

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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**SENATE BILL 141
State and Local Government Committee Substitute Adopted 5/13/15**

Short Title: Waynesville Annexation/Referendum.

(Local)

Sponsors:

Referred to:

March 4, 2015

A BILL TO BE ENTITLED
AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS
OF THE TOWN OF WAYNESVILLE, SUBJECT TO A REFERENDUM.

The General Assembly of North Carolina enacts:

SECTION 1. The following described property is added to the corporate limits of the Town of Waynesville:

BEING all that tract of land containing 1,200 acres more or less, with well-defined boundaries commonly known as Lake Junaluska Assembly, established at the Laymen's Conference of the Methodist Episcopal Church South in 1908 as a Christian mission, educational, recreational, and spiritual retreat center, comprising a 200-acre lake, approximately 800 residential units and the United Methodist Conference and Retreat Center, located in Haywood County, and more particularly described within boundaries as follows, based on references to Property Identification Numbers (PINs), Deed Books, and Pages, Rights-of-Way, measurements, and existing municipal boundaries as maintained by the Haywood County Geographic Information System as of January 28, 2013:

BEGINNING at a point in the center line of the Norfolk-Southern Railroad track, said point being in the Southern right-of-way boundary of U.S. Highway 19-23-74 (Great Smoky Mountain West Expressway) said point also being the Northeast corner of the property described in Deed Book 404, page 557, Haywood County Registry, and runs with said highway right-of-way Southwesterly approximately 2075 feet to the Northeasterly corner of Lot 10 of property recorded in Plat Cabinet C, Slot 2468; thence with Northwest line of said Lot 10 and Southerly margin of said Highway, S 32 deg. 04 min. 38 sec. W. 136.28 feet to a point in center of Richland Creek; thence with the center of the creek in a Southwesterly direction 71.94 feet to the intersection of the center of the creek with the Southern right-of-way of U.S. Highway 23-74; thence leaving creek and continuing with Southerly right-of-way boundary of U.S. Highway 23-74 and Northerly boundary of that 40.583-acre tract shown on plat recorded in Plat Cabinet C, Slot 3204, to the Northeasterly corner of property of Waynesville Police Department Association, Inc., recorded in Deed Book 335, page 521; thence with line of that property S. 21 deg. 24 min. E. 197.1 feet to a stake, and S. 60 deg. 31 min. W. 530 feet to a stake, common corner of the Shuford Howell and Charles Liner property; thence S. 24 deg. 21 min. W. 434 feet to a stake; thence in a Northwesterly direction with line of property recorded in Deed Book 374, page 995, to a point in Southerly right-of-way boundary of said highway; thence with said right-of-way boundary in a Westerly direction to the Northeast corner of property described in Deed Book 343, page 337; thence S. 27 deg. 03 min. 43 sec. E. 386.48 feet; thence S. 88 deg. 53 min. W. 318 feet; thence S. 69 deg. 40 min. 46 sec. W. 179.82 feet to a point; thence continuing S. 69 deg. 40 min. 46 sec. W. to the Northwest corner of property



