly bank of said pond, eight courses and
32 distances as follows: (1) N 46 deg. 33 min. W 98.7 feet; (2) N 32 deg. 44 min. W 86.0
33 feet; (3) N 47 deg. 00 min. W 82.7 feet; (4) N 84 deg. 22 min. W 45.6 feet; (5) N 39
34 deg. 52 min. W 147.9 feet; (6) N 18 deg. 33 min. W 89.6 feet; (7) N 7 deg. 38 min. E
35 206.9 feet; (8) N 36 deg. 54 min. E 60.4 feet at an intersection of the said pond and
36 Moir Branch; thence with the centerline of Moir Branch the following courses and
37 distances: (1) N 22 deg. 07 min. W 200.2 feet; (2) N 25 deg. 40 min. W 40.5 feet; (3) N
38 45 deg. 48 min. W 58.0 feet; (4) N 11 deg. 08 min. W 47.0 feet; (5) S 79 deg. 32 min. E
39 37.3 feet; (6) N 4 deg. 09 min. E 25.0 feet; (7) N 6 deg. 39 min. W 132.1 feet; (8) N 5
40 deg. 28 min. E 193.7 feet; (9) N 7 deg. 04 min. W 76.1 feet; (10) S 30 deg. 57 min. W
41 48.8 feet; (11) S 73 deg. 25 min. W 18.4 feet; (12) N 15 deg. 37 min. W 44.9 feet; (13)
42 N 3 deg. 35 min. E 122.1 feet; (14) N 3 deg. 20 min. W 34.8 feet; (15) N 14 deg. 01
43 min. W 129.2 feet; (16) N 50 deg. 22 min. W 61.7 feet; (17) N 22 deg. 47 min. W 85.8
44 feet; (18) N 34 deg. 56 min. W 29.7 feet; (19) N 4 deg. 25 min. E 177.2 feet; (20) N 16

1 deg. 48 min. E 54.7 feet; (21) N 30 deg. 16 min. E 28.2 feet; (22) N 18 deg. 14 min. W
2 25.5 feet; (23) N 13 deg. 26 min. W 47.0 feet; (24) N 4 deg. 41 min. E 115.3 feet; (25) S
3 89 deg. 12 min. E 26.5 feet; (26) N 41 deg. 02 min. E 26.5 feet; (27) N 9 deg. 00 min.
4 W 94.8 feet; (28) N 1 deg. 43 min. W 62.0 feet; (29) N 40 deg. 28 min. E 15.7 feet; (30)
5 N 22 deg. 50 min. E 46.8 feet; (31) N 11 deg. 42 min. E 37.1 feet; (32) S 82 deg. 45
6 min. E 40.0 feet; (33) N 16 deg. 55 min. E 45.3 feet; (34) N 21 deg. 40 min. E 37.9 feet;
7 (35) N 6 deg. 31 min. E 114.3 feet to a point in the southerly line of the property of
8 Fieldcrest Mills, Inc.; thence with the southerly line of said property N 63 deg. 10 min.
9 E 308.3 feet to an iron pipe found; thence N 63 deg. 14 min. E 523.5 feet to an iron pipe
10 found; thence N 63 deg. 07 min. E 132.1 feet to an iron pipe found; N 63 deg. 20 min. E
11 171.2 feet to an iron pipe found; thence N 63 deg. 13 min. E 357.6 feet to the point of
12 beginning, containing 371.48 acres.

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14 Tract 2
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16 Beginning at a point on the west bank of Miry Branch at the confluence of Miry Branch
17 and Dan River, thence with the west branch of Miry Branch the following courses and
18 distances: S 33 deg. 39 min. W 85.4 feet; S 57 deg. 48 min. W 80.0 feet; S 30 deg. 56
19 min. W 51.1 feet; S 14 deg. 24 min. E 36.7 feet; S 43 deg. 41 min. E 74.3 feet; S 1 deg.
20 31 min. W 72.2 feet; S 6 deg. 51 min. W 117.5 feet; S 5 deg. 17 min. W 37.8 feet; S 45
21 deg. 12 min. W 74.0 feet; S 41 deg. 15 min. W 117.0 feet; S 31 deg. 11 min. W 36.9
22 feet; S 15 deg. 35 min. E 72.8 feet; S 31 deg. 08 min. W 52.5 feet; S 24 deg. 33 min. E
23 44.3 feet; S 24 deg. 09 min. W 94.5 feet; S 7 deg. 15 min. W 35.1 feet; S 36 deg. 54
24 min. E 71.5 feet to an iron rod; thence S 72 deg. 11 min. W 395.3 feet to a concrete
25 monument found; thence N 2 deg. 25 min. E 917.1 feet to the southerly line of said
26 river; thence with the southerly bank of Dan River three calls as follows: N 70 deg. 00
27 min. E 336.4 feet; N 69 deg. 52 min. E 115.1 feet; N 79 deg. 21 min. E 154.5 feet to the
28 point of beginning, containing 9.08 acres.

