GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

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HOUSE BILL 1369

Senate Finance Committee Substitute Adopted 6/24/04

Short Title: Emerald Isle/Midland Annexation. (Local)

Sponsors:

Referred to:

May 11, 2004

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE WESTERN BOUNDARY OF THE TOWN OF EMERALD ISLE EXTENDS TO THE BOGUE INLET CHANNEL AS IT FLUCTUATES OVER TIME TO ALLOW ALL UPLAND AREAS CONNECTED TO BOGUE BANKS ON THE WESTERN END OF THE ISLAND TO BE IN THE TOWN LIMITS AND TO ANNEX CERTAIN DESCRIBED TERRITORY INTO THE TOWN OF MIDLAND.

The General Assembly of North Carolina enacts:

SECTION 1. Section 2.1 of the Charter of the Town of Emerald Isle, being Chapter 526 of the 1973 Session Laws, reads as rewritten:

"Sec. 2.1. Existing Corporate Boundaries. The corporate boundaries of the Town of Emerald Isle shall be as follows until changed in accordance with law: Beginning at a concrete marker at the high water mark of the Atlantic Ocean, this being the southwest corner of Wica Chemical Company property (formerly being the Roosevelt Estate southwest corner), this point also being located South 71 degrees 35 minutes West 7255.0 feet from the church spire at Salter Path Village, located North of the Salter Path Road; thence running with the Wica Chemical Company West property line North 03 degrees 35 minutes West 452.80 feet to a concrete monument marked 'A.H. (Alice Hoffman) Lane'; thence continuing same course 203.7 feet to a concrete monument at the high water mark of Bogue Sound (Wica Chemical Company northwest corner); thence continuing North 03 degrees 35 minutes West 1350 feet to a point in Bogue Sound; then in a westerly direction parallel to and 1320 feet from the water line of Bogue Sound to a point in Bogue Sound formed by the intersection of this call and a line perpendicular thereto passing through the westernmost projection of Bogue banks at the mean high water mark; thence southerly along said line as extended to a point where said line meets the high water line of the Atlantic Ocean; thence due South 2640 feet to a point in the Atlantic Ocean; thence in an easterly direction parallel to and 2640 feet from the high water line of the Atlantic Ocean to a point which is 2640 feet South 03 degrees 35 minutes East from the concrete monument which is heretofore described

as the point of the beginning; thence continuing North 03 degrees 35 minutes West 2640 feet to the point of beginning. All the above courses are based on true meridian. To allow all upland areas connected to Bogue Banks on the western end of the island to be in the corporate limits, the western boundary of the town shall extend to the Bogue Inlet channel as it exists from time to time, whether by natural forces, acts of God, accretion, dredging, or human causes."

SECTION 2. The following described property is removed from the corporate limits of the Town of Stanfield and is added to the corporate limits of the Town of Midland:

BEGINNING at a existing railroad spike in the centerline of the pavement of Pine Bluff Road (SR 1100), said spike being located North 10 degrees 41 minutes 53 seconds East 850.64 feet from an existing PK nail in the centerline intersection of the pavement of Pine Bluff Road and Nance Road;

