

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1447

Local Government & Regional Affairs Committee Substitute Adopted 7/3/90

Short Title: Andrews Annexation Suspended.

(Local)

Sponsors:

Referred to:

May 31, 1990

1 A BILL TO BE ENTITLED
2 AN ACT TO SUSPEND THE OPERATION OF AN ANNEXATION ORDINANCE
3 OF THE TOWN OF ANDREWS.

4 The General Assembly of North Carolina enacts:

5 **PHASE I OF THE TOWN OF ANDREWS ANNEXATION**

6 Section 1. The operation of an annexation ordinance of the Town of
7 Andrews, which was affirmed by the North Carolina Court of Appeals in the case of
8 Adams v. Town of Andrews, in an opinion filed October 3, 1989, is suspended from
9 July 1, 1990, to June 30, 1992, as to the following described territory:

10 **PHASE I OF TOWN OF ANDREWS ANNEXATION**

11 BEGINNING on a point being the southeastern corner of Lot 835 of
12 Cherokee County Tax Map 11L where it intersects with the northern boundary of Lot
13 794 A; thence continuing in an easterly direction approximately 750' to a corner of Lot
14 794 A; thence in a southerly direction approximately 75' to a corner of said lot; thence
15 in an easterly direction approximately 450' to a corner of said lot; thence in a northerly
16 direction approximately 100' to a corner of said lot; thence in an easterly direction
17 approximately 600' to a corner of said lot and its intersection with the right-of-way of
18 S.R. 1505; thence continuing in a southerly direction approximately 125' along said lot
19 boundary and across the right-of-way of S.R. 1505 by the shortest distance to the
20 westernmost corner of Lot 790 of Cherokee County Tax Map 11L; thence continuing in
21 a northeasterly direction approximately 575' along said lot boundary to its intersection
22 with the easternmost corner of Lot 788 of Cherokee County Tax Map 11L; thence
23 continuing in a northerly direction approximately 350' to a corner of said lot and its

1 intersection with the boundary line of Lot 783 of Cherokee County Tax Map 11L;
2 thence continuing in an easterly direction approximately 75' along said lot boundary to
3 the southeasternmost corner of said lot; thence continuing in a northerly direction
4 approximately 175' to the northeasternmost corner of said lot and its intersection with
5 the southeasternmost corner of Lot 776 of Cherokee County Tax Map 11L; thence
6 continuing in a northerly direction approximately 350' to the northeasternmost of said
7 lot; thence continuing in a westerly direction approximately 275' to the intersection of
8 said lot boundary line and the southeasternmost corner of Lot 778 of Cherokee County
9 Tax Map 11L; thence continuing in a northerly direction approximately 275' to the
10 northeasternmost corner of said lot and its intersection with the right-of-way of S.R.
11 1393; thence continuing in an easterly direction approximately 3,480' along said right-
12 of-way to its intersection with the right-of-way of U.S. 19 and 129; thence continuing in
13 a north and westerly direction approximately 8,338' along the right-of-way of said road
14 and across said right-of-way by the shortest distance to the southwest corner of Lot 737A
15 of Cherokee County Tax Map 11L and its intersection with the right-of-way of S.R.
16 1391; thence in a westerly direction along the right-of-way of U.S. 19 and 129
17 approximately 6468' to the intersection of S.R. 1386 and the right-of-way of U.S. 19
18 and 129; thence continuing across said right-of-way by the shortest distance to the
19 western point of said intersection; thence continuing across right-of-way of U.S. 19 and
20 129 by the shortest distance and in a westerly direction along said right-of-way of U.S.
21 19 and 129 approximately 1625' to the intersection of U.S. 19 and 129 and Business
22 U.S. 19 and 129; thence leaving U.S. 19 and 129 and continuing along the right-of-way
23 of U.S. 19 and 129 approximately 250' to the centerline of Valley River, being the
24 intersection of the center of the Valley River and the present corporate limits of the
25 Town of Andrews; thence meandering in an easterly direction with the centerline of
26 Valley River approximately 8312' to the intersection of Valley River with the boundary
27 of Lot 814 of Cherokee County Tax Map 11L; thence continuing in a southeasterly
28 direction approximately 525' to the southwestern corner of said lot, being also the
29 northwest corner of Lot 813; thence continuing in a southeasterly direction
30 approximately 150' to the southwestern corner of Lot 813; thence continuing with the
31 present corporate limits of the Town of Andrews in a southeasterly direction with the
32 boundary of Lot 816 approximately 1125' to the intersection of Lot 816 and Lot 818 of
33 the Cherokee County Tax Map 11L; thence from said point in the boundary line of Lot
34 818 continuing in a southwesterly direction approximately 575' to the northwestern
35 corner of Lot 818 C of Cherokee County Tax Map 11L; thence continuing in a southerly
36 direction with the boundary of Lot 818 C approximately 100' to the intersection of Lot
37 818C and the right-of-way of Business U.S. 19 and 129; thence continuing across the
38 right-of-way of Business U.S. 19 and 129 by the shortest distance to a point being the
39 intersection of Lot 818C and Business U.S. 19 and 129; thence continuing in a southerly
40 direction along the right-of-way of Business U.S. 19 and 129 approximately 1800' to the
41 intersection of Business U.S. 19 and 129 and S.R. 1508 and S.R. 1507 and S.R. 1505;
42 thence in a westerly direction approximately 500' with the right-of-way of S.R. 1508 to
43 the intersection of right-of-way of S.R. 1508 and Frank Jones road; thence in a
44 southwesterly direction approximately 500' with the right-of-way of Frank Jones road to