29
30 Miller Brewing Company
31

32 TRACT I
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34 Being a tract of land 1357.79 acres, more or less, in Leaksville Township, Rockingham
35 County, North Carolina, bounded by Meadow Road (NC State Road #770) and property
36 owned by Spray Cotton Mills, Inc., on the South; Summit Road, property owned by
37 Powell, Henry Raefield on the West; property owned by Herbert Hopper, Joe Scales,
38 and the Virginia State Line on the North; and, Main Street, property owned by Lawson,
39 Lacy Hall, Herman Patterson, Slayton and Cedrick Willard on the East; and more
40 specifically described as follows:

41
42 BEGINNING at an iron stake in the North Margin of the right of way of Eastern Street
43 (State Road #1774) at the Southwest corner of property owned by W. Smart, said
44 beginning point also being situate at the Easternmost corner of property conveyed to

1 Spray Cotton Mills, Inc., in Deed Book 694, Page 902, Rockingham County Public
2 Registry; running thence from said beginning point the following calls along the East
3 line of the Spray Cotton Mills property: North 23 deg. 53 min. West 133.01 feet; North
4 37 deg. 21 min. West 159.23 feet; North 23 deg. 19 min. West 154.10 feet; and North 9
5 deg. 52 min. West 394.73 feet to a point situated at the Northeast corner of the Spray
6 Cotton Mills, Inc. property; thence with the North line of the Spray Cotton Mills, Inc.
7 property, South 78 deg. 53 min. West 792.12 feet and South 85 deg. 26 min. West
8 1,281.15 feet to the Northwest corner of the Spray Cotton Mills, Inc. property; thence
9 continuing with the Spray Cotton Mills, Inc. West line, South 0 deg. 52 min. West
10 867.34 feet to a point; thence South 73 deg. 15 min. West 415.79 feet to a point; thence
11 South 16 deg. 45 min. East 1300 feet to a point in the northern margin of Meadow Road
12 (N.C. State Road 770); thence with the northern margin of Meadow Road the following
13 courses and distances: South 73 deg. 14 min. 40 sec. West 2362.50 feet; South 74 deg.
14 26 min. 10 sec. West 186.96 feet; South 80 deg. 5 min. 20 sec. West 210.67 feet; South
15 84 deg. 16 min. 30 sec. West 646.55 feet; and, South 83 deg. 53 min. West 336.01 feet
16 to an iron in the North margin of the right of way of said Meadow Road; thence leaving
17 the North margin of the right of way of Meadow Road and turning in a northern
18 direction, North 3 deg. 37 min. 20 sec. West 605.50 feet to an iron stake in the East line
19 of Jarrett; thence continuing with Jarrett's East line, North 4 deg. 38 min. 50 sec. East
20 470 feet to an iron; thence North 5 deg. 58 min. 20 sec. East 591 feet to an iron at the
21 Northeast corner of property owned by Jarrett; thence with Jarrett's North line, North 89
22 deg. 22 min. 50 sec. West 974.50 feet to an iron in the East margin of the right of way
23 of Summit Road, Jarrett's Northwest corner; thence with the East right of way line of
24 Summit Road, North 10 deg. 01 min. 20 sec. West 239.45 feet and North 26 deg. 45
25 min. 50 sec. West 99.93 feet to a point in the East margin of the right of way of Summit
26 Road at Pulliam's Southwest corner; thence with Pulliam's South line, North 63 deg. 13
27 min. 10 sec. East 300 feet to an iron stake at Pulliam's Southeast corner; thence with
28 Pulliam's East line, North 26 deg. 46 min. West 129.71 feet to a point at the Southwest
29 corner of property conveyed to Northwestern Engineering Corporation in Book 694,
30 Page 772; thence with the South line of Northwestern Engineering Corporation, North
31 46 deg. 15 min. 51 sec. East 280 feet to a point; thence with Northwestern Engineering
32 Corporation's East line, North 38 deg. 20 min. West 300 feet to a point in the South
33 right of way of an unnamed street dedicated in Book 685, Page 840, Rockingham
34 County Public Registry; thence with the South right of way line of said unnamed street
35 and with the North line of Northwestern Engineering Corporation, South 47 deg. 6 min.
36 34 sec. West 280 feet to the northwest corner of the Northwestern Engineering
37 Corporation; thence along the western line of Northwestern Engineering Corporation,
38 South 38 deg. 33 min. East 224.32 feet to a point, corner with Pulliam, thence with the
39 line of Pulliam, South 51 deg. 54 min. West 299.77 feet to a point in the eastern margin
40 of Summit Road; thence with the eastern margin of Summit Road, North 38 deg. 22
41 min. West 199.30 feet to a point in the southern margin of the unnamed street referred
42 to above; thence continuing along the eastern margin of Summit Road across said
43 unnamed street, North 44 deg. 10 min. West 60.01 feet to a point; thence still with the
44 eastern margin of Summit Road, North 47 deg. 2 min. West 199.18 feet to a point,

