

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**HOUSE BILL 865
Committee Substitute Favorable 10/30/01**

Short Title: Calabash Annexation/Holden Beach.

(Local)

Sponsors:

Referred to:

March 29, 2001

A BILL TO BE ENTITLED

1
2 AN ACT CONCERNING A VOLUNTARY SATELLITE ANNEXATION OF
3 CERTAIN DESCRIBED PROPERTY IN BRUNSWICK COUNTY TO ALLOW
4 THE TOWN OF HOLDEN BEACH TO EXERCISE THE POWER OF EMINENT
5 DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL
6 AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC
7 BEACH ACCESS, AND TO MAKE A TECHNICAL CORRECTION IN THE
8 CHARTER OF THE TOWN OF OAK ISLAND.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 160A-58.1(b)(2) does not apply to the annexation of any
11 or all of the following described property in Brunswick County:

TRACT ONE

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15 Beginning at ¾" rebar, said rebar located in the eastern right-of-way of State Road
16 1164, said rebar also being located south 40 degrees 31 minutes west 447.75' from a
17 P.K. Nail located in the intersection of State Road 1164 with State Road 1165, thence
18 leaving the beginning corner and running with the eastern right-of-way of Brunswick
19 Electric Membership Corporation easement line north 06 degrees 41 minutes 53
20 seconds east 695.32' to an existing 1" iron pipe, thence running north 06 degrees 33
21 minutes 15 seconds east 200' to a ¾" rebar, thence running north 83 degrees 26 minutes
22 45 seconds west 299.50' to a point in the eastern right-of-way of State Road 1165,
23 thence running with eastern right-of-way of State Road 1165 north 06 degrees 33
24 minutes 46 seconds east 287.25' to a point, thence north 05 degrees 44 minutes 10
25 seconds east 140.79' to an existing 1" iron pipe, thence leaving said right-of-way line
26 south 87 degrees 06 minutes 10 seconds east 790.78' to an existing 1" iron pipe, thence
27 north 02 degrees 53 minutes 50 seconds east 400' to a 1" iron pipe located in Hobson
28 Meares' southern property line, thence running Hobson Meares' southern property line
29 south 87 degrees 06 minutes 10 seconds east 2836.47' to an existing 1" iron pipe, thence

1 north 61 degrees 50 minutes 38 seconds east 327.20' to an existing 1 ½" iron pipe this
2 being a corner in Odell Williamson Old Stone #4 Tract, thence leaving Hobson Meares'
3 line and running north 46 degrees 10 minutes 15 seconds east 2384.35' to a ¾" rebar,
4 thence continuing north 46 degrees 10 minutes 15 seconds east a distance of 22.27' to
5 the centerline of an existing canal, thence running with said canal these various courses
6 and distances with centerline north 56 degrees 57 minutes 39 seconds east 193.72' to a
7 point north 80 degrees 54 minutes 52 seconds east 79.22' to a point south 86 degrees 17
8 minutes 40 seconds east 57.57' to a point south 58 degrees 19 minutes 36 seconds east
9 107.27' to a point south 37 degrees 15 minutes 20 seconds east 172.29' to a point south
10 63 degrees 16 minutes 05 seconds east 110.67' to a point south 31 degrees 16 minutes
11 33 seconds east 123.42' to a point north 58 degrees 39 minutes 34 seconds east 132.25'
12 to a point north 81 degrees 35 minutes 30 seconds east 95.53' to a point south 68
13 degrees 57 minutes 49 seconds east 175.52' to a point south 40 degrees 42 minutes 49
14 seconds east 85.58' to a point south 04 degrees 04 minutes 30 seconds west 78.31' to a
15 point south 42 degrees 52 minutes 23 seconds east 227.12' to a point south 37 degrees
16 30 minutes 04 seconds east 105.33' to a point south 43 degrees 49 minutes 5 seconds
17 east 220.67' to a point south 23 degrees 38 minutes 48 seconds east 79.29' to a point
18 south 50 degrees 16 minutes 38 seconds west 431.62' to a point south 32 degrees 24
19 minutes 04 seconds west 392.01' to a point south 62 degrees 52 minutes 45 seconds
20 west 152.85' to a point south 51 degrees 13 minutes 09 seconds west 149.72' to a point
21 south 29 degrees 39 minutes 45 seconds west 370.67', thence leaving said canal and
22 running south 45 degrees 30 minutes 30 seconds east 12' to a ¾" rebar, thence
23 continuing south 45 degrees 30 minutes 30 seconds east 951.99' to a ¾" rebar, thence
24 running south 00 degrees 00 minutes west 772.22' to a ¾" rebar, thence running south
25 71 degrees 48 minutes 01 seconds west 1347.01' to a ¾" rebar, thence south 86 degrees
26 05 minutes 54 seconds west 1717.73' to an existing ¾" rebar, said corner being the
27 northeast corner of Coastal Carolina Presbytery property, thence running with church
28 property south 85 degrees 55 minutes 35 seconds west 435.60' to an existing ¾" rebar,
29 thence leaving the church property line and running south 85 degrees 55 minutes 35
30 seconds west 1089.18' to a ¾" rebar, thence south 75 degrees 33 minutes 42 seconds
31 west 1627.23' to a ¾" rebar located in the eastern right-of-way line of State Road 1164,
32 thence running with said right-of-way line north 30 degrees 42 minutes 51 seconds west
33 to a ¾" rebar, said rebar being the beginning corner, said property containing 402.5
34 acres more or less and being a part of Odell Williamson property recorded in deed book
35 611, page 411 and also deed book 630, page 592. Bearings are magnetic in relation to
36 map cabinet Q, page 65, 186, and 187.

