

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 486
Corrected Copy 3/20/01

Short Title: Kernersville Private Sale.

(Public)

Sponsors: Senators Horton; Bingham and Garrou.

Referred to: State and Local Government.

March 15, 2001

A BILL TO BE ENTITLED

1
2 AN ACT AUTHORIZING THE TOWN OF KERNERSVILLE TO CONVEY
3 CERTAIN PROPERTY AT A PRIVATE SALE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Notwithstanding Article 12 of Chapter 160A of the General
6 Statutes, the Town of Kernersville may convey by private negotiation and sale, with or
7 without monetary consideration, any or all of its right, title, and interest in the following
8 described property to the Mount Gur Cemetery Association, Inc., under the terms and
9 conditions that the Town Board of Aldermen deem appropriate:

10
11 Tract 1

12
13 Being all of that certain 1.102 acre tract of land lying in Kernersville Township, Forsyth
14 County, North Carolina; and bounded by natural boundaries and/or lands owned by
15 and/or in possession of persons, as follows: on the north by Reeves, Inc., on the east by
16 Mount Gur Cemetery Association, Inc., on the south and west by Auto Spring Co., Inc.,
17 and on the west by T & A Automotive Enterprise, Inc.; said tract being particularly
18 described by courses (according to the North Carolina Grid System) and distances
19 according to a survey and plats prepared by the Town of Kernersville Public Works
20 Department, dated January 12, 1984, and dated January 27, 1984, and other sources
21 cited herein, as follows:

22
23 Commencing at North Carolina Geodetic Station and horizontal control monument
24 "GUR"; said monument having N.C. grid coordinates of North 867,781.850 (feet) and
25 East 1,682,156.642 (feet) as per the North American Datum of 1983; thence the
26 following call taken from recorded plat cited as The Veterans Garden Section 2 as
27 recorded in Plat Book 38 at Page 160 of the Forsyth County Registry; thence North 13
28 Degrees, 47 Minutes, 11 Seconds West a distance of 91.51 feet to a control corner,

1 found existing iron pipe, the northeasterly corner of T & A Automotive Enterprise, Inc.
2 (see Deed Book 1731 Page 3304 of said Registry; see also tax lot 66D of Tax Block
3 5412 of Forsyth County Tax Maps), in the southerly line of Reeves, Inc. (see Deed
4 Book 1756 Page 2445 of said Registry; see also The Garden of the Christus as recorded
5 in Plat Book 23 at Page 95 of said Registry; see also tax lot 64E of said tax block 5412),
6 and being the true point of beginning:

7
8 Thence with said southerly line South 89 Degrees, 29 Minutes, 20 Seconds East a
9 distance of 156.15 feet to a found existing iron pipe; thence crossing tax lot 65B of said
10 tax block 5412 (see deeds to Mount Gur Cemetery Association, Inc., as follows: Deed
11 Book 49 Page 446, Deed Book 152 Page 45, and Deed Book 273 Page 179, all of said
12 Forsyth County Registry) South 3 Degrees, 44 Minutes, 20 Seconds West a distance of
13 333.16 feet to a found existing iron pipe, the northeasterly corner of Auto Spring Co.,
14 Inc. (see Deed Book 2003 Page 1594 of said Registry; see also tax lot 310 of said tax
15 block 5412); thence with said Auto Spring Co., Inc., the following two (2) calls: (1)
16 thence North 84 Degrees, 31 Minutes, 20 Seconds West a distance of 138.0 feet to a
17 found existing iron pipe; (2) thence North 0 Degrees, 31 Minutes, 40 Seconds East,
18 crossing a found existing iron pipe, the southeasterly corner of said T&A Automotive
19 Enterprise, Inc., at 96.28 feet, and continuing with the westerly line of said T&A
20 Automotive Enterprise, Inc., another 224.40 feet, for a total distance of 320.68 feet to
21 the true point of BEGINNING said control corner and found existing iron pipe.

