

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 323
Committee Substitute Favorable 6/6/89

Short Title: Incorporate Carolina Shores.

(Local)

Sponsors:

Referred to:

February 22, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE CAROLINA SHORES VILLAGE, SUBJECT TO A
3 REFERENDUM.

4 The General Assembly of North Carolina enacts:

5 Section 1. A Charter for Carolina Shores Village is enacted to read:

6 "CHARTER

7 "CAROLINA SHORES VILLAGE

8 "CHAPTER I.

9 "INCORPORATION.

10 "Sec. 1.1. Incorporation and corporate powers. The inhabitants of Carolina Shores
11 Village are a body corporate and politic under the name Carolina Shores Village. Under
12 that name they shall have all the powers, duties, rights, privileges and immunities
13 conferred and imposed upon cities by the general law of North Carolina.

14 By such name they may purchase and hold, for the purpose of its governmental
15 welfare and improvement, all such estate, real and personal, as may be deemed
16 necessary therefore; or may from time to time sell, dispose of and invest the same, as
17 may be deemed advisable by the village as provided by law.

18 "CHAPTER II.

19 "BOUNDARIES.

20 "Sec. 2.1. Boundaries. Until modified in accordance with law, the boundaries of
21 Carolina Shores Village are the following area of Brunswick County:

22 TRACT A

1 BEGINNING at a point said point being located in the northern right-of-way line of
2 N.C. 179 (formerly S.R. 1163) a 60' RW and also being located where the northern
3 right-of-way line of N.C. 179 is intersected by the eastern right-of-way line of S.R. 1168
4 (60' RW). Thence running with and along the northern right-of-way line of N.C. 179,
5 South 77 degrees 13 minutes 47 seconds West, 331.67 feet; thence with a curve to the
6 right (values Delta 20 degrees 33 minutes 39 seconds, R=1732.95') South 87 degrees 30
7 minutes 37 seconds West, a chord of 618.54 feet: Thence north 82 degrees 12 minutes
8 34 seconds West, 1022.14 feet; thence with a curve to the left (values Delta 13 degrees
9 28 minutes 52 seconds, R=1667.02) North 88 degrees 44 minutes 26 seconds west, a
10 chord of 391.32 feet. Thence South 84 degrees 18 minutes 34 seconds west, 21.93 feet
11 to the South Carolina State Line. Thence running with the N. C. and S. C. State line
12 North 44 degrees 43 minutes 03 seconds West 2088.59 feet: thence leaving state line
13 and running north 25 degrees 56 minutes 40 seconds East 655.02 feet; thence North 64
14 degrees 13 minutes 18 seconds West, 103.78 feet to a point in the eastern right-of-way
15 line of U. S. 17; thence running with eastern line of U. S. 17 North 25 degrees 57
16 minutes 42 seconds, 4027.30 feet to an iron pipe. (This line crossing S.R. 1168).
17 Thence North 60 degrees 20 minutes 57 seconds East, 108.09 feet: Thence South 30
18 degrees 37 minutes 22 seconds East, 367.29 feet; thence North 60 degrees 22 minutes
19 31 seconds East, 1191.43 feet; thence North 30 degrees 50 minutes 31 seconds West,
20 365.67 feet; thence North 60 degrees 12 minutes 51 seconds East, 1349.56 feet to an
21 iron pipe; thence South 87 degrees 47 minutes 50 seconds West, 463.98 feet; thence the
22 following courses and distances.
23 North 11 degrees 31 minutes 38 seconds West 1134.70 feet
24 North 27 degrees 00 minutes 33 seconds East, 98.85 feet
25 North 18 degrees 04 minutes 38 seconds West, 84.06 feet
26 North 41 degrees 02 minutes 22 seconds East, 45.85 feet
27 North 07 degrees 50 minutes 01 seconds East, 53.86 feet
28 North 37 degrees 32 minutes 34 seconds East, 95.88 feet
29 North 45 degrees 49 minutes 04 seconds East, 49.35 feet
30 North 25 degrees 53 minutes 27 seconds East, 40.45 feet
31 North 00 degrees 07 minutes 41 seconds West, 70.30 feet
32 North 63 degrees 40 minutes 41 seconds East, 90.02 feet
33 North 36 degrees 26 minutes 44 seconds East, 105.05 feet to the western right-of-way
34 line of S.R. 1167, 60' RW; thence North 54 degrees 45 minutes 07 seconds East 30.00
35 feet to the centerline of S.R. 1167; thence running with centerline of S.R. 1167 South 35
36 degrees 14 minutes 53 seconds East, 1335.78 feet; thence with a curve to the right
37 (values Delta 17 degrees 08 minutes 42 seconds, R=954.93 feet) South 26 degrees 40
38 minutes 32 seconds East, a chord of 284.68 feet; thence continuing with said centerline
39 and running South 18 degrees 06 minutes 12 seconds East, 1374.96 feet; thence leaving
40 said centerline and running South 62 degrees 58 minutes 47 seconds West, 678.48 feet.
41 Thence South 60 degrees 09 minutes 04 seconds West, 720.74 feet; thence South 30
42 degrees 33 minutes 19 seconds East, 2954.21 feet; thence South 60 degrees 36 minutes
43 40 seconds West, 452.61 feet; thence South 30 degrees 14 minutes 30 seconds East,
44 1506.91 feet to an iron pipe; thence North 87 degrees 00 minutes 46 seconds west,

