

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 428\*

Short Title: Mineral Springs Incorporated.

(Local)

Sponsors: Representative Melton.

Referred to: Finance.

March 15, 1999

A BILL TO BE ENTITLED  
AN ACT TO INCORPORATE THE TOWN OF MINERAL SPRINGS.  
The General Assembly of North Carolina enacts:

Section 1. A Charter for the Town of Mineral Springs is enacted to read:

**"CHARTER OF TOWN OF MINERAL SPRINGS.**

**"CHAPTER I.**

**"INCORPORATION AND CORPORATE POWERS.**

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of Mineral Springs, which area is described in Section 2.1 of this Charter, are a body corporate and politic under the name 'Town of Mineral Springs'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general law of North Carolina.

**"CHAPTER II.**

**"CORPORATE BOUNDARIES.**

"Section 2.1. **Town Boundaries.** Until modified in accordance with the law, the boundaries of the Town of Mineral Springs are as follows:

BEGINNING at a point in the southern boundary of Waxhaw Highway (State Highway 75) at its intersection with the southwestern boundary of Western Union School Road (SR1143); thence westerly with the southern boundary of Waxhaw Highway approximately 2,270 feet to its intersection with the southerly extension of the western

1 property boundary line of parcel 001 as shown on tax map 5-030; thence northerly with  
2 said property boundary line approximately 1,620 feet to the northern boundary of the  
3 S.A.R.R. right-of-way; thence easterly with said boundary approximately 92 feet to its  
4 intersection with the western property boundary line of parcel 012D as shown on tax map  
5 6-084; thence northerly then northeasterly and then northwesterly with said parcel to a  
6 point being the southeastern corner of parcel 012E as shown on tax map 6-084; thence  
7 westerly then northerly and then northwesterly with said parcel until it intersects the  
8 eastern boundary of Collins Road (SR1326); thence northeasterly approximately 890 feet  
9 with said boundary to its intersection with the southeastern property boundary line of  
10 parcel 008 as shown on tax map 6-084; thence northeasterly approximately 1,504 feet,  
11 then northerly approximately 475 feet, and then westerly approximately 1,146 feet with  
12 said parcel to a point in the western boundary of Collins Road (SR1326); thence with the  
13 western boundary of Collins Road in a northerly direction to its intersection with the  
14 southern boundary of McNeely Road (SR1325); thence with the southern boundary of  
15 McNeely Road in a westerly direction to its intersection with the southerly extension of  
16 the western property boundary line of parcel 002A as shown on tax map 6-084; thence  
17 northerly approximately 260 feet with said property boundary line to its intersection with  
18 the southwestern corner of parcel 002 as shown on tax map 6-084; thence northerly  
19 approximately 260 feet with the western boundary of said parcel to its intersection with  
20 the northern boundary of Pleasant Grove Road (SR1327); thence with the northern  
21 boundary of Pleasant Grove Road in an easterly direction approximately 300 feet to its  
22 intersection with the western property boundary line of parcel 008A as shown on tax map  
23 6-081; thence northerly with said property boundary line approximately 730 feet to the  
24 southwestern corner of parcel 007 as shown on tax map 6-081; thence easterly  
25 approximately 1,377 feet, then northerly approximately 620 feet with said parcel to a  
26 point in the southern property boundary of parcel 001 as shown on tax map 6-081; thence  
27 easterly approximately 683 feet, then northerly approximately 295 feet, then northerly  
28 approximately 798 feet, and then westerly approximately 857 feet with said parcel to a  
29 point in the western boundary of Waxhaw-Indian Trail Road (SR1008); thence with the  
30 western boundary of Waxhaw-Indian Trail Road in a northerly direction approximately  
31 2,475 feet to its intersection with the western extension of the northern boundary of  
32 Jeanne Drive (private road); thence easterly approximately 825 feet with said road  
33 boundary to its intersection with the northwestern property boundary line of parcel 015C  
34 as shown on tax map 6-081; thence northeasterly with said property boundary line  
35 approximately 1,646 feet to the eastern corner of parcel 016 as shown on tax map 6-081;  
36 thence easterly with the northwestern boundary of said parcel to its intersection with the  
37 Bates Branch, being the western boundary of parcel 001B as shown on tax map 6-054;  
38 thence following the branch along said boundary in a northerly then an easterly direction  
39 to the northeast corner of said parcel; thence southeasterly with said parcel approximately  
40 190 feet to a point, being the western corners of parcels 013 and 014 as shown on tax  
41 map 6-054; thence along the southeastern property boundary line of parcel 047 as shown  
42 on tax map 6-054 as follows: northeasterly approximately 1,105 feet, then northeasterly  
43 approximately 450 feet, then westerly approximately 450 feet, then northeasterly

