

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 260
Second Edition Engrossed 4/22/91

Short Title: King/Tobaccoville.

(Local)

Sponsors: Senators Sands; Goldston, Ward, and Kaplan.

Referred to: Local Government and Regional Affairs.

March 25, 1991

A BILL TO BE ENTITLED
AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO
A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND
TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT.

The General Assembly of North Carolina enacts:

PART I. TOBACCOVILLE

Section 1. A Charter for the Village of Tobaccoville is enacted to read:

"CHARTER FOR THE VILLAGE OF TOBACCOVILLE.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

The inhabitants of the Village of Tobaccoville are a body corporate and politic under the name 'Village of Tobaccoville.' The Village of Tobaccoville has all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general law of North Carolina.

"CHAPTER II.

"VILLAGE BOUNDARIES.

Until modified in accordance with law, the boundaries of the Village of Tobaccoville are as follows:

LEGAL DESCRIPTION FOR THE TOBACCOVILLE TOWN LIMITS

BEGINNING on an iron pin in the center of King-Tobaccoville Road (SR 1611), said iron pin lying distant South 31 deg. 45 min. 19 sec. West 1663.49 feet from North Carolina Geodetic Survey monument "King"; running thence perpendicular to the centerline of said King-Tobaccoville Road 30.0 feet to a point in the northwestern right-

1 of-way line of said King-Tobaccoville Road; thence southwardly with the northwestern
2 right-of-way line of said King-Tobaccoville Road and 30.0 feet from the centerline to
3 the northeast corner of Lot No. 123 of Forsyth County Tax Block 4728; thence,
4 westwardly with the north line of said Lot No. 123, 489.02 feet to the northwest corner
5 of the 1.619 acre tract currently zoned I-2 from said Lot No. 123 as is shown on sheet
6 D1 of the Official Zoning Map of Forsyth County as is recorded in the office of the
7 City-County Planning Board; thence, with said 1.619 acre tract, the two (2) following
8 lines, namely: southwardly 72.3 feet; thence, eastwardly with the south line of said
9 1.619 acre tract to a point lying 300 feet westwardly from the centerline of said King-
10 Tobaccoville Road at its nearest point; thence, parallel with said King-Tobaccoville
11 Road and 300 feet westwardly of its center to a point 300 feet northwardly of the center
12 of Spainhour Mill Road at its nearest point; thence, parallel with said Spainhour Mill
13 Road and 300 feet from its centerline to the eastern margin of Butner Road (SR 1607);
14 thence, southwestwardly with the eastern margin of said Butner Road extended to a
15 point in the southern margin of said Spainhour Mill Road; thence, eastwardly with the
16 said southern margin of Spainhour Mill Road to a point in the southern line of Lot No.
17 43C of Forsyth County Tax Block 4729; thence, southwardly to a point in the west line
18 of Lot No. 39D of said Tax Block 4729, said point lying 300 feet southwardly from the
19 center of said Spainhour Mill Road at its nearest point; thence, parallel with the
20 centerline of said Spainhour Mill Road in an eastward direction to a point in the
21 northwardly extension of the west line of Forsyth County Tax Block 4728A; thence,
22 southwardly with the west line of said Tax Block 4728A to the southwest corner of said
23 Tax Block 4728A; thence eastwardly to a corner of said Tax Block 4728A; thence,
24 southwardly with said Tax Block 4728A to a corner of said Tax Block 4728A in the
25 northern margin of Southern Railroad; thence, with the said northern margin of said
26 Southern Railroad to the southeast corner of said Tax Block 4728A; thence, with the
27 east line of said Tax Block 4728A to the northwest corner of Lot No. 16 of Forsyth
28 County Tax Block 4723; thence, with the north line of said Lot No. 16 to the northeast
29 corner of said Lot No. 16; thence with the east line of said Lot No. 16 to the northwest
30 corner of Lot No. 15B of Forsyth County Tax Block 4723; thence, eastwardly with the
31 north side of said Lot No. 15B to the eastern margin of Snyder Farm Road (SR1609);
32 thence, northwardly with the eastern margin of said Snyder Farm Road to the southwest
33 corner of Lot No. 8 of Tax Block 4728B; thence, eastwardly to a corner of said Tax
34 Block 4728B; thence, northwardly with the east side of Tax Block 4728B to a point 300
35 feet southwardly from the center of said Spainhour Mill Road at its nearest point;
36 thence, eastwardly and parallel to the centerline of said Spainhour Mill Road and 300
37 feet southwardly of said centerline to a point in the west line of Lot No. 16L of Forsyth
38 County Tax Block 4728; thence, southward with the west line of said Lot No. 16L, 150
39 feet; thence, parallel with the centerline of said Spainhour Mill Road to a point in the
40 west line of Tax Lot No. 16K of said Tax Block 4728; thence, northwardly with the
41 west line of said Tax Lot No. 16K to a point located 300 feet southward of the
42 centerline of said Spainhour Mill Road at its nearest point; thence, eastward and parallel
43 with the centerline of said Spainhour Mill Road to a point 300 feet westwardly of the
44 centerline of King-Tobaccoville Road at its nearest point; thence, southwardly and