37
38 TRACT TWO
39

40 Beginning at a ¾" rebar, said rebar being the southeastern corner of Tract One, thence
41 running south 18 degrees 11 minutes 59 seconds east 500' to a ¾" rebar located in the
42 northern right-of-way line of State Road 1163, thence running west said right-of-way

1 line south 71 degrees 48 minutes 01 seconds west 150' to a ¾" rebar, thence leaving said
2 right-of-way line and running north 18 degrees 11 minutes 49 seconds west 500' to a ¾"
3 rebar located in southern property line of Tract One, thence running with southern
4 property line of Tract One north 71 degrees 48 minutes 01 seconds east 150' to a ¾"
5 rebar, said corner being the beginning corner said tract containing 1.72 acres more or
6 less. Bearings are magnetic in relation to Map Cabinet Q, Page 65, 186, and 187.

7
8 It is hereby understood that this parcel of land may be used only as a right-of-way to
9 construct a road for anything related to the purpose of egress and ingress or any other
10 purpose related to Tract One of the deed. It is also understood that the Grantor may use
11 the said road for the purpose of egress and ingress to his property or his assigns.

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13 The above described tracts are more particularly described in that certain plat dated
14 September 27, 1991, entitled "Plat of Survey of Property Owned by Odell Williamson,
15 et [sic] ux" as prepared by Jan K. Dale, R. L. S., and recorded in Plat Book W, Page 200
16 in the Brunswick County Registry, reference to which is made to aid this description.

17 **SECTION 2.** Section 3 of S.L. 2001-36 reads as rewritten:

18 "SECTION 3. This act applies only to Carolina Beach, Carteret County, Dare
19 County, and the Towns of Holden Beach, Indian Beach, Kill Devil Hills, Kitty Hawk,
20 Kure Beach, Nags Head, North Topsail Beach, Pine Knoll Shores, Surf City, Topsail
21 Beach, and Wrightsville Beach."

22 **SECTION 2.1.** Section 5.2 of the Charter of the Town of Oak Island, being
23 S.L. 1999-66, reads as rewritten:

24 "Sec. 5.2. **Voting.** Election of the Mayor and Town Council member shall be by
25 the nonpartisan plurality election method prescribed by ~~G.S. 163-192~~, G.S. 163-292,
26 and shall be conducted as provided by General Statutes."

27 **SECTION 3.** This act is effective when it becomes law.