

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SENATE BILL 314
RATIFIED BILL

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 property boundary line of parcel 001 as shown on tax map 5-030; thence northerly with said property boundary line approximately 1,620 feet to the northern boundary of the S.A.R.R. right-of-way; thence easterly with said boundary approximately 92 feet to its intersection with the western property boundary line of parcel 012D as shown on tax map 6-084; thence northerly then northeasterly and then northwesterly with said parcel to a point being the southeastern corner of parcel 012E as shown on tax map 6-084; thence westerly then northerly and then northwesterly with said parcel until it intersects the eastern boundary of Collins Road (SR1326); thence northeasterly approximately 890 feet with said boundary to its intersection with the southeastern property boundary line of parcel 008 as shown on tax map 6-084; thence northeasterly approximately 1,504 feet, then northerly approximately 475 feet, and then westerly approximately 1,146 feet with said parcel to a point in the western boundary of Collins Road (SR1326); thence with the western boundary of Collins Road in a northerly direction to its intersection with the southern boundary of McNeely Road (SR1325); thence with the southern boundary of McNeely Road in a westerly direction to its intersection with the southerly extension of the western property boundary line of parcel 002A as shown on tax map 6-084; thence northerly approximately 260 feet with said property boundary line to its intersection with the southwestern corner of parcel 002 as shown on tax map 6-084; thence northerly approximately 260 feet with the western boundary of said parcel to its intersection with the northern boundary of Pleasant Grove Road (SR1327); thence with the northern boundary of Pleasant Grove Road in an easterly direction approximately 300 feet to its intersection with the western property boundary line of parcel 008A as shown on tax map 6-081; thence northerly with said property boundary line approximately 730 feet to the southwestern corner of parcel 007 as shown on tax map 6-081; thence easterly approximately 1,377 feet, then northerly approximately 620 feet with said parcel to a point in the southern property

boundary of parcel 001 as shown on tax map 6-081; thence easterly approximately 683 feet, then northerly approximately 295 feet, then northerly approximately 798 feet, and then westerly approximately 857 feet with said parcel to a point in the western boundary of Waxhaw-Indian Trail Road (SR1008); thence with the western boundary of Waxhaw-Indian Trail Road in a northerly direction approximately 2,475 feet to its intersection with the western extension of the northern boundary of Jeanne Drive (private road); thence easterly approximately 825 feet with said road boundary to its intersection with the northwestern property boundary line of parcel 015C as shown on tax map 6-081; thence northeasterly with said property boundary line approximately 1,646 feet to the western corner of parcel 016 as shown on tax map 6-081; thence easterly with the northwestern boundary of said parcel to its intersection with the Bates Branch, being the western boundary of parcel 001B as shown on tax map 6-054; thence following the branch along said boundary in a northerly then an easterly direction to the northeast corner of said parcel; thence southeasterly with said parcel approximately 190 feet to a point, being the western corners of parcels 013 and 014 as shown on tax map 6-054; thence along the southeastern property boundary line of parcel 047 as shown on tax map 6-054 as follows: northeasterly approximately 1,105 feet, then northeasterly approximately 450 feet, then westerly approximately 450 feet, then northeasterly approximately 450 feet, then northwesterly approximately 20 feet, and then northeasterly approximately 550 feet to a point in the centerline of Shannon Road (SR1328) where said centerline intersects the southwest extension of the western boundary of parcel 055 as shown on tax map 6-054; thence northeasterly approximately 625 feet, then easterly approximately 580 feet with said parcel until it intersects with the northernmost corner of parcel 048 as shown on tax map 6-054; thence with said parcel as follows: southerly approximately 627 feet, then easterly approximately 196 feet, then southerly approximately 1,093 feet, then southerly approximately 565 feet, then southwestwardly approximately 394 feet, then southeasterly with the northeastern boundary of Shannon Road (SR1328) approximately 550 feet to its intersection with the northern boundary of Pleasant Grove Road (SR1327), then continuing in the same direction across Pleasant Grove Road, then southwestwardly with the southeastern boundary of Pleasant Grove Road approximately 215 feet, then southwestwardly approximately 550 feet, then southeasterly approximately 1,691 feet, then northeasterly approximately 728 feet, then southeasterly with the northern boundary of Pleasant Grove Road approximately 860 feet, then southeasterly approximately 130 feet, then northerly approximately 1,050 feet, and then northerly approximately 1,105 feet to the westernmost corner property boundary of parcel 051 as shown on tax map 6-054; thence with said parcel southeasterly approximately 1,325 feet, then easterly approximately 895 feet to a point in the western property boundary line of parcel 001A as shown on tax map 6-033; thence with said parcel as follows: southerly approximately 1,300 feet, then northeasterly approximately 482 feet, then southeasterly approximately 244 feet, then northeasterly approximately 386 feet, then easterly approximately 27 feet, then easterly approximately 992 feet, then southerly approximately 668 feet, then westerly approximately 25 feet, then southwestwardly approximately 127 feet, and then northeasterly approximately 1,218 feet to a point in an unnamed branch of Little Twelvemile Creek; then meandering northerly with said branch approximately 1,700 feet to the southwest corner property boundary of parcel 054 as shown on tax map 6-036; thence northeasterly with the western property boundary line of parcel 054, then northeasterly with the northwestern property boundary line of parcel 055, then easterly with the northern property boundary line of parcel 056, then southeasterly with the northeastern property boundary line of parcel 057, then southerly with the eastern property boundary line of parcel 058, then southwestwardly with the eastern property boundary line of parcels 059 through 060, then southerly with the eastern property boundary line of parcels 061 through 068, then southeasterly with the northeastern property boundary line of parcels 069 through 074, and then southeasterly with the northeastern property boundary line of parcel 075 to its intersection with the