1 corner with Powell; thence with the line of Powell, North 44 deg. 38 min. 50 sec. East
2 293.38 feet to a point, the northwest corner of the property conveyed to Southeastern
3 Warehousing Distribution Center by deed recorded in the Rockingham County Registry
4 in Book 685, Page 841; thence with the line of Southeastern Warehousing Distribution
5 Center, South 46 deg. 51 min. East 211.7 feet to a point in the northern margin of said
6 unnamed street; thence with the northern margin of said unnamed street, North 47 deg.
7 6 min. 34 sec. East 637.67 feet to a point, the southeast corner of Southeastern
8 Warehousing Distribution Center; thence North 43 deg. 53 min. 26 sec. West 397.68
9 feet with the East line of the Southeastern Warehousing property to a point; thence
10 North 88 deg. 23 min. 10 sec. West 442.49 feet with the North line of the Southeastern
11 Warehousing property to a point in the East line of property owned by Powell; thence
12 with Powell's East line, North 8 deg. 45 min. West 859.33 feet to an old set stone,
13 corner with property formerly owned by W. B. Light; thence with Light's East line,
14 North 16 deg. 30 min. 10 sec. West 1230.19 feet to an iron & monument; thence North
15 14 deg. 50 min. 40 sec. West 1082.81 feet to an iron & monument found, corner with
16 Henry Raefield; thence with Raefield's East line, North 16 deg. 01 min. 50 sec. West
17 336.06 feet to an iron stake; thence turning in an easterly direction, North 80 deg. 33
18 min. 30 sec. East 317.69 feet to an iron stake; North 80 deg. 48 min. 10 sec. East 267.03
19 feet to an iron stake; South 87 deg. 59 min. East 265.93 feet to an iron; thence North 2
20 deg. 1 min. East 581.28 feet to an iron within the right of way line of N.C. State Road
21 #1715; thence a line within the right of way of N.C. State Road #1715, South 87 deg. 58
22 min. East 520.71 feet to a point and South 81 deg. 3 min. East 203.10 feet to an iron;
23 thence North 81 deg. 47 min. East 508.30 feet to an iron, corner with Herbert Hopper;
24 thence with Hopper's South line, South 40 deg. 59 min. East 242.22 feet to an iron and
25 North 77 deg. 26 min. East 669.10 feet to an iron; thence continuing with Hopper's
26 South line, North 30 deg. East 600.70 feet to an iron stake, Hopper's Southeast corner
27 and Joe Scales' Southwest corner; thence with Scales' South line, North 80 deg. 28 min.
28 10 sec. East 657.76 feet to a post oak and North 73 deg. 36 min. 40 sec. East 1874.50
29 feet to an iron stake, corner with Joe Scales; thence with Scales' East line, North 4 deg.
30 58 min. 20 sec. East 589.17 feet to a white oak; thence North 64 deg. 0 min. 40 sec. East
31 544 feet to an iron stake; thence North 8 deg. 5 min. 30 sec. West 532 feet to an iron
32 stake, corner with Joe Scales in the North Carolina-Virginia State Line; thence with the
33 North Carolina - Virginia State Line, South 86 deg. 39 min. 10 sec. East 3654.49 feet to
34 an iron stake in said State Line, corner with property owned by Cedrick and Maria P.
35 Willard; thence with Willard's West line, South 4 deg. 27 min. East 1756.47 feet to an
36 iron stake, Slayton's Northeast corner; thence with Slayton and Herman Patterson's
37 North lines, South 85 deg. 33 min. 20 sec. West 497.30 feet to an iron stake; thence
38 South 3 deg. 23 min. 30 sec. West with Herman Patterson's West line, 1313.85 feet to
39 an iron stake; thence with Lacy Hall's West line, South 3 deg. 0 min. 10 sec. West
40 759.38 feet to an iron stake, Lacy Hall's Southwest corner and Lawson's Northwest
41 corner; thence with Lawson's West line, South 0 deg. 25 min. 20 sec. West 1069.67 feet
42 to an iron stake, Lawson's Southwest corner and Harris' Northwest corner; thence with
43 Harris' West line, South 4 deg. 21 min. 10 sec. East 267 feet to an iron stake in the
44 North right of way line of Findowrie street; thence with the Northern terminus line of

