

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 812

Short Title: Carteret/Craven Boundary.

(Local)

Sponsors: Representatives Smith; and Wainwright.

Referred to: Local and Regional Government I.

April 8, 1993

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE BOUNDARY LINE BETWEEN CARTERET AND
CRAVEN COUNTIES.

The General Assembly of North Carolina enacts:

Section 1. A portion of the common dividing line between Carteret County, North Carolina, and Craven County, North Carolina, shall be as follows:

Beginning at a point in Hunters Creek which divides Carteret and Jones Counties, which point is identified and labeled "A" on a map of the Carteret-Craven Boundary dated May 28, 1992, a copy of which shall be filed with the Registers of Deeds in Carteret County and Craven County. The Registers of Deeds shall accept such document for filing in the form presented by the Counties. All N. C. State Plane Grid Coordinates used in the map are based on the North American Datum of 1927 and are in units of U. S. Survey Feet. The said point of beginning bears N. C. State Plane Grid Coordinates (N=391,810+- and E=2,576,800+-).

Thence from the said point of beginning in an easterly direction to Point "B" on said map (N=391,570+- and E=2,610,400+-); thence continuing in an easterly direction to Point "C" on said map (N=391,720+- and E=2,613,870+-); thence in a northerly direction to point "D" on said map (N=397,390+- and E=2,613,655+-); thence in an easterly direction to a point in the centerline of US Highway 70 labeled "E" on said map (N=401,920+- and E=2,635,465+-); thence along and with the centerline of US Highway 70 in a northerly direction to a point in the existing Carteret-Craven Boundary which is labeled as point "F" on said map (N=405,150+- and E=2,635,115+-); thence in an easterly direction along the existing Carteret-Craven Boundary to point "G" on said map (N=406,575+- and E=2,668,380+-); thence in a northeasterly direction to point

1 "H"on said map (N=407,705+- and E=2,670,270+-); thence in a southeasterly direction
2 to point "I"on said map (N=407,047+- and E=2,670,727+-); thence in an easterly
3 direction to point "J"on said map (N=407,185+- and E=2,671,255+-); thence in a
4 southeasterly direction to point "K"on said map (N=406,612+- and E=2,671,681+-);
5 thence in a northeasterly direction to point "L"on said map (N=406,745+- and
6 E=2,671,860+-); thence in a Northeasterly direction to point "M"on said map
7 (N=406,800+- and E=2,671,940+-); thence in an easterly direction to point "N"on said
8 map (N=406,915+- and E=2,672,390+-); thence in a southerly direction to point "O"on
9 said map, the centerline of SR 1392 (Adam's Creek Road) (N=406,510+- and
10 E=2,672,520+-); thence in an easterly direction to point "P"on said map (N=407,015+-
11 and E=2,673,375+-); thence in an easterly direction to point "Q"on said map
12 (N=407,145+- and E=2,673,730+-); thence in an easterly direction to point "R"on said
13 map (N=407,268+- and E=2,674,135+-); thence in a northwesterly direction to point
14 "S"on said map (N=407,460+- and E=2,674,095+-); thence along and with the existing
15 county line to Point "T"on said map (N=415,370+- and E=2,691,805+-); thence in a
16 northerly direction to point "U"on said map (N=415,450+- and E=2,691,775+-); thence
17 in an easterly direction to point "V"on said map (N=415,660+- and E=2,691,947+-);
18 thence in an easterly direction to a point in the Atlantic Intracoastal Waterway (Adam's
19 Creek Canal) which point is labeled point "W"on said map (N=415,655+- and
20 E=2,692,170+-), thence with the centerline of the Atlantic Intracoastal Waterway in a
21 north-northeasterly direction to point "X", which point "X" is a point in the existing
22 Carteret-Craven County boundary line (N=431,130+- and E=2,701,070+-).