THENCE with the centerline of the pavement of Pine Bluff Road 6 calls, 1-North 11 degrees 06 minutes 05 seconds East for a distance of 144.75 feet to a new mag nail; 2-North 11 degrees 54 minutes 10 seconds East for a distance of 100.46 feet to a new mag nail; 3-North 12 degrees 32 minutes 52 seconds East for a distance of 251.63 feet to a new mag nail; 4-North 12 degrees 35 minutes 22 seconds East for a distance of 126.04 feet to a new mag nail; 5-North 12 degrees 00 minutes 03 seconds East for a distance of 137.88 feet to a new mag nail, 6- North 11 degrees 37 minutes 26 seconds East for a distance of 121.87 feet to an existing nail in the centerline of said pavement; THENCE North 85 degrees 12 minutes 10 seconds West for a distance of 130.90 feet to a new iron pipe; THENCE North 09 degrees 36 minutes 02 seconds East for a distance of 76.20 feet to a new iron pipe; THENCE North 05 degrees 34 minutes 51 seconds East for a distance of 67.46 feet to a new iron pipe; THENCE North 02 degrees 00 minutes 39 seconds East for a distance of 65.77 feet to a new iron pipe; THENCE North 00 degrees 26 minutes 49 seconds West for a distance of 120.61 feet to a new iron pipe; THENCE North 01 degrees 42 minutes 22 seconds West for a distance of 198.98 feet to a new iron pipe; THENCE North 01 degrees 20 minutes 23 seconds West for a distance of 103.27 feet to a new iron pipe; THENCE North 01 degrees 01 minutes 36 seconds East for a distance of 88.61 feet to a new iron rod in the centerline of Kiser Branch; Thence down the meanders of Kiser Branch 28 calls, 1-South 78 degrees 54 minutes 09 seconds West for a distance of 12.95 feet to a point in the centerline of said branch; 2-South 50 degrees 17 minutes 09 seconds West for a distance of 87.86 feet to a point in the centerline of said branch; 3-South 20 degrees 38 minutes 05 seconds West for a distance of 44.12 feet to a point in the centerline of said branch; 4-South 60 degrees 31 minutes 48 seconds West for a distance of 94.09 feet to a point in the centerline of said branch; 5-South 88 degrees 03 minutes 27 seconds West for a distance of 22.80 feet to a point in the centerline of said branch; 6-South 74 degrees 20 minutes 45 seconds West for a distance of 68.65 feet to a point in the centerline of said branch; 7-North 70 degrees 07 minutes 14 seconds West for a distance of 46.44 feet to a point in the centerline of said branch; 8-North 72 degrees 03 minutes 25 seconds West for a distance of 26.07 feet to a point in the centerline of said branch; 9-North 04 degrees 49 minutes 08 seconds East for a distance of 15.44 feet to a point in the