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1 described in Deed Book 615, page 1330; thence S. 48 deg. 00 min. 49 sec. E. to Southeast
2 corner of Town of Waynesville 17.2 acre tract (PIN 8616-33-6754), being a part of the property
3 described in Deed Book 140, page 95, said point also being the Northeastmost corner of
4 property of Town of Waynesville recorded in Deed Book 615, page 1336; thence with line of
5 that property in a Southwesterly direction to the Southwest corner of said Town of Waynesville
6 17.2-acre tract; thence with Westerly boundary of that property and with corporate boundary of
7 Town of Waynesville in a Northwesterly direction, crossing U.S. Highway 23-74 to a point in
8 Southerly line of property described in Deed Book 343, page 343, and in Northerly margin of
9 said Highway 23-74, said point also being approximately 1162 feet from Southwest corner of
10 the property of William C. Davis (PIN 8616-23-1869) recorded in Deed Book 149, page 604,
11 and Easterly right-of-way boundary of U.S. Highway 276 (Russ Avenue); thence continuing
12 with Northerly right-of-way boundary of U.S. Highway 23-74 in an Easterly direction
13 approximately 3458 feet to the Southeast corner of Lot 40, Fairway Hills Subdivision, plat of
14 which is recorded in Plat Book I, page 42 (Plat Cabinet B, Slot 169) HCR; thence with the line
15 of that lot two calls as follows: N. 20 deg. 26 min. W. 75 feet to a concrete monument; thence
16 N. 69 deg. 34 min. E. 118 feet to a point in center of a road; thence N. 38 deg. W. 84 feet to the
17 intersection of said road with the center of Pleasant Hill Circle, Southeast corner of Lot 46 of
18 said subdivision; thence continuing with the center of the above first-mentioned road and the
19 Easterly boundary of Lots 46, 44 and 43 of said Subdivision to a point in center of SR 1257 and
20 in Southerly line of Lot 27 of said subdivision; thence with outside line of said subdivision N.
21 66 deg. E. 502 feet to the Southeast corner of Lot 23 of said Subdivision; thence with Easterly
22 lines of Lots 23, 22, 16, 14, 12, 10, 8, 6 and 4, N. 39 deg. W. 1274 feet to the Southeast corner
23 of Lot 1 of said subdivision; thence with said lot N. 39 deg. 00 min. W. 32 feet to the center of
24 Golf Course Road; thence with the center of said road and with Southwesterly line of Lots 1
25 and 2 of Block 125, Southern Assembly, plat of which is recorded in Plat Book K, page 81,
26 (Plat Cabinet B, Slot 217), HCR, to a point at the intersection of Golf Course Road and Fairway
27 Hills Drive; thence continuing in a Southwesterly direction with Golf Course Road to the
28 Southwest corner of Lot B12, Golf View Estates, plat of which is recorded in Plat Book I, page
29 21 (Plat Cabinet B, Slot 165); thence with Southerly lines of Lots B12 and B13 in a
30 Northeasterly direction to a point, Easternmost corner of Lot B13 of said subdivision; thence
31 with Easterly lines of Lots B13, B14 and A18 to a point in Southerly line of Tract E, Great
32 Laurels of Lake Junaluska (Plat Cabinet C, Slot 4325); thence with the line of that tract N. 63
33 deg. 58 min. 42 sec. E. 65.35 feet to an iron stake in Easterly boundary line of said Tract E;
34 thence with Easterly lines of said Tract E to the Southeast corner of Tract B of said property;
35 thence with Easterly lines of said Tract B to the Northeast corner of Tract B; thence with
36 Northerly line of said Tract B in a Westerly direction to a point, Westernmost corner of
37 property recorded in Deed Book 640, page 654; thence with Westerly line of said property N.
38 19 deg. E. to the Southeast corner of property described in Deed Book 335, page 682; thence
39 with Southerly line of said property in a Westerly direction to a stake at the Southeast corner of
40 property recorded in Deed Book 787, page 1175; thence N. 19 deg. 00 min. 00 sec. E. 334.09
41 feet to a stake in the Westerly margin of a 30 foot street and the Southern right-of-way
42 boundary of U.S. Highway 19 (Dellwood Road) thence in a Westerly direction with center of
43 said right-of-way to the Southwest corner of property described in Deed Book 827, page 2245,
44 and Plat Cabinet C, Slot 6162; thence N. 23 deg. 44 min. 49 sec. E. 194.15 feet to a point in
45 NCSR 1376 (Old County Road); thence with said road in an Easterly direction to an iron stake
46 at the Southwest corner of property described in Deed Book 428, page 1081; thence running
47 with the Westerly line of said property N. 05 deg. W. 150.0 feet to an iron pipe at the
48 Southwest corner of property described in Deed Book 417, page 1367; thence running with the
49 Westerly line of said property N. 03 deg. 24 min. 30 sec. W 125 feet to an iron pipe, corner
50 between Lots Nos. 2 and 3 of the John C. Noland property recorded in Plat Cabinet C, Slot 3;
51 thence with Easterly lines of Lots 3, 4 and 6 of said property N. 07 deg. 26 min. 19 sec. W.

