

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 479

Short Title: Smithfield Annexation.

(Local)

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Sponsors: Senator Daughtry.

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Referred to: Local Government and Regional Affairs.

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April 4, 1991

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD TO INCLUDE THE JOHNSTON COUNTY COUNTRY CLUB.

The General Assembly of North Carolina enacts:

Section 1. The corporate limits of the Town of Smithfield are extended to include the following described property:

FIRST TRACT: BEGINNING at a stake in Ralph Johnson's line, runs thence with line of Lot No. 9 South 87 degrees East 1223 feet to a stake in the path; thence with the path North 10 degrees 30 minutes East 500 feet to a stake; thence North 88 degrees 30 minutes West 1697 feet to a stake, W. B. Johnson's line; thence South 50 degrees East 524 feet to a pine; thence South 6 degrees West 142 feet to the BEGINNING, containing 14.9 acres, more or less. See Land Book No. 9, page 240 (S.P. #1845), Office of the Clerk of Superior Court of Johnston County, and being the property described in deed from C. G. Grady, Commissioner, to the Johnston County Country Club, Incorporated, dated December 7, 1965, duly recorded in the Registry of Johnston County;

AND ALSO THE FOLLOWING DESCRIBED PROPERTY:

FIRST TRACT: That certain tract of land lying and being in Smithfield Township, State and County aforesaid, and BEGINNING at a stake 240 feet from the original corner in the high water of Holt's Lake and runs as the original line North 6 degrees 15 minutes East 1026 feet to a stake; thence North 77 degrees West 976 feet to a stake near a path; thence South 54 degrees 30 minutes West 348 feet to a stake in a ditch; thence South 3 degrees 30 minutes East 208 feet to a stake; thence South 10 degrees 30

1 minutes West 472 feet to the highwater mark of Holt Lake; thence as the highwater  
2 mark South 65 degrees East 202 feet to a stake; thence leaving the highwater mark  
3 North 16 degrees 15 minutes East 210 feet to a stake; thence South 56 degrees 15  
4 minutes East 238 feet to a stake; thence North 87 degrees 15 minutes East 285 feet;  
5 thence South 70 degrees 45 minutes East 346 feet to a stake; thence 30 degrees 45  
6 minutes East 281 feet to the BEGINNING, containing twenty-two (22) acres, more or  
7 less, reference is hereby made to plat of this and other lands conveying to Johnston  
8 County Country Club, Inc., which is recorded in the Registry of Johnston County. The  
9 above 22 acres being the southeast corner of a certain 116 1/2 acre tract conveyed to  
10 Mattie Johnson by Dr. W. B. Johnson, Mortgagee, by deed recorded in the Registry of  
11 Johnston County, in Book 314, page 573. See Deed recorded in Book 389, page 604;  
12 Book 402, page 419-553.

13 SECOND TRACT: That certain tract of land lying and being in Smithfield Township,  
14 County and State aforesaid, and BEGINNING at a stake in N. G. Rand's line and runs  
15 South 79 degrees West 40 poles to a stake on the West side of the Mill Path; thence  
16 North 3 1/2 degrees east 76 1/2 poles to a black gum in the run of a small branch; thence  
17 down the run of said branch, to a stake in R. E. Lee's line; thence with said line South 3  
18 1/2 degrees West 75 1/2 poles to the BEGINNING, containing eighteen (18) acres,  
19 more or less. Being the identical tract of land conveyed to R. E. Lee, by N. G. Rand and  
20 wife, Mary E. Rand, by deed dated February 8, 1917, and recorded in the Registry of  
21 Johnston County in Book 129, page 491. See deed recorded in Book 389, page 603.

22 THIRD TRACT: BEGINNING at a stake in a branch at the edge of Holt's Lake and  
23 runs as a highwater mark of said Lake as follows: South 31 degrees 30 minutes West  
24 112 feet, South 15 degrees East 93 feet, South 19 degrees 15 minutes East 187 feet,  
25 South 31 degrees West 120 feet, North 85 degrees West 79 feet, South 29 degrees West  
26 140 feet, South 19 degrees West 40 feet, South 28 degrees 15 minutes East 100 feet,  
27 South 27 degrees 45 minutes West 74 feet, South 12 degrees 45 minutes West 155 feet;  
28 South 55 degrees West 124 feet, South 83 degrees 15 minutes West 172 feet, South 47  
29 degrees 15 minutes West 158 feet, South 81 degrees West 118 feet, North 28 degrees  
30 West 74 feet, North 79 degrees 15 minutes West 330 feet, North 76 degrees 15 minutes  
31 West 1012 feet to a stake the Ralph Johnson Corner; thence as his line North 6 degrees  
32 15 minutes East 2010 feet to Lee's Branch; thence as the meanderings of said branch as  
33 follows: South 51 degrees 15 minutes East 124 feet, South 41 degrees 15 minutes East  
34 96 feet, South 6 degrees East 172 feet, South 39 degrees 30 minutes East 119 feet,  
35 South 26 degrees 30 minutes East 115 feet, South 8 degrees 35 minutes East 171 feet,  
36 South 20 degrees 30 minutes East 102 feet, South 28 degrees 15 minutes East 87 feet to  
37 a stake, Ed Lee's corner; thence as his line South 4 degrees 10 minutes West 1262 feet;  
38 thence North 81 degrees 30 minutes East 661 feet; thence North 4 degrees 40 minutes  
39 East 632 feet; thence South 69 degrees 45 minutes East 265 feet to the BEGINNING,  
40 containing by estimation 39 acres, more or less, and being made up of three tracts vis:  
41 22 acres of 40 acre tract conveyed by D. J. Wellons and wife, Sarah R. Wellons to N. G.  
42 Rand by deed dated February 6, 1917, and recorded in Book 25 page 473, and being all  
43 of said tract except 18 acres sold to Ed Lee by N. G. Rand. Also about 6 acres of the  
44 9.4 acre tract of land conveyed by R. E. Lee and wife to N. G. Rand by deed dated