1 779.48 feet to an iron pipe; thence South 82 degrees 04 minutes 15 seconds west,
2 439.56 feet to an iron pipe; Thence South 85 degrees 32 minutes 33 seconds West,
3 250.00 feet to an iron pipe; thence South 85 degrees 32 minutes 33 seconds West,
4 762.30 feet to the Eastern right-of-way line of S.R. 1168 (60' RW) thence with said
5 right-of-way line South 03 degrees 49 minutes 14 seconds East 323.50 feet to the
6 beginning point. Said Tract A containing 613 acres more or less.

7 **TRACT B**

8 **ACREAGE ESTATES LAND**

9 BEGINNING at an iron pipe in the Eastern right-of-way line of S.R. 1167 (Persimmon
10 Road). Said beginning iron also being the Southwestern corner of Section C, Acreage
11 Estates as recorded in Map Book 15, Page 54, Brunswick County Register of Deeds
12 Office in Bolivia, North Carolina. Thence running South 78 degrees 12 minutes 01
13 seconds West 30.01 feet to the centerline of S.R. 1167; thence with the centerline of
14 S.R. 1167, North 13 degrees 22 minutes 05 seconds West, 795.55 feet; thence north 19
15 degrees 33 minutes 16 seconds west, 240.35 feet; thence continuing with centerline of
16 S.R. 1167 north 30 degrees 30 minutes 28 seconds west, 1584.44 feet thence leaving the
17 centerline of S.R. 1167 and running North 49 degrees 50 minutes 55 seconds East,
18 88.89 feet; thence running these various courses and distances with and along Little
19 Singletree Swamp:

20 North 12 degrees 01 minutes 46 seconds East, 310.06 feet
21 North 07 degrees 53 minutes 49 seconds East, 217.53 feet;
22 North 06 degrees 44 minutes 59 seconds West, 111.09 feet;
23 North 21 degrees 06 minutes 56 seconds East, 139.44 feet;
24 North 76 degrees 19 minutes 57 seconds East, 143.24 feet;
25 North 53 degrees 37 minutes 54 seconds East, 253.73 feet;
26 North 12 degrees 53 minutes 37 seconds West, 246.25 feet;
27 North 05 degrees 58 minutes 10 seconds East, 128.21 feet;
28 North 47 degrees 11 minutes 43 seconds East, 349.98 feet;
29 North 42 degrees 21 minutes 42 seconds East, 144.68 feet;
30 North 13 degrees 02 minutes 50 seconds East, 390.02 feet;
31 North 29 degrees 45 minutes 27 seconds West, 171.04 feet;
32 North 33 degrees 45 minutes 43 seconds East, 231.37 feet;
33 North 15 degrees 00 minutes 04 seconds East, 162.79 feet;

34 to an iron pipe. Thence running South 26 degrees 07 minutes 00 seconds East, 617.12
35 feet to an iron pipe, thence South 25 degrees 27 minutes 50 seconds East, 1659.80 feet
36 to an iron pipe; thence South 25 degrees 34 minutes 50 seconds East, 1627.72 feet to an
37 iron pipe; thence South 25 degrees 34 minutes 45 seconds East, 1105.79 feet to an iron
38 pipe; thence South 25 degrees 42 minutes 45 seconds East, 1598.56 feet to an iron pipe;
39 thence South 25 degrees 36 minutes 55 seconds East, 2522.36 feet to the centerline of
40 S.R. 1165; thence running with centerline of S.R. 1165, South 42 degrees 44 minutes 55
41 seconds West, 942.04 feet; thence leaving centerline of S.R. 1165 and running North 25
42 degrees 16 minutes 15 seconds west, 530.72 feet to an iron pipe; thence North 25
43 degrees 51 minutes 15 seconds West, 1527.06 feet to an iron pipe; thence North 26
44 degrees 27 minutes 19 seconds West, 332.57 feet to an iron pipe; Thence North 26

1 degrees 44 minutes 14 seconds West, 163.86 feet to an iron pipe; Thence North 26
2 degrees 54 minutes 19 seconds West, 541.04 feet to an iron pipe; thence North 26
3 degrees 01 minutes 19 seconds West, 234.02 feet to an iron pipe; thence North 26
4 degrees 32 minutes 19 seconds West, 1362.51 feet to a concrete monument; thence
5 South 78 degrees 15 minutes 31 seconds West, 423.64 feet to a concrete monument;
6 Thence South 78 degrees 12 minutes 01 seconds West, 774.52 feet to the beginning
7 iron. Said Tract B containing 264 acres more or less.