1 approximately 450 feet, then northwesterly approximately 20 feet, and then northeasterly  
2 approximately 550 feet to a point in the centerline of Shannon Road (SR1328) where said  
3 centerline intersects the southwesterly extension of the western boundary of parcel 055 as  
4 shown on tax map 6-054; thence northeasterly approximately 625 feet, then easterly  
5 approximately 580 feet with said parcel until it intersects with the northernmost corner of  
6 parcel 048 as shown on tax map 6-054; thence with said parcel as follows: southerly  
7 approximately 627 feet, then easterly approximately 196 feet, then southerly  
8 approximately 1,093 feet, then southerly approximately 565 feet, then southwesterly  
9 approximately 394 feet, then southeasterly with the northeastern boundary of Shannon  
10 Road (SR1328) approximately 550 feet to its intersection with the northern boundary of  
11 Pleasant Grove Road (SR1327), then continuing in the same direction across Pleasant  
12 Grove Road, then southwesterly with the southeastern boundary of Pleasant Grove Road  
13 approximately 215 feet, then southwesterly approximately 550 feet, then southeasterly  
14 approximately 1,691 feet, then northeasterly approximately 728 feet, then southeasterly  
15 with the northern boundary of Pleasant Grove Road approximately 860 feet, then  
16 southeasterly approximately 130 feet, then northerly approximately 1,050 feet, and then  
17 northerly approximately 1,105 feet to the westernmost corner property boundary of parcel  
18 051 as shown on tax map 6-054; thence with said parcel southeasterly approximately  
19 1,325 feet, then easterly approximately 895 feet to a point in the western property  
20 boundary line of parcel 001A as shown on tax map 6-033; thence with said parcel as  
21 follows: southerly approximately 1,300 feet, then northeasterly approximately 482 feet,  
22 then southeasterly approximately 244 feet, then northeasterly approximately 386 feet,  
23 then easterly approximately 27 feet, then easterly approximately 992 feet, then southerly  
24 approximately 668 feet, then westerly approximately 25 feet, then southwesterly  
25 approximately 127 feet, and then northeasterly approximately 1,218 feet to a point in an  
26 unnamed branch of Little Twelvemile Creek; then meandering northerly with said branch  
27 approximately 1,700 feet to the southwest corner property boundary of parcel 054 as  
28 shown on tax map 6-036; thence northeasterly with the western property boundary line of  
29 parcel 054, then northeasterly with the northwestern property boundary line of parcel  
30 055, then easterly with the northern property boundary line of parcel 056, then  
31 southeasterly with the northeastern property boundary line of parcel 057, then southerly  
32 with the eastern property boundary line of parcel 058, then southwesterly with the eastern  
33 property boundary line of parcels 059 through 060, then southerly with the eastern  
34 property boundary line of parcels 061 through 068, then southeasterly with the  
35 northeastern property boundary line of parcels 069 through 074, and then southeasterly  
36 with the northeastern property boundary line of parcel 075 to its intersection with the  
37 northwestern boundary of Potter Road (SR1162), the aforementioned parcels 054 through  
38 075 inclusive as shown on tax map 6-036; thence northeasterly along the northwestern  
39 boundary of Potter Road approximately 65 feet to the intersection of the extension of the  
40 southern boundary of Roscoe Howey Road (SR1332); thence easterly along the southern  
41 boundary of Roscoe Howey Road approximately 890 feet to the intersection with the  
42 Little Twelvemile Creek; thence generally southeasterly with the Little Twelvemile  
43 Creek as it forms the western boundary of parcel 2A as shown on tax map 6-015 to its

