

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 694

Short Title: Rimertown Incorporation.

(Local)

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Sponsors: Senator Hartsell.

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Referred to: Rules and Operations of the Senate.

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April 1, 1999

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCORPORATE THE TOWN OF RIMERTOWN SUBJECT TO A  
3 REFERENDUM.

4 The General Assembly of North Carolina enacts:

5 Section 1. A Charter for the Town of Rimertown is enacted to read:

6 "CHARTER OF THE TOWN OF RIMERTOWN.

7 "CHAPTER I.

8 "INCORPORATION AND CORPORATE POWERS.

9 "Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town  
10 of Rimertown are a body corporate and politic under the name 'Town of Rimertown'.  
11 Under that name they shall have all the powers, duties, rights, privileges, and immunities  
12 conferred and imposed on cities by the general law of North Carolina.

13 "CHAPTER II.

14 "CORPORATE BOUNDARIES.

15 "Section 2.1. **Town Boundaries.** Until modified in accordance with the law, the  
16 corporate boundaries of the Town of Rimertown are as follows:

17  
18 BEGINNING in Cabarrus County at a point in the centerline of Gold Hill Road (SR  
19 2408) due south of the centerline of Rimer Road (SR 2429), thence in a east-northeast  
20 direction to the intersection of the centerline of Gold Hill Road (SR 2408) and Cline

1 School Road (SR 2427), thence in a northeasterly direction to a point approximately 697  
2 feet northeast of the centerline of Jennie Wolfe Creek, being the northeast corner of  
3 property described by Cabarrus County Tax Maps as Map/PIN 5662-47-1320.

4  
5 Continuing in a northwest direction along the northern property line of Map/PIN 5662-  
6 47-1320 for approximately 815.83 feet, crossing Jennie Wolfe Creek at approximately  
7 500 feet, thence in a northeasterly direction for approximately 300 feet to the centerline  
8 of Jennie Wolfe Creek. Thence continuing in a west-northwest direction along Jennie  
9 Wolfe Creek, the creek being showed property lines with the following Map/PINs 5662-  
10 37-0824 and 5662-38-8375, 5662-29-9245 and 5662-48-2832 and 5662-49-6146, 5663-  
11 21-5019 and 5662-49-6146, 5662-49-8551, to the northernmost point in Map/PIN 5662-  
12 59-2563 in the centerline of Jennie Wolfe Creek, thence in a southeast direction to the  
13 southernmost point in Map/PIN 5663-32-4457. Thence in a northeast direction along the  
14 eastern boundaries of Map/PINs 5663-32-4457, 5663-23-6175, 5663-34-2252 and 5663-  
15 26-4073 to the southeast corner of Map/PIN 5663-26-4073, thence in a northwest  
16 direction from that corner to a point in the centerline of Jennie Wolfe Creek, continuing  
17 with the centerline of Jennie Wolfe Creek in a northeast direction to the centerline of  
18 Kluttz Road (SR 2435).

19  
20 Continuing in a southwest direction with Kluttz Road (SR 2435) for approximately 100  
21 feet to the southeast corner of Map/Pin 5663-46-6452, thence in a northerly direction to  
22 the northeast corner of Map/PIN 5663-46-6452. Thence in a northwest direction to the  
23 northernmost corner of Map/PIN 5663-46-0501, thence in a southerly direction along the  
24 western line of Map/PIN 5663-46-0501 to a point in the centerline of Kluttz Road (SR  
25 2435), thence with the centerline of Kluttz Road (SR 2435) for a distance of  
26 approximately 513 feet to a 15-foot-wide portion of Map/PIN 5663-45-2340, crossing  
27 that portion to the corner of a portion of Map/PIN 5663-26-8734, thence in a line parallel  
28 to the 15-foot-wide portion of Map/PIN 5663-26-8734 for a length of approximately 200  
29 feet in a southeasterly direction, thence in a southwesterly direction for a distance of  
30 approximately 200 feet, thence in a northwesterly direction for approximately 220 feet to  
31 the centerline of Kluttz Road (SR 2435).