8 **"CHAPTER III.**

9 **"GOVERNING BODY.**

10 "Sec. 3.1. Village Council. The governing body of Carolina Shores Village is the
11 Village Council, which has seven members including the Mayor.

12 "Sec. 3.2. Election. The qualified voters of the entire Village elect the members of
13 the Council.

14 "Sec. 3.3. Terms of office. In 1989, seven members of the Council shall be elected.
15 The four persons receiving the highest numbers of votes shall be elected to four-year
16 terms, and the three persons receiving the next highest numbers of votes shall be elected
17 to two-year terms. In 1991 and quadrennially thereafter, three persons shall be elected
18 to four-year terms. In 1993 and quadrennially thereafter, four persons shall be elected
19 for four-year terms.

20 "Sec. 3.4. Mayor. At its organizational meeting after each election, the Council shall
21 elect from its membership a Mayor to serve a two-year term.

22 **"CHAPTER IV.**

23 **"FORM OF ELECTION.**

24 "Sec. 4.1. The Council shall be elected on the nonpartisan plurality basis provided
25 by G.S. 163-292.

26 **"CHAPTER V.**

27 **"ADMINISTRATION.**

28 "Sec. 5.1. The Village shall operate under the Council-Manager Plan as provided by
29 Part 2 of Article 7 of Chapter 160A of the General Statutes.

30 **"CHAPTER VI.**

31 **"MISCELLANEOUS.**

32 "Sec. 6.1. Zoning. Any zoning ordinance adopted by the Village shall have
33 restrictions equal to or greater than those contained in deeds for homesites, acreage
34 estates, and patio homes in Carolina Shores on the date this Charter was ratified by the
35 General Assembly. This Charter does not change the validity of any declarations of
36 restrictions on homesites, acreage estates, and patio home lots."

37 Sec. 2. From the date of approval of this Charter until the organizational
38 meeting after the 1989 municipal election, the Village Council shall consist of the seven
39 persons serving on the Carolina Shores Property Owners Association Board on the date
40 of ratification of this Charter. After taking their oath of office, they shall elect from
41 among themselves a Mayor. Any vacancies on the Council prior to the organizational
42 meeting after the 1989 municipal election shall be filled by the Council.

43 Sec. 3. Interim budget. The Village Council may adopt a budget ordinance
44 for the 1988-89 and 1989-90 fiscal years, following their qualification for office,

1 without having to comply with the budget preparation and adoption timetable set out in
2 the Local Government Budget and Fiscal Control Act, but may not levy property taxes
3 for the 1988-89 fiscal year. For the budget adopted for fiscal year 1989-90, property
4 taxes may be paid at par within 90 days of adoption of the budget ordinance, and
5 thereafter according to the schedule in G.S. 105-360 as if the taxes had been due on
6 September 1, 1989.

7 Sec. 4. (a) The Brunswick County Board of Elections shall conduct an
8 election within 30 days after the effective date of this section for the purpose of
9 submission to the qualified voters of the area described in Section 2.1 of the Charter of
10 Carolina Shores Village, the question of whether or not such area shall be incorporated
11 as Carolina Shores Village. Registration for the election shall be conducted in
12 accordance with G.S. 163-288.2.

13 (b) In the election, the question on the ballot shall be:
14 "[] FOR Incorporation of Carolina Shores Village
15 [] AGAINST Incorporation of Carolina Shores Village".

16 Sec. 5. In such election, if a majority of the votes cast are not cast "FOR
17 Incorporation of Carolina Shores Village", then Sections 1 through 3 of this act shall
18 have no force and effect.

19 Sec. 6. In such election, if a majority of the votes cast shall be cast "FOR
20 Incorporation of Carolina Shores Village" then Sections 1 through 3 of this act shall
21 become effective on the date that the Brunswick County Board of Elections determines
22 the result of the election.

23 Sec. 7. Section 4 of this act is effective upon ratification. The remaining
24 sections of this act are effective as provided in Sections 5 and 6.