1 697.07 feet to the Southeast corner of Lot 7B of plat entitled Division of Remainder of Lot 7,
2 John C. Noland Estate recorded in Plat Cabinet C, Slot 1180; thence with line of that lot N. 06
3 deg. 21 min. 44 sec. W. 197.66 feet to an iron pin, Northeast corner of said Lot 7B; thence with
4 Northerly lines of Lots 7B and 7A, N. 84 deg. 50 min. 11 sec. W. 307.81 feet to an existing
5 iron pin, Southeast corner of Lot B of Blueberry Hill Subdivision recorded in Plat Cabinet C,
6 Slot 741; thence with line of that lot N. 05 deg. 58 min. 29 sec. W. 32.95 feet to a stake,
7 Southeast corner of Lot A of said subdivision; thence with line of that lot N. 23 deg. 30 min. 14
8 sec. E. 232.01 feet to the Southeast corner of Lot 5 of Muckle Cove Subdivision, Plat Cabinet
9 A, Slot 42A; thence with Easterly lines of Lots 5, 6, 7, 16, 17 and 18 to a planted stone found in
10 fence at top of ridge, Southeast corner of Lot 1-D of property of Paul Kenneth Rathbone et ux.
11 recorded in Plat Cabinet C, Slot 5515; thence with Easterly boundary of Lots 1-D and 1-B of
12 said Rathbone property in a Northerly direction to the Southeast corner of Tract V of Susan
13 Queen Carver property recorded in Plat Cabinet C, Slot 3613; thence with Easterly lines of said
14 Tract V and thence continuing with the Easterly boundary of Tract VIII of said property in a
15 North direction to the Northwestmost corner of Lake Junaluska Assembly property recorded in
16 Deed Book 34, page 476, and the Southwestmost corner of Fullbright property recorded in
17 Deed Book 554, page 1739; thence with Northeasterly boundary of said Lake Junaluska
18 Assembly property and Southwesterly boundary lines of property of Robert G. Fullbright and
19 Sylvia F. Echols recorded in Plat Cabinet C, Slot 3723, in a Southeasterly direction to a point in
20 the Southwesterly boundary of property recorded in Deed Book 708, page 1269, and in center
21 of Sleepy Hollow Drive; thence leaving said road and running with the Southerly boundary of
22 said property in an Easterly direction to the Southwest corner of property described in Deed
23 Book 689, page 479; thence S. 84 deg. 55 min. 48 sec. E. 650.78 feet to the Southwest corner
24 of the Charles G. and Emma Jean Millwood, Trustees, property (PIN 8617-64-5125) recorded
25 in Deed Book 600, page 2127; thence with Southerly line of said property to the Southwest
26 corner of the Robert G. and Patricia H. Fullbright, Trustees, property recorded in Deed Book
27 473, page 1894, common corner with Lake Junaluska Assembly property recorded in Deed
28 Book 34, page 476; thence with the Northerly and thence Southwesterly boundary of said
29 Fullbright property a Southeasterly direction to the Northeast corner of Lot 26, Addition to
30 Section 23, Lake Junaluska Assembly, recorded in Plat Book K, page 81 (Plat Cabinet B, Slot
31 217), said property being described in Deed Book 295, page 394; thence with East line of said
32 property to the Northwest corner of property described in Deed Book 390, page 777, Tract 2;
33 thence N. 58 deg. 26 min. 12 sec. E. 124.09 feet to an iron pipe; thence S. 21 deg. 14 min. 00
34 sec. E. 105 feet to a point in center of a 10-foot wide asphalt drive, Northwest corner of
35 property described in Deed Book 212, page 208; thence with Northerly line of that property an
36 Easterly direction to the Northwest corner of property described in Deed Book 481, page 1136;
37 thence with Northerly boundary of said property in a Northeasterly direction to the
38 Southwesterly corner of property described in Deed Book 481, page 1136 (PIN 8617-73-6199);
39 thence with Westerly boundary of said property in a Northeasterly direction to a point,
40 Northwest corner of property described in Deed Book 582, page 2001; thence with Westerly
41 boundary of said property in a Southeasterly direction S. 61 deg. 54 min. 48 sec. E. 112.73 feet;
42 S. 58 deg. 19 min. 12 sec. E. 74.01 feet; S. 14 deg. 33 min. 53 sec. E. 64.58 feet; S. 02 deg. 28
43 min. 02 sec. E. 134.93 feet; and S. 29 deg. 47 min. 02 sec. E. 45.78 feet to the Northwest corner
44 of Lot 6 of the Olin T. and Katherine Mouzon Subdivision as shown on plat recorded in Plat
45 Book L, page 67 (Plat Cabinet B. Slot 235); thence S. 22 deg. 15 min. W. 53.0 feet to the
46 Northerly margin of Mouzon Drive as shown on said plat; thence with said margin of said
47 Drive in a Southeasterly direction S. 60 deg. E. 28.0 feet; S. 41 deg. E. 28.0 feet; S. 48 deg. 30
48 min. E. 54.0 feet; S. 80 deg. E. 48 feet; S. 70 deg. 30 min. E. 32 feet to the Southeast corner of
49 Lot 5 of said subdivision; thence continuing with margin of said drive and Southerly boundary
50 line of Lot 5, S. 80 deg. 00 min. E. 36.0 feet; S. 42 deg. 48 min. E. 31.0 feet; thence S. 73 deg.
51 13 min. E. 29.0 feet to a stake, common corner of Lots 5, 4 and 2 of said subdivision; thence