22
23 The above described 1.102 acre tract is generally known and designated as being a
24 westerly portion of tax lot 65B of Forsyth County Tax Maps as presently constituted,
25 and is sometimes referred to as the Pauper's Plot Cemetery.

26
27 Tract 2
28

29 Being all of that 0.47 acre tract of land lying in Kernersville Township, Forsyth County,
30 North Carolina; and bounded by natural boundaries and/or lands owned by and/or in
31 possession of persons as follows: on the west and north by Mount Gur Cemetery
32 Association, Inc., on the east by Grove Street, and on the south by West Bodenhamer
33 Street; said tract being particularly described by courses (according to a survey and plat
34 prepared by the Town of Kernersville Public Works Department, dated April 23, 1985,
35 to which reference is hereby made, as follows:

36
37 Commencing at North Carolina Geodetic Station "Grove 2", said station having North
38 Carolina Grid System coordinates of North 866,695.32 and East 1,682,524.61; thence
39 North 58 deg. 37 min. 41 sec. West a distance of 178.10' to a 1" outside diameter set
40 new iron pipe, flush, at the back of a sidewalk in the northerly margin of West
41 Bodenhamer, being the true point of beginning:

42
43 Thence a new line across the lands of Mount Gur Cemetery Association, Inc. (see Deed
44 Book 1023 Page 661 of the Forsyth County Registry) North 06 deg. 22 min. 20 sec.

1 East a distance of 326.83' to a 1" outside diameter set new iron pipe, flush, in the
2 southerly line of other lands of said Mount Gur Cemetery Association (see Deed Book
3 49 Page 446, Deed Book 152 Page 45, and Deed Book 273 Page 273 Page 179, all of
4 said Registry); thence with said southerly line South 61 deg. 23 min. 30 sec. East a
5 distance of 70.98' to 7/8" outside diameter found existing iron pipe, 9" high, the
6 northwesterly terminus of Grove Street; thence with the westerly line of said Grove
7 Street South 07 deg. 17 min. 31 sec. West a distance of 306.60' to the beginning of a
8 curve concave northwesterly and having a radius of 18', said beginning of curve being
9 the northeasterly corner of that easement from Mount Gur Cemetery Association, Inc.,
10 to the Town of Kernersville (see Deed Book 1287 Page 889 of said Registry); thence
11 with the northerly line of said easement the following two (2) calls: (1) thence along
12 said curve through a central angle of 119 deg. 13 min. 56 sec. (the long chord of said
13 curve bears south 67 deg. 00 min. 22 sec. West a distance of 31.06') to a point in a line
14 tangent within the northerly margin of said West Bodenhamer Street; (2) thence
15 generally following said northerly margin of West Bodenhamer Street north 54 deg. 20
16 min. 29 sec. West a distance of 38.67'; thence a new line crossing the lands of said
17 Mount Gur Cemetery Association, Inc., North 06 deg. 22 min. 20 sec. East a distance of
18 2.91' to the true point of BEGINNING said 1" outside diameter set new iron pipe, flush,
19 at the back of said sidewalk. Being that property as recorded in the Forsyth County
20 Registry Deed Book 1492, at Page 9.

21
22 Tract 3
23

24 Lying and being in Kernersville Township, Forsyth County, North Carolina:
25

26 Being all of that certain 0.164 acre parcel of land formerly known and designated as
27 Grove Street; said 0.164 acre parcel of land is described by courses (according to the
28 North Carolina Grid System) and distances, as follows:
29

30 Commencing at Town of Kernersville horizontal control monument Grove 2, said
31 control monument having N.C. Grid System coordinates of North 866,768,433 (feet)
32 and East 1,682,602,398 (feet) as per the North American Datum of 1983; thence North
33 67 Degrees, 23 Minutes, 35 Seconds West, 76.00 feet, to a point in the northeasterly
34 margin of, and within the right-of-way of, West Bodenhamer Street, at the cusp of a
35 curve, and being the true point of Beginning:
36