1 intersection with the northern property boundary line of parcel 025 as shown on tax map  
2 6-015; thence with said parcel southwesterly approximately 660 feet, then southerly  
3 approximately 1,950 feet to the intersection of its western property boundary line with the  
4 northern boundary of the S.A.R.R. right-of-way, thence northeasterly with the northern  
5 boundary of the S.A.R.R. right-of-way approximately 3,990 feet to its intersection with  
6 the western property boundary line of parcel 003 as shown on tax map 9-429; thence with  
7 said parcel northeasterly approximately 295 feet, then southeasterly approximately 970  
8 feet, then southerly approximately 1,155 feet, then southwesterly approximately 106 feet,  
9 then southerly approximately 810 feet to the intersection of the southern extension of its  
10 eastern property boundary line with the southern boundary of Old Waxhaw-Monroe Road  
11 (SR1150); thence southwesterly with the southern boundary of Old Waxhaw-Monroe  
12 Road approximately 265 feet to its intersection with the property boundary line of parcel  
13 001B as shown on tax map 9-417; thence with said parcel southeasterly approximately  
14 130 feet, then northeasterly approximately 809 feet, then northeasterly approximately 628  
15 feet, then easterly approximately 307 feet, then northwesterly approximately 169 feet,  
16 then northeasterly approximately 134 feet, then southeasterly approximately 830 feet,  
17 then southeasterly approximately 658 feet, then southwesterly approximately 294 feet,  
18 then southeasterly approximately 866 feet, then southerly approximately 221 feet, then  
19 southerly approximately 109 feet, then southeasterly approximately 237 feet, then  
20 southerly approximately 49 feet, then easterly approximately 193 feet, then northerly  
21 approximately 894 feet, then northeasterly approximately 606 feet, then southeasterly  
22 approximately 129 feet, then southeasterly approximately 120 feet, then northeasterly  
23 approximately 1,428 feet, then northerly approximately 661 feet, then northwesterly  
24 approximately 320 feet, then northwesterly approximately 140 feet, then northeasterly  
25 approximately 286 feet, then easterly approximately 967 feet, then southerly  
26 approximately 568 feet, then southwesterly approximately 112 feet, then southwesterly  
27 approximately 259 feet, then southerly approximately 561 feet, then southeasterly  
28 approximately 734 feet, then southeasterly approximately 597 feet, then southerly  
29 approximately 1 foot, then southerly approximately 138 feet, then westerly approximately  
30 165 feet, then northwesterly approximately 118 feet, then northwesterly approximately 82  
31 feet, then northwesterly approximately 998 feet, then westerly approximately 1,277 feet,  
32 then southerly approximately 589 feet to the intersection of the property boundary line  
33 with the northern boundary of Doster Road (SR1149), then with the northern boundary of  
34 Doster Road easterly approximately 145 feet to its intersection with the northern  
35 extension of the eastern property boundary line, then southerly approximately 1,576 feet,  
36 then northeasterly approximately 1,066 feet, then northeasterly approximately 780 feet,  
37 then northerly approximately 207 feet, then southwesterly approximately 555 feet, then  
38 southwesterly approximately 1,350 feet, and then northerly approximately 510 feet to the  
39 intersection of the property boundary line with the southern boundary of Doster Road;  
40 thence westerly with the southern boundary of Doster Road approximately 690 feet to its  
41 intersection with the western property boundary line of parcel 001 as shown on tax map  
42 9-417; thence with said parcel southwesterly approximately 2,455 feet, and then westerly  
43 approximately 1,960 feet to the intersection of the property boundary line with the eastern