1 with Westerly line of said Lot 2, S. 03 deg. 00 min. E. 49 feet to a point, Northeastmost corner
2 of Lot 1A; thence continuing with line of Lot 2, S. 03 deg. 00 min. E. 119 feet to a stake,
3 Southwest corner of said Lot 2; thence with Southerly line of said lot S. 78 deg. 30 min. E. 150
4 feet to a point in outside line of said Mouzon subdivision, common corner of Lots 1 and 2 of
5 Patten Subdivision recorded in Plat Book G, page 32 (Plat Cabinet B, Slot 129), said point also
6 being in the Westerly margin of Wilcox Drive; thence with Easterly line of said Lot 1, S. 32
7 deg. 31 min. W. 195 feet to the Easternmost corner of property described in Deed Book 311,
8 page 676; thence with Easterly boundary of said property and continuing with Westerly margin
9 of Wilcox Drive in a Southerly direction to the intersection of Wilcox Drive, Bust O Dawn Dr.,
10 Old County Road (SR 1376) and Norton Way; thence with Old County Road (SR 1376) in an
11 Easterly and Southerly direction approximately 2075 feet to the Northwest corner of property
12 described in Deed Book 236, page 187, and Northeast corner of property described in Deed
13 Book 349, page 938, (Tri-Vista Villas Common Area); thence leaving County Road and with
14 line between said property described in Deed Book 349, page 938, and property described in
15 Deed Book 236, page 187, S. 10 deg. 05 min. E. 129 feet to a stake in center of Rogers Cove
16 Branch and in Northern boundary line of property described in Deed Book 571, page 1645;
17 thence continuing with said branch and Northerly boundary of said property in an Easterly
18 direction approximately 236.1 feet to a point in Westerly boundary of property described in
19 Deed Book 352, page 733; thence leaving the branch and running in a Southeasterly direction
20 approximately 57.9 feet to a point in Northern right-of-way boundary of Whittle Drive
21 extension (also known as Avenue "C"); thence with the arc of a curve running in a clockwise
22 direction with the margin of said Avenue "C" in a Southeasterly direction to the Southwestmost
23 corner of property described in Deed Book 382, page 694; thence continuing with said margin
24 of said Avenue "C" in a Southeasterly direction to the Northwestmost corner of property
25 described in Deed Book 534, page 614, HCR; thence leaving said Avenue "C" and with
26 Northerly boundary of property described in Deed Book 534, page 614, in an Easterly direction
27 N. 69 deg. 00 min. E. 29.3 feet to a stake; S. 71 deg. 15 min. E. 78 feet to a stake; and S. 34
28 deg. 00 min. E. 34 feet to a stake in Westerly boundary of property described in Deed Book
29 662, page 63; thence continuing with Easterly boundary of property described in Deed Book
30 534, page 614 in a Southwesterly direction to a butternut (walnut) tree, Southeastmost corner of
31 property described in Deed Book 534, page 614, and Northeastmost corner of property
32 described in Deed Book 517, page 2362; thence S. 21 deg. 30 min. W. 23.70 feet to an iron
33 pipe, said iron pipe also being in the Westerly boundary of property described in Deed Book
34 662, page 63; thence continuing with Easterly boundary of property described in Deed Book
35 517, page 2362, S. 32 deg. 48 min. 54 sec. E. 169.39 feet to a point, Northeastmost corner of
36 property described in Deed Book 836, page 1441; thence with Northerly boundary of said
37 property S. 72 deg. 35 min. 23 sec. W. 75.67 feet to a point in Eastern margin of Avenue "C",
38 Northwest corner of property described in Deed Book 836, page 1441; thence continuing with
39 said margin of Avenue "C" and Western boundary of said property in a Southwesterly direction
40 to the Southwest corner of said property; thence with Southern boundary of said property in a
41 Southeasterly direction to the Southwestmost corner of property described in Deed Book 662,
42 page 63; thence with Southerly boundary of said property in a Southeasterly direction to a
43 point, said point being in the center of Tail Race; thence with center of said Tail Race six calls
44 as follows: N. 09 deg. 02 min. 10 sec. E. 25.62 feet; N. 62 deg. 36 min. 22 sec. E. 111.25 feet;
45 N. 54 deg. 20 min. 18 sec. E. 100.98 feet; N. 50 deg. 17 min. 17 sec. E. 55.65 feet; N. 42 deg.
46 06 min. 04 sec. E. 95.69 feet, and N. 26 deg. 24 min. 03 sec. E. 83.89 feet to a point in center of
47 bridge over said Tail Race and in center of Old County Road (SR 1376); thence with center of
48 said road in a Southeasterly direction to the Northeasterly corner of property described in Deed
49 Book 822, page 2178, and as shown on plat recorded in Plat Cabinet C, Slot 6119; thence with
50 center of said road and with Easterly boundary of said property recorded in Deed Book 822,
51 page 2178, S. 41 deg. 49 min. 49 sec. E. 252.03 feet of the Northeast corner of property