centerline of said branch; 10-North 70 degrees 45 minutes 29 seconds West for a distance of 117.59 feet to a point in the centerline of said branch; 11-South 33 degrees 01 minutes 16 seconds West for a distance of 39.79 feet to a point in the centerline of said branch; 12-South 75 degrees 15 minutes 59 seconds West for a distance of 35.77 feet to a point in the centerline of said branch; 13-North 80 degrees 40 minutes 07 seconds West for a distance of 19.29 feet to a point in the centerline of said branch; 14-North 87 degrees 10 minutes 03 seconds West for a distance of 39.00 feet to a point in the centerline of said branch; 15-North 76 degrees 51 minutes 46 seconds West for a distance of 33.54 feet to a point in the centerline of said branch; 16-South 64 degrees 05 minutes 34 seconds West for a distance of 35.36 feet to a point in the centerline of said branch; 17-South 76 degrees 34 minutes 33 seconds West for a distance of 30.71 feet to a point in the centerline of said branch; 18-North 86 degrees 12 minutes 14 seconds West for a distance of 99.25 feet to a point in the centerline of said branch; 19-North 74 degrees 08 minutes 12 seconds West for a distance of 57.02 feet to a point in the centerline of said branch; 20-North 44 degrees 18 minutes 34 seconds West for a distance of 43.84 feet to a point in the centerline of said branch; 21-North 80 degrees 01 minutes 13 seconds West for a distance of 18.46 feet to a point in the centerline of said branch; 22-South 71 degrees 33 minutes 40 seconds West for a distance of 50.91 feet to a point in the centerline of said branch; 23-South 87 degrees 35 minutes 57 seconds West for a distance of 54.32 feet to a point in the centerline of said branch; 24-North 37 degrees 32 minutes 51 seconds West for a distance of 103.04 feet to a point in the centerline of said branch; 25-North 57 degrees 20 minutes 33 seconds West for a distance of 27.98 feet to a point in the centerline of said branch; 26-South 83 degrees 15 minutes 14 seconds West for a distance of 43.25 feet to a point in the centerline of said branch; 27- North 70 degrees 24 minutes 43 seconds West for a distance of 84.23 feet to a point in the centerline of said branch; 28-North 84 degrees 06 minutes 58 seconds West for a distance of 41.82 feet to a point in the centerline of said branch; THENCE leaving said branch North 05 degrees 53 minutes 02 seconds East for a distance of 13.21 feet to an existing stone; THENCE North 62 degrees 23 minutes 47 seconds West for a distance of 465.73 feet to a pine stump on the east bank of Rocky River; THENCE along the east bank of said river 2 calls 1-North 06 degrees 42 minutes 18 seconds East for a distance of 104.41 feet to a point; 2-North 11 degrees 57 minutes 42 seconds West for a distance of 94.12 feet to a new iron pipe on the east bank of said river; THENCE North 88 degrees 36 minutes 29 seconds East for a distance of 879.48 feet to an existing nail by an existing iron rod; THENCE North 01 degrees 14 minutes 37 seconds East for a distance of 264.61 feet to an existing iron rod; THENCE South 86 degrees 00 minutes 01 seconds East for a distance of 917.32 feet to an existing iron rod in the centerline of the pavement of Pine Bluff Road; THENCE South 82 degrees 55 minutes 25 seconds East for a distance of 1481.75 feet to an existing iron rod; THENCE South 85 degrees 11 minutes 41 seconds East for a distance of 892.62 feet to an existing iron rod by an existing stone; THENCE South 28 degrees 09 minutes 12 seconds West for a distance of 428.64 feet to an existing iron rod; THENCE North 86 degrees 36 minutes 20 seconds West for a distance of 1295.60 feet to an existing iron rod; THENCE North 16 degrees 53 minutes 58 seconds East for a distance of 219.86 feet to a new iron pipe;

THENCE North 86 degrees 36 minutes 43 seconds West for a distance of 407.35 feet to an existing bolt; THENCE South 16 degrees 53 minutes 58 seconds West for a distance of 219.86 feet to a new iron pipe; THENCE North 86 degrees 36 minutes 43 seconds West for a distance of 144.49 feet to an existing concrete monument; THENCE South 00 degrees 10 minutes 18 seconds East for a distance of 54.72 feet to an existing iron rod; THENCE South 77 degrees 49 minutes 55 seconds West for a distance of 363.97 feet to an existing PK nail in the centerline of the pavement of Pine Bluff Road and Kiser Branch; THENCE with the centerline of the pavement of Pine Bluff Road 4 calls, 1-South 01 degrees 03 minutes 13 seconds West for a distance of 100.35 feet to an existing railroad spike; 2-South 01 degrees 21 minutes 25 seconds East for a distance of 100.02 feet to an existing railroad spike; 3-South 01 degrees 42 minutes 14 seconds East for a distance of 200.02 feet to an existing railroad spike; 4-South 00 degrees 26 minutes 10 seconds East for a distance of 124.86 feet to an existing railroad spike in the centerline of said pavement; THENCE South 73 degrees 51 minutes 39 seconds East for a distance of 835.54 feet to an existing iron rod; THENCE South 51 degrees 55 minutes 29 seconds East for a distance of 1076.98 feet to a new iron pipe; THENCE South 51 degrees 10 minutes 02 seconds West for a distance of 954.58 feet to an existing flat iron; THENCE North 68 degrees 34 minutes 02 seconds West for a distance of 979.39 feet to a new iron pipe; THENCE North 73 degrees 59 minutes 42 seconds West for a distance of 189.55 feet to an existing iron rod; THENCE North 75 degrees 57 minutes 07 seconds West for a distance of 18.58 feet to an existing railroad spike in the centerline of Pine Bluff Road the **POINT OF BEGINNING.**

SECTION 3. This act is effective when it becomes law.