32  
33 Continuing from that point in the centerline of Kluttz Road (SR 2435) in a northwesterly  
34 direction along the northeast property line of Map/PIN 5663-26-4073, passing through a  
35 line shared with Map/PIN 5663-16-9741 to a point in the eastern property line of  
36 Map/PIN 5663-07-9409, thence in a northeasterly direction with the property line of  
37 Map/PIN 5663-07-9409 to a point in the property line of Map/PIN 5663-19-7038.  
38 Thence with a line shared by Map/PINs 5663-19-7038, 5663-26-8734, 5663-39-3485,  
39 5663-26-8734, and 5663-28-9179 to the point of Map/PIN 5663-28-9179 in Sisk-Carter  
40 Road (SR 2434), thence in a southwesterly direction following the eastern line of a  
41 portion of Map/PIN 5663-93-3485 south of Sisk-Carter Road (SR 2434) for  
42 approximately 500 feet, thence with the southern line of Map/PIN 5663-93-3485 to the  
43 easternmost corner of Map/PIN 5663-58-1098 south of Sisk-Carter Road (SR 2434),

1 thence in a northeasterly direction along the eastern line of Map/PIN 5663-49-4299 for  
2 approximately 392 feet to the center of Sisk-Carter Road (SR 2434), continuing in that  
3 northeasterly direction 863 feet to the northeast corner of Map/PIN 5663-49-4299.  
4

5 From that point continuing along a northwest line along the rear property lines of  
6 Map/PINs 5663-49-4299 and 5663-49-1428 to a point in Map/PIN 5663-39-9608  
7 approximately 20 feet northwest of the corner shared by Map/PINs 5663-49-1428 and  
8 5663-39-9608, thence in a northerly direction to the northeast corner of Map/PIN 5663-  
9 39-9608, thence in an easterly direction with a line shared by Map/PINs 5663-39-9608,  
10 5663-39-4931, 5664-20-6147 and 5664-20-0783 to the centerline of an unnamed dirt  
11 road, thence following the northern line of Map/PINs 5664-20-2270, 5664-10-5149 and  
12 5664-00-7187 to the centerline of Rimer Road (SR 2429).  
13

14 Continuing with the centerline of Rimer Road (SR 2429) in a southerly direction to the  
15 western edge of Map/PIN 5653-99-9111, thence in a line shared by Map/PINs 5653-99-  
16 9111 and 5653-98-7998 to the northernmost point of Map/PIN 5653-98-7998, thence  
17 with the line of Map/PIN 5653-98-7998 for 5 calls to the centerline of Rimer Road (SR  
18 2429), thence with the center of Rimer Road (SR 2429) to the easternmost point of  
19 Map/PIN 5653-98-4817, thence with the line of Map/PIN 5653-98-4817 in a  
20 northwesterly direction to the eastern line of Map/PIN 5653-88-7937, thence in a  
21 northeasterly line of Map/PIN 5653-88-7937 to the easternmost corner of the property,  
22 thence in a northwestern direction within the northern lines of Map/PINs 5653-88-7937  
23 and 5653-89-4038 to the northwest corner of Map/PIN 5653-89-4038, thence in a  
24 southwestern direction with the line shared by Map/PINs 5653-89-4038 and 5653-79-  
25 2735 to the northeast corner of Map/PIN 5653-89-1039, thence in a northeastern  
26 direction along the northern lines of Map/PINs 5653-89-1039 and 5653-79-7047 to the  
27 northwest corner of Map/PIN 5653-79-7047, thence in a southwesterly direction with the  
28 western line of Map/PIN 5653-79-7047 to the centerline of Phaniels Church Road (SR  
29 2433).  
30