1 described in Deed Book 472, page 386, and as shown on plat recorded in Plat Cabinet C, Slot
2 2683; thence continuing with said road and Easterly boundary of said property in a
3 Southeasterly direction S. 40 deg. 06 min. 47 sec. E. 295.41 feet to the intersection of SR 1376
4 (Old County Road) and SR 1375 (Lake Junaluska Depot Road, aka South Lakeshore Drive);
5 thence with center of said SR 1375 and Southerly boundary of said property S. 59 deg. 26 min.
6 13 sec. W. 307.22 feet to the Southwest corner of said property; thence continuing with center
7 of SR 1375 in a Southwesterly direction approximately 960 feet to the point of intersection
8 with said road and centerline of said Norfolk-Southern Railroad track; thence leaving said road
9 and running with centerline of said railroad track in a Southwesterly direction approximately
10 1,500 feet to the Southern right-of-way boundary of U.S. Highway 23-74 (Great Smoky
11 Mountain Expressway), the point of BEGINNING, containing approximately 1,200 acres, more
12 or less.

13 **SECTION 2.** Section 1 of this act becomes effective only if approved by the
14 qualified voters of the Town of Waynesville and the qualified voters of the area proposed for
15 addition to the corporate limits by Section 1 of this act, being Lake Junaluska Assembly. For
16 Lake Junaluska Assembly, the list of registered voters eligible to vote in the referendum shall
17 be determined in accordance with METHOD A in G.S. 163-288.2. The referendum shall be
18 conducted by the Haywood County Board of Elections on November 3, 2015. The question on
19 the ballot shall be:

20 FOR AGAINST

21 Extension of the corporate limits of the Town of Waynesville by the annexation of
22 the area known as Lake Junaluska Assembly."

23 **SECTION 3.** If both a majority of the votes cast in the Town of Waynesville and a
24 majority of the votes cast in the area known as Lake Junaluska Assembly are in favor of the
25 question, Section 1 of this act becomes effective June 30, 2016. Otherwise, Section 1 of this act
26 does not become effective. The remainder of this act is effective when it becomes law.