37 Thence 18.34 feet along said curve, to the right, of radius 18.00 feet, a chord bearing
38 and distance of North 21 Degrees, 50 Minutes, 00 Seconds West, 17.56 feet, to a point
39 in the westerly line of the Town of Kernersville (see Deed Book 1356 Page 1390 of the
40 Forsyth County Registry); thence with said westerly line North 7 Degrees, 22 Minutes,
41 10 Seconds East, 341.07 feet, to a 7/8" outside diameter found existing iron pipe, flush,
42 set over a 5/8" outside diameter found existing solid iron, 14: subsurface, corner to Mt.
43 Gur Cemetery Association, Inc. (see Deed Book 49 Page 446 of said Registry; see Deed
44 Book 152 Page 45 of said Registry; see Deed Book 273 Page 179 of said Registry; see

1 also tax lot 65B of tax block 5412 of Forsyth County Tax Maps as presently
2 constituted); thence with said Mt. Gur Cemetery Association, Inc., South 89 Degrees,
3 36 Minutes, 45 Seconds West, 20.45 feet, to a 7/8" set new iron pipe, flush, the
4 northeasterly corner of now or formerly the Town of Kernersville (see Deed Book 1492
5 Page 9 of said Registry); thence with the easterly line of said now or formerly The
6 Town of Kernersville South 7 Degrees, 18 Minutes, 15 Seconds West, 306.71 feet, to a
7 7/8" outside diameter set new iron pipe, flush, at the beginning of a curve; thence 37.44
8 feet along said curve, to the right, of radius 18.00 feet, a chord bearing and distance of
9 South 67 Degrees, 00 Minutes, 35 Seconds West, 31.05 feet, to a point in said
10 northeasterly margin of, and within the right-of-way of, said West Bodenhamer Street;
11 thence within said right-of-way South 53 Degrees, 09 Minutes, 35 Seconds East, 63.48
12 feet, to the true point of Beginning.

13
14 Save and except the following described 0.0026 acre parcel of land, described as
15 follows:

16
17 Lying and being in Kernersville Township, Forsyth County, North Carolina:

18
19 Being all of that certain 0.026 acre parcel of land formerly known and designated as
20 being a southerly portion of Grove Street; said 0.026 acre parcel of land is described by
21 courses (according to the North Carolina Grid System) and distances, as follows:

22
23 Commencing at Town of Kernersville horizontal control monument Grove 2, said
24 control monument having N.C. Grid System coordinates of North 866,768,433 (feet)
25 and East 1,682,602,398 (feet) as per the North American Datum of 1983; thence North
26 67 Degrees, 23 Minutes, 35 Seconds West, 76.00 feet, to a point in the northeasterly
27 margin of, and within the right-of-way of, West Bodenhamer Street, at the cusp of a
28 curve, and being the true point of Beginning:

29
30 Thence 18.34 feet along said curve, to the right, of radius 18.00 feet, a chord bearing
31 and distance of North 21 Degrees, 50 Minutes, 00 Seconds West, 17.56 feet, to a point
32 in the westerly line of the Town of Kernersville (see Deed Book 1356 Page 1390 of the
33 Forsyth County Registry); thence with said westerly line North 7 Degrees, 22 Minutes,
34 10 Seconds East, 50.24 feet; thence a new line crossing said Grove Street South 54
35 Degrees, 15 Minutes, 00 Seconds West, 27.28 feet, to a 7/8" outside diameter set new
36 iron pipe, flush, in the easterly line of now or formerly the Town of Kernersville (see
37 Deed Book 1495 Page 9 of said Registry) at the beginning of a curve; thence 37.44 feet
38 along said curve, to the right, of a radius 18.00 feet a chord bearing and distance of
39 South 67 Degrees, 00 Minutes, 35 Seconds West, 31.05 feet, to a point in said
40 northeasterly margin of, and within the right-of-way of, said West Bodenhamer Street;
41 thence within said of right-of-way South 53 Degrees, 09 Minutes, 35 Seconds East,
42 63.48 feet, to the true point of Beginning.

43 **SECTION 2.** This act is effective when it becomes law.