northwestern boundary of Potter Road (SR1162), the aforementioned parcels 054 through 075 inclusive as shown on tax map 6-036; thence northeasterly along the northwestern boundary of Potter Road approximately 65 feet to the intersection of the extension of the southern boundary of Roscoe Howey Road (SR1332); thence easterly along the southern boundary of Roscoe Howey Road approximately 890 feet to the intersection with the Little Twelvemile Creek; thence generally southeasterly with the Little Twelvemile Creek as it forms the western boundary of parcel 2A as shown on tax map 6-015 to its intersection with the northern property boundary line of parcel 025 as shown on tax map 6-015; thence with said parcel southwesterly approximately 660 feet, then southerly approximately 1,950 feet to the intersection of its western property boundary line with the northern boundary of the S.A.R.R. right-of-way, thence northeasterly with the northern boundary of the S.A.R.R. right-of-way approximately 3,990 feet to its intersection with the western property boundary line of parcel 003 as shown on tax map 9-429; thence with said parcel northeasterly approximately 295 feet, then southeasterly approximately 970 feet, then southerly approximately 1,155 feet, then southwesterly approximately 106 feet, then southerly approximately 810 feet to the intersection of the southern extension of its eastern property boundary line with the southern boundary of Old Waxhaw-Monroe Road (SR1150); thence southwesterly with the southern boundary of Old Waxhaw-Monroe Road approximately 265 feet to its intersection with the property boundary line of parcel 001B as shown on tax map 9-417; thence with said parcel southeasterly approximately 130 feet, then northeasterly approximately 809 feet, then northeasterly approximately 628 feet, then easterly approximately 307 feet, then northwesterly approximately 169 feet, then northeasterly approximately 134 feet, then southeasterly approximately 830 feet, then southeasterly approximately 658 feet, then southwesterly approximately 294 feet, then southeasterly approximately 866 feet, then southerly approximately 221 feet, then southerly approximately 109 feet, then southeasterly approximately 237 feet, then southerly approximately 49 feet, then easterly approximately 193 feet, then northerly approximately 894 feet, then northeasterly approximately 606 feet, then southeasterly approximately 129 feet, then southeasterly approximately 120 feet, then northeasterly approximately 1,428 feet, then northerly approximately 661 feet, then northwesterly approximately 320 feet, then northwesterly approximately 140 feet, then northeasterly approximately 286 feet, then easterly approximately 967 feet, then southerly approximately 568 feet, then southwesterly approximately 112 feet, then southwesterly approximately 259 feet, then southerly approximately 561 feet, then southeasterly approximately 734 feet, then southeasterly approximately 597 feet, then southerly approximately 1 foot, then southerly approximately 138 feet, then westerly approximately 165 feet, then northwesterly approximately 118 feet, then northwesterly approximately 82 feet, then northwesterly approximately 998 feet, then westerly approximately 1,277 feet, then southerly approximately 559 feet to the intersection of the property boundary line with the northern boundary of Doster Road (SR1149), then with the northern boundary of Doster Road easterly approximately 145 feet to its intersection with the northern extension of the eastern property boundary line, then southerly approximately 81 feet, then southerly approximately 1,546 feet, then northwesterly approximately 1,066 feet, then northerly approximately 594 feet, then northeasterly approximately 443 feet, and then northerly approximately 231 feet to the intersection of the property boundary line with the southern boundary of Doster Road; thence westerly with the southern boundary of Doster Road approximately 690 feet to its intersection with the western property boundary line of parcel 001 as shown on tax map 9-417; thence with said parcel southwesterly approximately 2,455 feet, and then westerly approximately 1,960 feet to the intersection of the property boundary line with the eastern property boundary line of parcel 43 as shown on tax map 6-018; thence with said parcel southerly approximately 820 feet, then northwesterly approximately 475 feet to the intersection of the property boundary line with the northern boundary of Crow Road (SR1147), then northwesterly with the northern boundary of Crow Road