31 Thence with the centerline of Phaniels Church Road (SR 2433) to a point where a 45'  
32 private right-of-way adjoins Phaniels Church Road (SR 2433) on the southern side of the  
33 road, thence with the 45' private right-of-way in a southern and western direction to the  
34 southwest corner of Map/PIN 5653-59-8350, thence in a northeasterly direction with the  
35 eastern line of Map/PIN 5653-59-8350 for a distance of approximately 398 feet to the  
36 centerline of Phaniels Church Road (SR 2433), thence returning in a southeasterly  
37 direction with the centerline of Phaniels Church Road (SR 2433) to the southeast corner  
38 of Map/PIN 5653-69-3781, thence in a northeastern direction to the northeast corner of  
39 Map/PIN 5653-69-3781, thence in a northwestern direction with the northern line of  
40 Map/PIN 5653-69-3781 to the eastern line of Map/PIN 5654-80-0109, thence in a  
41 northwestern direction with the line of Map/PIN 5654-80-0109 to the northeast corner of  
42 Map/PIN 5654-80-0109, thence in a northwestern direction to the northwest corner of  
43 Map/PIN 5654-80-0109, thence in a northeast direction with the line of Map/PIN 5654-

1 50-6844 to the Rowan/Cabarrus County line, thence with the Rowan/Cabarrus County  
2 line to the centerline of Phaniels Church Road (SR 2433), continuing with the  
3 Rowan/Cabarrus County line to the northwest corner of Map/PIN 5654-40-2963, thence  
4 with the line shared by Map/PINs 5654-40-2963 and 5654-40-8423 to the southwest  
5 corner of Map/PIN 5654-40-8423, thence with the western line of Map/PIN 5653-27-  
6 1609 for a distance of approximately 370 feet, thence in a southwestern direction on a  
7 line shared by Map/PINs 5653-39-9318 and 5653-39-6273 for approximately 915 feet to  
8 the northeast corner of Map/PIN 5653-39-6273, thence in a southeasterly direction for  
9 approximately 109 feet to a point in Map/PIN 5653-39-6273, thence in a southwesterly  
10 direction with the western lines of Map/PINs 5653-39-6273 and 5653-38-3602 to the  
11 centerline of Pless Road (SR 2432).

12  
13 Continuing in an easterly direction with the centerline of Pless Road (SR 2432) to the  
14 western edge of Map/PIN 5653-37-6074, thence with the property line of Map/PIN 5653-  
15 37-6074 three different lines to the easternmost point of Map/PIN 5653-37-3965, thence  
16 in a westerly line with the southern line of Map/PIN 5653-37-6074 in a westerly direction  
17 to the westernmost part of Map/PIN 5653-37-6074, thence in a southeasterly direction  
18 with the line of Map/PIN 5653-37-6074 for approximately 100 feet to the northwestern  
19 corner of Map/PIN 5653-35-9469, thence in a southerly direction with the line of  
20 Map/PIN 5653-35-9469 to the centerline of Dutch Buffalo Creek, thence with the  
21 centerline of Dutch Buffalo Creek in a southerly direction with the centerline of Dutch  
22 Buffalo Creek being the western property lines with these Map/PINs 5653-35-9469,  
23 5653-34-4556, 5653-32-4327, 5653-41-4938, 5653-40-5907, 5653-30-5169, 5652-39-  
24 6735, 5652-39-6374, 5652-39-6060, and 5652-37-6977 to the southeast corner of  
25 Map/PIN 5652-37-6977, thence with the southern line of Map/PIN 5652-37-6977 for a  
26 distance of approximately 1713 feet to a corner shared by Map/PIN 5652-37-6977 and  
27 Map/PIN 5652-46-2268.

28  
29 Continuing in a southeasterly direction with the line shared by Map/PINs 5652-46-2268  
30 and 5652-65-1952 to the easternmost point of Map/PIN 5652-46-2268, thence in a  
31 westerly direction with the line of Map/PIN 5652-46-2268 to a point shared by the  
32 southwest corner of Map/PIN 5652-46-2268 and the southwest corner of Map/PIN 5652-  
33 56-3192, thence in an easterly direction with the northern line of Map/PIN 5652-44-5766  
34 to the northeast corner of Map/PIN 5652-44-5766, thence in a southwesterly direction  
35 with the western property lines of Map/PINs 5652-55-2303, 5652-43-9631, and 5652-54-  
36 3175 to the centerline of Gold Hill Road (SR 2408) to the point of BEGINNING.