1 property boundary line of parcel 43 as shown on tap map 6-018; thence with said parcel  
2 southerly approximately 820 feet, then northwesterly approximately 475 feet to the  
3 intersection of the property boundary line with the northern boundary of Crow Road  
4 (SR1147), then northwesterly with the northern boundary of Crow Road approximately  
5 990 feet to its intersection with the property boundary line, then northwesterly  
6 approximately 125 feet, and then southwesterly approximately 937 feet to the northeast  
7 corner of the property boundary line of parcel 006 as shown on tax map 6-017; thence  
8 with said parcel southwesterly approximately 194 feet, then northwesterly approximately  
9 35 feet, then southwesterly approximately 40 feet, then southeasterly approximately 40  
10 feet, then southwesterly approximately 980 feet, then southeasterly approximately 1,193  
11 feet, then southwesterly approximately 676 feet, then northwesterly approximately 822  
12 feet, and then northwesterly approximately 770 feet to the intersection of the southern  
13 property boundary line with the eastern property boundary line of parcel 002B as shown  
14 on tax map 6-017; thence with said parcel southerly approximately 30 feet, and then  
15 northeasterly approximately 1,537 feet to the intersection of the southern property  
16 boundary line with the eastern property boundary line of parcel 001 as shown on tax map  
17 6-017; thence with said parcel southwesterly approximately 167 feet, and then  
18 northwesterly approximately 571 feet to the intersection of the southern property line  
19 with the southeastern boundary of Potter Road (SR1162); thence southwesterly with the  
20 southeastern boundary of Potter Road approximately 2,080 feet to its intersection with  
21 the southerly extension of the western property boundary line of parcel 019J as shown on  
22 tax map 5-006; thence northerly with said property boundary line approximately 637 feet  
23 to its intersection with the southern property boundary line of parcel 015 as shown on tax  
24 map 5-006; thence westerly with said property boundary line approximately 390 feet to  
25 its intersection with the southeastern corner of parcel 001A as shown on tax map 5-003;  
26 thence with said parcel westerly approximately 717 feet, then westerly approximately  
27 1,591 feet, then westerly approximately 197 feet, then northwesterly approximately 360  
28 feet, then northwesterly approximately 714 feet, then northwesterly approximately 337  
29 feet, and then northerly approximately 300 feet to the intersection of the property  
30 boundary line with the northernmost corner of parcel 009G as shown on tax map 5-006;  
31 thence with said parcel southwesterly approximately 462 feet, then westerly  
32 approximately 530 feet, and then westerly approximately 246 feet to the intersection of  
33 the property boundary line with the eastern property boundary line of parcel 053 as  
34 shown on tax map 5-033; thence southerly with said property boundary line  
35 approximately 1,000 feet to the intersection of its southern extension with the centerline  
36 of Western Union School Road (SR1143); thence from the intersection of the centerline  
37 of Western Union Road with the northern extension of the western property boundary  
38 line of parcel 010 as shown on tax map 5-006 southerly with said property boundary line  
39 approximately 590 feet to its intersection with the northwest corner of the property  
40 boundary line of parcel 011 as shown on tax map 5-006; thence southerly with said  
41 property boundary line approximately 208 feet to its intersection with the northeast  
42 corner of the property boundary line of parcel 188 as shown on tax map 5-033; thence  
43 with said parcel westerly approximately 2,090 feet, and then northerly approximately

1 2,345 feet to the intersection of the property boundary line with the southern boundary of  
2 Western Union School Road; thence with the southern boundary of Western Union  
3 School Road in a northwesterly direction approximately 960 feet to the point and place of  
4 BEGINNING.

5  
6 EXCEPTED and EXCLUDED from the above described corporate boundary  
7 is all of that tract of land consisting of parcel 001 as shown on tax map 6-036, comprising  
8 37.160 acres, and more commonly known as the Pleasant Grove Campground.