1 Main Street, South 85 deg. 38 min. 50 sec. West 63.16 feet to a point; thence continuing
2 with the West right of way line of Main Street, South 4 deg. 21 min. 10 sec. East 840.03
3 feet to an iron stake; thence leaving the West right of way line of Main Street, South 85
4 deg. 34 min. 40 sec. West 300 feet to an iron stake and South 4 deg. 25 min. 20 sec.
5 East 150.23 feet to an iron stake; thence South 85 deg. 34 min. 40 sec. West 125 feet to
6 a point and South 4 deg. 25 min. 20 sec. East 400 feet to an iron stake at W. Smart's
7 Northeast corner; thence with Smart's North line, South 85 deg. 34 min. 10 sec. West
8 821 feet to an iron stake at Smart's Northwest corner; thence with Smart's West line,
9 South 4 deg. 25 min. 20 sec. East 350 feet to an iron stake in the North right of way line
10 of Eastern Street at the easternmost corner of property conveyed to Spray Cotton Mills,
11 Inc., in Book 694, Page 902, Rockingham County Public Registry, the point and place
12 of BEGINNING, containing 1357.79 acres, more or less, as shown on plat of survey by
13 Shanks and Wilmarth, Engineers & Surveyors, dated December 2, 1975, File No.
14 C-1034, and revised on May 20, 1976, and being the same property shown on Map
15 Book 13, Page 28, Rockingham County Public Registry.

16
17 SAVE AND EXCEPT THEREFROM the 5.175 acres conveyed by Miller Brewing
18 Company to Evans Warehouse, Inc. by deed recorded in Book 840, Page 2264, in the
19 Rockingham County Public Registry.

20 TRACT II

21
22
23 Being a tract of 7.489 acres, more or less, in Leaksville Township, Rockingham County,
24 North Carolina, and more specifically described as follows:

25
26 Commencing at an iron in the easterly margin of Summit Road, which iron is the
27 Southwest corner of Powell and the Northwest corner of Lot I as shown on map
28 hereinafter referred to; thence with the said margin of Summit Road South 47 deg. 01
29 min. 51 sec. East 199.18 ft. to an iron where said Summit Road is intersected by the
30 northerly margin of a 60 ft. wide unnamed street; thence with said margin of said
31 unnamed street North 47 deg. 06 min. 34 sec. East 300 ft. to a point, the POINT OF
32 BEGINNING; thence leaving the said unnamed street North 46 deg. 54 min. 39 sec.
33 West 220.39 ft., more or less, to Powell's line; thence with Powell's line North 08 deg.
34 45 min. West 589.63 feet to an iron; thence leaving Powell South 88 deg. 23 min. 10
35 sec. East 442.49 ft. to an iron; thence South 42 deg. 53 min. 26 sec. East 397.68 ft. to an
36 iron in the northerly margin of the aforementioned unnamed street; thence with the said
37 margin of the said unnamed street, South 47 deg. 06 min. 34 sec. West 631.05 ft. more
38 or less to the point of beginning, containing 7.489 acres, more or less, and being a
39 portion of Lot 2 as shown on Plat of Survey for Homer E. Wright, Jr., dated September
40 20, 1972, by E. L. Wilmarth, the said survey being recorded with a certain deed from
41 W. P. Bickham, Trustee, et als. to Thomas S. Harrington, Trustee, dated February 6,
42 1973, which deed was recorded in the office of the Register of Deeds for Rockingham
43 County.

44 **SECTION 5.** This act is effective when it becomes law.