1 the northerneasternmost corner of Lot 824 of the Cherokee County Tax Map 11L;
2 thence in a southerly direction approximately 300' to the intersection of said lot
3 boundary and the northernmost corner of Lot 825 of Cherokee County Tax Map 11L;
4 thence continuing in a southerly direction approximately 1500' along an irregular
5 boundary of said lot to the southeasternmost corner of said lot, intersecting in the
6 boundary line of Lot 827 of the Cherokee County Tax Map 11L; thence in a easterly
7 direction approximately 175' to the northeast corner of Lot 827 which lies on the road
8 right-of-way of S.R. 1507; thence continuing easterly across the right-of-way of S.R.
9 1507 approximately 60' to the eastern boundary of right-of-way S.R. 1507; thence in a
10 southerly direction approximately 500' along the eastern boundary of right-of-way S.R.
11 1507 to the northwest corner of Lot 829 of Cherokee County Tax Map 11L; thence in a
12 easterly direction with the northern boundary line of Lot 829, 829A and 830
13 approximately 500' to the northeast corner of Lot 830; thence in a southeasterly
14 direction approximately 475' to the southeast corner of Lot 830 as it intersects with the
15 northeast corner of Lot 831; thence in a southeasterly direction approximately 525' to
16 the southeast corner of Lot 831 as it intersects with the lots known as Walker Woods;
17 thence in a westerly direction approximately 525' to the northeast corner of Lot 836 A
18 of the Cherokee County Tax Map 11L; thence in a southerly direction approximately
19 200' to the northern corner of Lot 835A; thence in a southerly direction with the
20 boundary lines of Lots 835A and Lot 835 approximately 550', back to the point of
21 beginning.

22 The statutory requirements of Part 2 of Article 4A of Chapter 160A of the
23 General Statutes relating to provision of services after an annexation shall apply again
24 to that area as of June 30, 1992, and any timetables imposed by that Article shall begin
25 running anew as of June 30, 1992, as if that had been the initial effective date of the
26 ordinance.

27 **PHASE II OF THE TOWN OF ANDREWS ANNEXATION**

28 Sec. 2. The operation of an annexation ordinance of the Town of Andrews,
29 which was affirmed by the North Carolina Court of Appeals in the case of Adams v.
30 Town of Andrews, in an opinion filed October 3, 1989, is suspended from July 1, 1990,
31 to June 30, 1994, as to the territory covered by that ordinance which was not described
32 in Section 1 of this act.

33 The statutory requirements of Part 2 of Article 4A of Chapter 160A of the
34 General Statutes relating to provision of services after an annexation shall apply again
35 to that area as of June 30, 1994, and any timetables imposed by that Article shall begin
36 running anew as of June 30, 1994, as if that had been the initial effective date of the
37 ordinance.

38 Sec. 3. This act does not affect liability for prorated property taxes levied for
39 the 1989-90 fiscal year and payable as provided by G.S. 160A-58.10.

40 Sec. 4. This act is effective upon ratification.