1 February 8, 1917, and recorded in Book 25, page 482. The remainder of said tract  
2 conveyed is a part of the lands conveyed by S. S. Holt, Commissioner, to N. G. Rand by  
3 deed dated June 25, 1917, and recorded in Book 31, page 397, of the Johnston County  
4 Registry. And said lands conveyed by this deed being bounded on the East and South  
5 by Holt's Lake, on the West by the lands of Mattie Johnson and on the North by the  
6 lands of R. E. Lee and Joseph Baker.

7 There is excepted from the operation of this deed a tract containing four (4) acres, more  
8 or less, conveyed to R. Ed Lee by the Johnston County Country Club, Inc., by deed  
9 dated April 15, 1939. For a more particular description see deed recorded in the  
10 Registry of Johnston County.

11 FOURTH TRACT: BEGINNING at a stake on Lee's Branch, Johnston County Country  
12 Club, Inc., and R. Ed Lee's corner and runs as Lee's line North 80 degrees 45 minutes  
13 East 151 feet to a stake; thence South 13 degrees 30 minutes East 194 feet to a stake;  
14 thence South 45 degrees 30 minutes East 180 feet to a stake; thence South 3 1/2 East  
15 116 feet to a stake on Lee's Branch; thence up the branch to the BEGINNING,  
16 containing two (2) acres, more or less, being the identical tract conveyed to the Johnston  
17 County Country Club, Inc., by R. Ed Lee and wife, Nellie Lee by deed dated April 15,  
18 1939, and recorded in the Registry of Johnston County.

19 Being those tracts of land conveyed to the County Club of Johnston County, Inc., by the  
20 Board of Commissioners of Johnston County in a deed dated June 2, 1952, and recorded  
21 in Book 508, page 331, Johnston County Registry.

22 There is excepted from the four tracts of land above described Lots #1, #2, #3, of the  
23 Country Club Subdivision which have been conveyed and is excepted from this  
24 conveyance said lots or tracts of land being more particularly described as follows:

25 LOT NO. 1: BEGINNING at an iron stake at the highwater mark of Holt Lake and Bud  
26 Parrish's corner, and runs as his line North 19 degrees 00 minutes East 147 feet to an  
27 iron stake Parrish's corner on a 16-foot road South 30 degrees 00 minutes East 107 feet  
28 to an iron stake at the corner of Lot #2; thence as the line of Lot #2 South 26 degrees 00  
29 minutes East 112 feet to an iron stake a corner of Lot #2 on the highwater mark of  
30 Holt's Lake; thence at the highwater mark of Holt's Lake in a westerly direction 75 feet  
31 to the BEGINNING and being Lot #1 of the Country Club Subdivision.

32 LOT NO. 2: BEGINNING at an iron stake on the highwater mark of Holt's Lake a  
33 corner of Lot #1 and runs as the line of Lot #1 North 26 degrees 00 minutes East 112  
34 feet to an iron stake, a corner of Lot #1 on a 16-foot road; thence as the 16-foot road  
35 South 30 degrees 00 minutes East 25 feet to a pine tree; thence South 48 degrees 00  
36 minutes East 67 feet to an iron stake a corner of Lot #3 on a 16-foot road; thence as the  
37 line of Lot #3 South 33 degrees 10 minutes East 108 feet to an iron stake a corner of Lot  
38 #3 on the highwater mark of Holt's Lake; thence as the highwater mark of Holt's Lake in  
39 a westerly direction 75 feet to the BEGINNING and being Lot #2 of the Country Club  
40 Subdivision.