### 37 "CHAPTER III.

### 38 "GOVERNING BODY.

39 "Section 3.1. **Structure of Governing Body; Number of Members.** The governing  
40 body of the Town of Rimertown shall be the Town Council, which shall have four  
41 members, and the Mayor.

42 "Section 3.2. **Temporary Officers.** Until the initial elections of 1999 provided for  
43 by Section 4.1 of this Charter, Terry D. Barbee, Clyde M. Drye, Jr., and Steve R. Love

1 are hereby appointed members of the interim Town Council. They shall jointly exercise  
2 the powers granted to the governing body until their successors are elected or appointed  
3 and qualified pursuant to this Charter.

4 "Section 3.3. **Manner of Electing Town Council; Term of Office.** The qualified  
5 voters of the entire Town shall elect the members of the Town Council and, except as  
6 provided in this section, they shall serve four-year terms. In 1999, the two candidates  
7 receiving the highest number of votes shall be elected to four- year terms and the two  
8 candidates receiving the next highest number of votes shall be elected to two-year terms.  
9 In 2001 and biennially thereafter, two members shall be elected to four- year terms.

10 "Section 3.4. **Manner of Electing Mayor; Term of Office.** The qualified voters of  
11 the entire Town shall elect the Mayor. In 1999 and quadrennially thereafter, the Mayor  
12 shall be elected for a term of four years.

#### 13 "CHAPTER IV.

#### 14 "ELECTIONS.

15 "Section 4.1. **Conduct of Town Elections.** Regular municipal elections shall be held  
16 in each odd-numbered year in accordance with the uniform municipal election laws of  
17 North Carolina. Elections shall be conducted on a nonpartisan basis and results  
18 determined by a plurality as provided in G.S. 163-292.

#### 19 "CHAPTER V.

#### 20 "ADMINISTRATION.

21 "Section 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of  
22 Rimertown shall operate under the Mayor-Council form of government as provided in  
23 Part 3 of Article 7 of Chapter 160A of the North Carolina General Statutes."

24 Section 2. From and after the effective date of this act, the citizens and  
25 property in the Town of Rimertown shall be subject to municipal taxes levied for the year  
26 beginning July 1, 1999. For that purpose the Town shall obtain from Cabarrus County a  
27 record of property in the area herein incorporated which was listed for taxes as of January  
28 1, 1999. The Town may adopt a budget ordinance for fiscal year 1999-2000 without  
29 following the timetable in the Local Government Budget and Fiscal Control Act, but shall  
30 follow the sequence of actions in the spirit of the act insofar as is practical. For fiscal  
31 year 1999-2000, ad valorem taxes may be paid at par or face amount within 90 days of  
32 adoption of the budget ordinance and thereafter in accordance with the schedule in  
33 N.C.G.S. 105-360. If this act is approved under Sections 3 and 4 of this act before July 1,  
34 1999, the Town may adopt a budget ordinance for fiscal year 1998-99 without following  
35 the timetable in the Local Government Budget and Fiscal Control Act, but shall follow  
36 the sequence of actions in the spirit of the act insofar as is practical.

37 Section 3. The Cabarrus County Board of Elections shall conduct an election  
38 on a date set by the Board, to be not less than 60 nor more than 120 days after this act  
39 becomes law, for the purpose of submission to the qualified voters of the area described  
40 in Section 2.1 of the Charter of the Town of Rimertown the question of whether or not  
41 the area shall be incorporated as the Town of Rimertown. Registration for the election  
42 shall be conducted in accordance with G.S. 163-288.2.

43 Section 4. In the election, the question on the ballot shall be:

1                                    "[ ]FOR [ ]AGAINST  
2                                    **INCORPORATION OF THE TOWN OF RIMERTOWN."**

3                                    Section 5. In the election, if a majority of the votes are cast "For incorporation  
4 of the Town of Rimertown", Sections 1 through 2 of this act shall become effective on  
5 the date that the Cabarrus County Board of Elections certifies the results of the election.  
6 Otherwise, those sections shall have no force and effect.

7                                    Section 6. This act is effective when it becomes law.