23 Sec. 2. (a) All civil and criminal cases now pending in the Superior Court of
24 Carteret County, or in any other courts held in Carteret County which would have been
25 properly triable in Craven County, if the territory affected by this act had been a part of
26 Craven County at the time the cause was instituted, or the right of action therein
27 accrued, or where the criminal offense charged was committed in the territory affected
28 by this act, shall upon motion of any defendant in any criminal case pending, or upon
29 motion of any party in a civil cause, be transferred to the Superior Court or other proper
30 court of Craven County. Such motion for removal shall be made no later than the first
31 day of the session of court at which the case would be tried. It shall be the duty of the
32 Clerk of the Superior Court of Carteret County to transmit the original papers in all such
33 cases removed, together with a proper record of all such causes removed, to the Clerk of
34 the Superior Court of Craven County. All actions, causes or proceedings, matters, and
35 things pending before the Clerk of the Superior Court of Carteret County, which would
36 have been within the jurisdiction of the Clerk of the Superior Court of Craven County,
37 had the territory affected by this act been a part of Craven County at the time said cause,
38 proceeding, matter, or thing was begun, or the right therein accrued, shall upon motion
39 of any party thereto or interested therein be transferred to Craven County and the
40 jurisdiction of the Clerk of the Superior Court of Craven County to be heard,
41 determined, or proceeded with before him in all respects as if the said cause, matter, or
42 proceeding had originally been begun in Craven County. Upon such removal, it shall be
43 the duty of the Clerk of the Superior Court of Carteret County from which the removal

1 is made to transmit to the Clerk of the Superior Court of Craven County the original
2 papers in such cause, matter, or proceeding, together with the proper record thereof.

3 (b) All civil and criminal cases now pending in the Superior Court of Craven
4 County, or in any other courts held in Craven County which would have been properly
5 triable in Carteret County, if the territory affected by this act had been a part of Carteret
6 County at the time the cause was instituted, or the right of action therein accrued, or
7 where the criminal offense charged was committed in the territory affected by this act,
8 shall upon motion of any defendant in any criminal case pending, or upon motion of any
9 party in a civil cause, be transferred to the Superior Court or other proper court of
10 Carteret County. Such motion for removal shall be made no later than the first day of
11 the session of court at which such case would be tried. It shall be the duty of the Clerk
12 of the Superior Court of Craven County to transmit the original papers in all such cases
13 removed, together with a proper record of all such causes removed, to the Clerk of the
14 Superior Court of Carteret County. All actions, causes or proceedings, matters, and
15 things pending before the Clerk of the Superior Court of Craven County, which would
16 have been within the jurisdiction of the Clerk of the Superior Court of Carteret County,
17 had the territory affected by this act been a part of Carteret County at the time said
18 cause, proceeding, matter, or thing was begun, or the right therein accrued, shall upon
19 motion of any party thereto or interested therein be transferred to Carteret County and
20 the jurisdiction of the Clerk of the Superior Court of Carteret County to be heard,
21 determined, or proceeded with before him in all respects as if the said cause, matter, or
22 proceeding had originally been begun in Carteret County. Upon such removal, it shall
23 be the duty of the Clerk of the Superior Court of Craven County from which the
24 removal is made to transmit to the Clerk of the Superior Court of the County of Carteret
25 the original papers in such cause, matter, or proceeding, together with the proper record
26 thereof.

27 Sec. 3. (a) All taxes levied by Carteret County on the real and personal
28 property located in the territory affected by this act for the fiscal year beginning July 1,
29 1993, and for all prior years shall be collected and retained by Carteret County.

30 (b) All taxes levied by Craven County on the real and personal property located
31 in the territory affected by this act for the fiscal year beginning July 1, 1993, and for all
32 prior years shall be collected and retained by Craven County.

33 Sec. 4. (a) The Jury Commission of Carteret County shall include persons
34 within the territory affected by this act on jury lists in Carteret County beginning
35 January 1, 1994, and no person resident in such area shall be included on jury lists in
36 Craven County after that date.

37 (b) The Jury Commission of Craven County shall include persons within the
38 territory affected by this act on jury lists in Craven County beginning January 1, 1994,
39 and no person resident in such area shall be included on jury lists in Carteret County
40 after that date.

41 Sec. 5. (a) The Carteret County Board of Elections shall transfer to Craven
42 County all voter registrations for persons in the territory affected by this act, and such
43 persons shall be registered to vote in Craven County as of January 1, 1994, without any

1 action on the part of the voter. This act does not affect the boundaries of any State
2 House, State Senate, or Congressional district.

3 (b) The Craven County Board of Elections shall transfer to Carteret County all
4 voter registrations for persons in the territory affected by this act, and such persons shall
5 be registered to vote in Carteret County as of January 1, 1994, without any action on the
6 part of the voter. This act does not affect the boundaries of any State House, State
7 Senate, or Congressional district.

8 Sec. 6. The portion of the boundary between Carteret and Craven Counties
9 affected by this act shall be surveyed and mapped by Carteret and Craven Counties in
10 accordance with G.S. 153A-18. Such action shall be completed by March 31, 1994.

11 Sec. 7. This act becomes effective January 1, 1994, except that Section 6 of
12 this act is effective upon ratification.