1 parallel to the centerline of said King-Tobaccoville Road and 300 feet westwardly of
2 said centerline to a point in the north line of Lot No. 3 of Forsyth County Tax Block
3 4725; thence, westwardly with the north line of said Lot No. 3 to the northwest corner
4 of said Lot No. 3; thence, southwardly with the west line of said Lot No. 3 to the center
5 of Southern Railroad; thence, southeastwardly with the center of Southern Railroad to a
6 point 300 feet westwardly of the centerline of said King-Tobaccoville Road at its
7 nearest point; thence, southwardly and parallel to the centerline of said King-
8 Tobaccoville Road to a point 300 feet northwardly from the center of Rolling Hill Road
9 (SR 1612) at its nearest point; thence, westwardly and parallel to the centerline of said
10 Rolling Hill Road to a point in the northern extension of the western line of Lot No. 7B
11 of Forsyth County Tax Block 4723; thence, southeastwardly and falling in with the
12 western line of said Lot No. 7B to a point in the northern margin of said Rolling Hill
13 Road; thence, southwardly and perpendicular to said Rolling Hill Road to a point in the
14 southern margin of said Road; thence, eastwardly with the southern margin of said
15 Rolling Hill Road to a point in the western line of Lot No. 5C of Forsyth County Tax
16 Block 4726; thence, southwardly to the southwest corner of said Lot No. 5C; thence,
17 eastwardly with the south line of said Lot No. 5C and continuing to the eastern corner of
18 Lot No. 5H of Forsyth County Tax Block 4723; thence, southwardly with the east line
19 of said Lot No. 5H to a point 300 feet northwardly of the center of Tobaccoville Road
20 (SR 1620) at its nearest point; thence, westwardly and parallel with the centerline of
21 said Tobaccoville Road to a point 300 feet northward of a point in the centerline of said
22 Tobaccoville Road located 1200 feet eastwardly of the intersection of the centerline of
23 said Tobaccoville Road and the centerline of Flip Newsom Road (SR 1613); thence,
24 perpendicular to the centerline of said Tobaccoville Road in a northwestwardly
25 direction, 300 feet; thence, parallel with the centerline of said Tobaccoville Road to a
26 point in the western line of Tax Lot No. 6E of Forsyth County Tax Block 4723; thence,
27 southeastwardly with the west side of said Tax Lot No. 6E to a point 300 feet
28 northwardly of the centerline of said Tobaccoville Road at its nearest point; thence,
29 westwardly and parallel with the centerline of said Tobaccoville Road to a point 300
30 feet eastwardly of the center of Flip Newsom Road (SR 1613) at its nearest point;
31 thence northwardly and parallel with the center of said Flip Newsom Road to a point in
32 the northeast line of Lot No. 33 of Forsyth County Tax Block 4724; thence,
33 southwestwardly to the northwest corner of Lot No. 10A of Forsyth County Tax Block
34 4723; thence, southwardly with the west line of said Lot No. 10A to a point 300 feet
35 northwardly of the center of said Tobaccoville Road at its nearest point; thence,
36 southwestwardly and parallel with the centerline of said Tobaccoville Road to a point
37 300 feet northwardly of the center of Ridge Road (SR 1614) at its nearest point; thence,
38 westwardly and parallel to the centerline of said Ridge Road to a point in the east line
39 of Lot No. 12 of said Tax Block 4723; thence, northwardly with the east line of said Lot
40 No. 12, 750 feet; thence westwardly and perpendicular to the east line of said Lot No.
41 12, 300 feet; thence southwardly and parallel with the east line of said Lot No. 12 to a
42 point 300 feet northwardly of the center of said Ridge Road at its nearest point; thence,
43 westwardly and parallel to the centerline of said Ridge Road to a point in the east line of
44 Lot No. 29 of said Tax Block 4723; thence, northwardly with the east line of said Lot