41 LOT NO. 3: BEGINNING at an iron stake on the highwater mark of Holt's Lake a  
42 corner of Lot #2 and runs as the line of Lot #2 North 33 degrees 10 minutes East 108  
43 feet to an iron stake, a corner of Lot #2 on the 16-foot road; thence as the 16-foot road  
44 South 48 degrees 00 minutes East 90 feet to an iron stake Johnston County Country

1 Club property; thence as their line South 42 degrees 00 minutes West 110 feet to an iron  
2 stake their corner on the highwater mark of Holt's Lake; thence as the highwater mark  
3 of Holt's Lake in a westerly direction 75 feet to the BEGINNING and being Lot #3 of  
4 the Country Club Subdivision.

5 The following tract of land was conveyed by the Country Club of Johnston County,  
6 Inc., to D. W. Parrish on December 4, 1961, as appears of record in Book 598, page  
7 443, Registry of Johnston County, for the purpose of correcting an erroneous  
8 description.

9 See also deed dated December 29, 1961.

10 A tract or parcel of land in Smithfield Township, on North side of Holt Lake  
11 approximately 1000 feet North of the Country Club Pro Shop.

12 BEGINNING at an iron stake in the line between the lands purchased by The Country  
13 Club of Johnston County, Inc., from Nat Rand and Ralph Johnson it also being a corner  
14 of the lands purchased by D. W. Parrish from Ralph Johnson and the line runs as a new  
15 line with the Country Club of Johnston County, Inc., South 37 degrees and 25 minutes  
16 East 140 feet to an iron stake a new corner; thence South 18 degrees 30 minutes West  
17 140 feet to a stake in the highwater mark of Holt Lake; thence as the highwater mark of  
18 Holt Lake in a westerly direction to a stake in the highwater mark of said pond, it being  
19 the original corner between the lands formerly owned by Nat Rand and the lands owned  
20 by Ralph Johnson now D. W. Parrish and the line runs as a dividing line between the  
21 above-mentioned property North 6 degrees and 15 minutes East 240 feet to the  
22 BEGINNING and being a portion of Nat Rand property purchased by the Country Club  
23 of Johnston County, Inc.

24 The following tract of land was conveyed by D. W. Parrish to The Country Club of  
25 Johnston County, Inc., on December 4, 1961, as appears of record in Book 600, page  
26 292, Registry of Johnston County for the purpose of correcting an erroneous  
27 description. A tract or parcel of land in Smithfield Township, on the North side of Holt  
28 Lake approximately 1000 feet North of the Country Club Pro Shop.

29 BEGINNING at an iron stake a corner in the line of the property purchased by The  
30 Country Club of Johnston County, Inc., from Nat Rand and Ralph Johnson; it being a  
31 corner of the land purchased by D. W. Parrish from Ralph Johnson and the line runs  
32 North 37 degrees and 25 minutes West 170 feet to a stake; thence North 43 degrees and  
33 55 minutes West 199 feet to an iron stake a new corner with D. W. Parrish in the line of  
34 The Country Club of Johnston County, Inc., (Johnson Land); thence as its line South 70  
35 degrees and 45 minutes East 104.5 feet to a stake and South 30 degrees and 45 minutes  
36 East 281 feet to the BEGINNING and being a portion of the land purchased by D. W.  
37 Parrish from Ralph Johnson and wife.

38 THERE IS EXCEPTED FROM THE ABOVE-DESCRIBED PROPERTY a lot  
39 conveyed to Willie Edward Lee by deed from Country Club of Johnston County, Inc.,  
40 dated October 13, 1964, acknowledged October 13, 1964, and recorded October 13,  
41 1964, in Book 630, page 75, Johnston County Registry. LESS AND EXCEPT a lot  
42 conveyed to H. M. McCormick and wife, recorded in Book 711, page 334, Johnston  
43 County Registry.

1 THERE IS ALSO LESS AND EXCEPTED FROM THE ABOVE-DESCRIBED  
2 PROPERTY OF THE COUNTRY CLUB OF JOHNSTON COUNTY THE  
3 FOLLOWING LOTS:

- 4 Lot 1 as recorded in Book 881, page 148;
- 5 Lot 2 as recorded in Book 881, page 334;
- 6 Lot 3 as recorded in Book 882, page 622;
- 7 Lot 5 as recorded in Book 881, page 278;
- 8 Lot 6 as recorded in Book 881, page 479;
- 9 Lot 7 as recorded in Book 881, page 246;
- 10 Lot 8 as recorded in Book 881, page 557;
- 11 Lot 9 as recorded in Book 881, page 288;
- 12 Lot 10 as recorded in Book 881, page 242;
- 13 Lot 11 as recorded in Book 881, page 244;
- 14 Lot 12 as recorded in Book 881, page 342;
- 15 Lot 13 as recorded in Book 881, page 681;
- 16 Lot 14 as recorded in Book 881, page 679;
- 17 Lot 15 as recorded in Book 881, page 481;
- 18 Lot 16 as recorded in Book 881, page 584;
- 19 Lot 17 as recorded in Book 881, page 336;
- 20 Lot 18 as recorded in Book 882, page 179;
- 21 and Lot 19 as recorded in Book 881, page 433.

22           Sec. 2. This act is effective upon ratification.