9 **"CHAPTER III.**

10 **"GOVERNING BODY.**

11 "Section 3.1. **Structure of Governing Body; Number of Members.** The governing  
12 body of the Town of Mineral Springs is the Town Council, which has six members and  
13 the Mayor.

14 "Section 3.2. **Temporary Officers.** Until the initial election in 1999 provided for by  
15 Section 4.1 of this Charter, Frederick Becker III is hereby appointed Mayor, and William  
16 Henry Blythe, Jr., Gerald Countryman, Lundeen Cureton, Thomas Kalin, Alice Mabe,  
17 and Peggy Neill are hereby appointed members of the Town Council, and they shall  
18 possess and may exercise the powers granted to the Mayor and Town Council until their  
19 successors are elected or appointed and qualify pursuant to this Charter.

20 "Section 3.3. **Manner of Electing Town Council; Term of Office.** The qualified  
21 voters of the entire Town shall elect the members of the Town Council. Except as  
22 provided by this section, members are elected to a four-year term of office. In 1999, the  
23 three candidates receiving the highest number of votes are elected to four-year terms, and  
24 the three candidates receiving the next highest number of votes are elected to two-year  
25 terms. In 2001 and each two years thereafter, three members are elected to four-year  
26 terms.

27 "Section 3.4. **Manner of Electing Mayor; Term of Office.** The qualified voters of  
28 the entire Town shall elect the Mayor. The Mayor shall be elected in 1999 and each two  
29 years thereafter for a two-year term.

30 **"CHAPTER IV.**

31 **"ELECTIONS.**

32 "Section 4.1. **Conduct of Town Elections.** Town officers shall be elected on a  
33 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

34 **"CHAPTER V.**

35 **"ADMINISTRATION.**

36 "Section 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of Mineral  
37 Springs operates under the Mayor-Council Plan as provided in Part 3 of Article 7 of  
38 Chapter 160A of the General Statutes.

39 "Section 5.2. **Budget Ordinance; Municipal Taxes.** From and after the effective  
40 date of this act, the citizens and property in the Town of Mineral Springs shall be subject  
41 to municipal taxes levied for the year beginning July 1, 1999, and for that purpose the  
42 Town shall obtain from Union County a record of property in the area herein  
43 incorporated which was listed for property taxes as of January 1, 1999. The Town may

1 adopt a budget ordinance for fiscal year 1999-2000 without following the timetable in the  
2 Local Government Budget and Fiscal Control Act, but shall follow the sequence of  
3 actions in the spirit of the act insofar as is practical. For fiscal year 1999-2000, ad  
4 valorem taxes may be paid at par or face amount within 90 days of adoption of the budget  
5 ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes  
6 had been due and payable on September 1, 1999. If this act is ratified before July 1, 1999,  
7 the Town may adopt a budget ordinance for fiscal year 1998-1999 without following the  
8 timetable in the Local Government Budget and Fiscal Control Act, but shall follow the  
9 sequence of actions in the spirit of the act insofar as is practical, but no ad valorem taxes  
10 may be levied for the 1998-1999 fiscal year."

11 Section 2. On a date established by the Union County Board of Elections no  
12 earlier than 60 nor later than 120 days after this bill becomes law, the Union County  
13 Board of Elections shall conduct a special election for the purpose of submission to the  
14 qualified voters of the area described in Section 2.1 of the Charter of the Town of  
15 Mineral Springs, the question of whether such area shall be incorporated as the Town of  
16 Mineral Springs.

17 Section 3. In the election, the question on the ballot shall be:

18 "[ ]FOR [ ]AGAINST

19 **"INCORPORATION OF THE TOWN OF MINERAL SPRINGS".**

20 Section 4. In the election, if a majority of the votes are cast "For the Revival of  
21 the Charter of the Town of Mineral Springs", Sections 1 through 3 of this act become  
22 effective on the date that the Union County Board of Elections certifies the results of the  
23 election. Otherwise, Section 1 of this act has no force and effect.

24 Section 5. This act is effective when it becomes law.