1 No. 29 150 feet; thence, westwardly and parallel with the centerline of said Ridge Road
2 to the western line of said Lot No. 29; thence, southwardly with the west line of said Lot
3 No. 29 to a point 300 feet northwardly of the center of said Ridge Road at its nearest
4 point; thence, westwardly and parallel to the centerline of said Ridge Road to a point in
5 the east line of Lot No. 26H of said Tax Block 4723; thence, northwardly to the
6 northernmost corner of Lot No. 26C of said Tax Block 4723; thence, northwardly to the
7 northernmost corner of Lot No. 26T of said Tax Block 4723; thence, northwardly to the
8 northeast corner of Lot No. 102F of said Tax Block 4723; thence, northwardly to the
9 northeast corner of Lot No. 102N of said Tax Block 4723; thence, northwardly to the
10 northeast corner of Lot No. 102B of said Tax Block 4723; thence, westwardly with the
11 north line of said Lot No. 102B to a point in the southward extension of the eastern line
12 of Lot No. 102D of said Tax Block 4723; thence, northwardly falling in with the eastern
13 lines of Lot No. 102D and Lot No. 26L of said Tax Block 4723 to the northeast corner
14 of said Lot No. 26L; thence, westwardly with the north line of said Lot No. 26L to the
15 northwest corner of Lot No. 26L in the east line of Lot No. 25 of the said Tax Block
16 4723; thence, southwardly with the east line of said Lot No. 25 to the southeast corner
17 of said Lot No. 25; thence, westwardly with the south line of said Lot No. 25 to the
18 northwest corner of Lot No. 23K of Forsyth County Tax Block 4740; thence,
19 southwardly with the western line of said Lot No. 23K to the southwest corner of said
20 Lot No. 23K; thence, eastwardly to the southeast corner of Lot No. 23N of said Tax
21 Block 4740; thence, southwardly with the west line of Lot No. 23F of said Tax Block
22 4740 to the northern margin of said Ridge Road; thence, crossing said Ridge Road on a
23 line perpendicular to its centerline to a point 300 feet southwardly of the centerline of
24 said Ridge Road at its nearest point; thence, eastwardly and parallel with the centerline
25 of said Ridge Road to a point 300 feet westwardly of the centerline of said Tobaccoville
26 Road at its nearest point; thence, southwardly and parallel with the centerline of said
27 Tobaccoville Road to a point in the northern margin of Boiling Springs Road (SR
28 1616); thence, eastwardly with the northern margin of said Boiling Springs Road to a
29 point in the center of said Tobaccoville Road; thence, eastwardly and perpendicular
30 with the centerline of said Tobaccoville Road at the last said point, 300 feet; thence,
31 northwardly and parallel with the centerline of said Tobaccoville Road to a point 300
32 feet southwardly from the centerline of Kenleigh Forest Road at its nearest point;
33 thence, parallel with the centerline of said Kenleigh Forest Road, eastwardly and
34 southwardly to a point in the southern line of Lot No. 62J of Forsyth County Tax Block
35 4740; thence, eastwardly with the southern line of said Lot No. 62J extended to a point
36 300 feet eastwardly of the centerline of said Kenleigh Forest Road at its nearest point;
37 thence, northwardly and parallel with the centerline of said Kenleigh Forest Road to a
38 point 300 feet eastwardly of the centerline of Tabernacle Road (SR 1622) at its nearest
39 point; thence, northwardly and parallel with the centerline of said Tabernacle Road to a
40 point 300 feet eastwardly of the centerline of said Tobaccoville Road at its nearest
41 point; thence, northwardly and parallel with the centerline of said Tobaccoville Road to
42 a point 300 feet southwardly of the centerline of Reid Road (SR 1623) at its nearest
43 point; thence, eastwardly and parallel to the centerline of said Reid Road to a point in
44 the east line of said Tax Block 4740; thence, northwardly with the east line of said Tax