approximately 990 feet to its intersection with the property boundary line, then northwesterly approximately 125 feet, and then southwesterly approximately 937 feet to the northeast corner of the property boundary line of parcel 006 as shown on tax map 6-017; thence with said parcel southwesterly approximately 194 feet, then northwesterly approximately 35 feet, then southwesterly approximately 40 feet, then southeasterly approximately 40 feet, then southwesterly approximately 980 feet, then southeasterly approximately 1,193 feet, then southwesterly approximately 676 feet, then northwesterly approximately 822 feet, and then northwesterly approximately 770 feet to the intersection of the southern property boundary line with the eastern property boundary line of parcel 002B as shown on tax map 6-017; thence with said parcel southerly approximately 30 feet, and then northeasterly approximately 1,537 feet to the intersection of the southern property boundary line with the eastern property boundary line of parcel 001 as shown on tax map 6-017; thence with said parcel southwesterly approximately 167 feet, and then northwesterly approximately 571 feet to the intersection of the southern property line with the southeastern boundary of Potter Road (SR1162); thence southwesterly with the southeastern boundary of Potter Road approximately 2,080 feet to its intersection with the southerly extension of the western property boundary line of parcel 019J as shown on tax map 5-006; thence northerly with said property boundary line approximately 637 feet to its intersection with the southern property boundary line of parcel 015 as shown on tax map 5-006; thence westerly with said property boundary line approximately 390 feet to its intersection with the southeastern corner of parcel 001A as shown on tax map 5-003; thence with said parcel westerly approximately 717 feet, then westerly approximately 1,591 feet, then westerly approximately 197 feet, then northwesterly approximately 360 feet, then northwesterly approximately 714 feet, then northwesterly approximately 337 feet, and then northerly approximately 300 feet to the intersection of the property boundary line with the northernmost corner of parcel 009G as shown on tax map 5-006; thence with said parcel southwesterly approximately 462 feet, then westerly approximately 530 feet, and then westerly approximately 246 feet to the intersection of the property boundary line with the eastern property boundary line of parcel 053 as shown on tax map 5-033; thence southerly with said property boundary line approximately 1,000 feet to the intersection of its southern extension with the centerline of Western Union School Road (SR1143); thence from the intersection of the centerline of Western Union Road with the northern extension of the western property boundary line of parcel 010 as shown on tax map 5-006 southerly with said property boundary line approximately 590 feet to its intersection with the northwest corner of the property boundary line of parcel 011 as shown on tax map 5-006; thence southerly with said property boundary line approximately 208 feet to its intersection with the northeast corner of the property boundary line of parcel 188 as shown on tax map 5-033; thence with said parcel westerly approximately 2,090 feet, and then northerly approximately 2,345 feet to the intersection of the property boundary line with the southern boundary of Western Union School Road; thence with the southern boundary of Western Union School Road in a northwesterly direction approximately 960 feet to the point and place of BEGINNING.

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

"CHAPTER III. "GOVERNING BODY.

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

"Section 3.2. **Temporary Officers.** Until the initial election in 1999 provided for by Section 4.1 of this Charter, Frederick Becker III is hereby appointed Mayor, and

William Henry Blythe, Jr., Gerald Countryman, Lundeen Cureton, Thomas Kalin, Alice Mabe, and Peggy Neill are hereby appointed members of the Town Council, and they shall possess and may exercise the powers granted to the Mayor and Town Council until their successors are elected or appointed and qualify pursuant to this Charter.

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

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

"CHAPTER IV.

"ELECTIONS.

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

"CHAPTER V.

"ADMINISTRATION.

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

"Section 5.2. **Budget Ordinance; Municipal Taxes.** From and after the effective date of this act, the citizens and property in the Town of Mineral Springs shall be subject to municipal taxes levied for the year beginning July 1, 1999, and for that purpose the Town shall obtain from Union County a record of property in the area herein incorporated which was listed for property taxes as of January 1, 1999. The Town may adopt a budget ordinance for fiscal year 1999-2000 without following the timetable in the Local Government Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical. For fiscal year 1999-2000, ad valorem taxes may be paid at par or face amount within 90 days of adoption of the budget ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes had been due and payable on September 1, 1999. If this act is ratified before July 1, 1999, the Town may adopt a budget ordinance for fiscal year 1998-1999 without following the timetable in the Local Government Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical, but no ad valorem taxes may be levied for the 1998-1999 fiscal year."

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

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

**"[]FOR []AGAINST
INCORPORATION OF THE TOWN OF MINERAL SPRINGS".**

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

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

In the General Assembly read three times and ratified this the 10th day of June, 1999.

Dennis A. Wicker
President of the Senate

James B. Black
Speaker of the House of Representatives