1 Block 4740 to a point 300 feet northwardly of the centerline of said Reid Road at its
2 nearest point; thence, westwardly and parallel with the centerline of said Reid Road to a
3 point 300 feet eastwardly of the centerline of said Tobaccoville Road at its nearest
4 point; thence, northwardly and parallel with the centerline of said Tobaccoville Road to
5 a point 300 feet from a point in the centerline of said Tobaccoville Road lying 850 feet
6 westward of the intersection of the centerline of said Tobaccoville Road and the
7 centerline of Bethania-Tobaccoville Road; thence, southward on a line perpendicular to
8 the centerline of said Tobaccoville Road 300 feet; thence, eastward on a line parallel
9 with said Tobaccoville Road to a point in the east line of Tax Lot No. 8A of Tax Block
10 4742; thence, northwardly with the east side of said Tax Lot No. 8A to a point 300 feet
11 from the centerline of said Tobaccoville Road at its nearest point; thence, eastward and
12 parallel with said Tobaccoville Road to a point 300 feet westwardly of the centerline of
13 Bethania-Tobaccoville Road at its nearest point; thence, southwardly and parallel with
14 the centerline of said Bethania-Tobaccoville Road to a point 300 feet northwardly of the
15 western extension of the centerline of Worrell Drive (SR 3920); thence, westwardly and
16 parallel with the northern line of Lot No. 12A of Forsyth County Tax Block 4742 to a
17 point in the east line of Lot No. 8A of said Tax Block 4742; thence, southwardly with
18 the east line of said Lot No. 8A to a point 300 feet southwardly of the western extension
19 of the centerline of said Worrell Drive; thence eastwardly and parallel with the
20 centerline of said Worrell Drive and its westward extension to a point 300 feet
21 southwestwardly of the centerline of said Bethania-Tobaccoville Road at its nearest
22 point; thence, southeastwardly and parallel with the centerline of said Bethania-
23 Tobaccoville Road to a point in the northwestern line of Lot No. 14A of said Tax Block
24 4742; thence, southwestwardly with the northwestern line of said Lot No. 14A extended
25 to a point in the northeastern extension of the northwestern line of Lot No. 13A of said
26 Tax Block 4742; thence, southwestwardly and falling in with the northwestern line of
27 said Lot No. 13A to the westernmost corner of said Lot No. 13A; thence, with the
28 southwestern line of said Lot No. 13A to the southernmost corner of said Lot No. 13A;
29 thence, northeastwardly with the southeastern lines of said Lot No. 13A and Lot No.
30 13B of said Tax Block 4742 to an eastern corner of said Lot No. 13B; thence,
31 northeastwardly and parallel with the eastern portion of the centerline of said Worrell
32 Drive to a point 300 feet southwestwardly of the centerline of said Bethania-
33 Tobaccoville Road at its nearest point; thence, southwardly and parallel with the
34 centerline of said Bethania-Tobaccoville Road to a point on the line perpendicular to the
35 centerline of said Bethania-Tobaccoville Road at its intersection with the centerline of
36 Griffin Road (SR 1898); thence, northeastwardly to the intersection of the north margin
37 of said Bethania-Tobaccoville Road and the north margin of said Griffin Road; thence,
38 eastwardly with the northern margin of said Griffin Road to a point 300 feet
39 northeastwardly of the centerline of said Bethania-Tobaccoville Road at its nearest
40 point; thence, northwardly and parallel with the centerline of said Bethania-
41 Tobaccoville Road to a point in the eastern line of Lot No. 31 of Tax Block 4725;
42 thence, northwardly with the east line of said Lot No. 31, 350 feet; thence, westward
43 on a line perpendicular to the eastern line of said Lot No. 31 to the western line of said Lot
44 No. 31; thence, southward with the western line of said Lot No. 31 to a point 300 feet

1 northeast of the centerline of said Bethania-Tobaccoville Road at its nearest point;
2 thence, northwardly and parallel with the centerline of said Bethania-Tobaccoville Road
3 to a point in the eastern line of Lot No. 18 of said Tax Block 4725; thence northwardly
4 with the eastern line of said Lot No. 18 and falling in with the eastern line of Forsyth
5 County Tax Block 4755 to a point 300 feet southwardly of the centerline of said
6 Tobaccoville Road at its nearest point; thence, eastwardly and parallel with the
7 centerline of said Tobaccoville Road to a point 500 feet westwardly of the centerline of
8 Stroupe Road (SR 1633) at its nearest point; thence, southwardly on a line perpendicular
9 to said Tobaccoville Road to a point 397.25 feet northward of the southern line of Lot
10 No. 614 of Tax Block 4725; thence, eastward and parallel with the southern line of said
11 Lot No. 614 to the northwest corner of Lot No. 615 of said Tax Block 4725; thence,
12 eastward with the north line of said Lot No. 615 to a point 300 feet westwardly of the
13 centerline of said Stroupe Road (SR 1633) at its nearest point; thence, parallel with the
14 centerline of said Stroupe Road, southwardly and eastwardly, to a point in the eastern
15 line of Lot No. 43X of Tax Block 4725; thence, northward with the east side of said Lot
16 No. 43X extended to the north side of said Stroupe Road in the southern line of Lot No.
17 420 of Tax Block 4725; thence, westwardly with the north line of said Stroupe Road to
18 the eastern line of Lot No. 42K of said Tax Block 4725; thence, northwardly with the
19 east line of said Lot No. 42K to a point 300 feet northwardly of the centerline of said
20 Stroupe Road at its nearest point; thence, westwardly and parallel with the centerline of
21 said Stroupe Road to a point in the west line of said Lot No. 42K; thence, northwardly
22 and falling in with the east line of Forsyth County Tax Block 4725A to the southern line
23 of Lot No. 117B of said Tax Block 4725; thence, eastwardly to the southeastern corner
24 of Lot No. 119B of said Tax Block 4725; thence, northwardly and falling in with the
25 west line of Lot No. 41C of said Tax Block 4725 to a point 300 feet southwardly of the
26 centerline of said Tobaccoville Road at its nearest point; thence, eastwardly and parallel
27 with the centerline of said Tobaccoville Road to a point in the eastern margin of U. S.
28 Highway No. 52; thence, northwestwardly with the eastern margin of said U. S.
29 Highway No. 52 to a point 300 feet northwardly of the centerline of Tobaccoville Road
30 at its nearest point; thence, westwardly and parallel with the centerline of said
31 Tobaccoville Road to a point in the centerline of the track of Southern Railway; thence,
32 eastwardly with the centerline of said Southern Railway to the eastern margin of said U.
33 S. Highway No. 52; thence, northwestwardly with the eastern right-of-way line of said
34 U. S. Highway No. 52 to the southern right-of-way line of Moore-RJR Drive (North
35 Carolina Department of Transportation Project No. 8.1620801); thence eastwardly with
36 the said southern right-of-way line of Moore-RJR Drive to the eastern terminus of said
37 Project No. 8.1620801; thence, northwardly with the eastern terminus of said Project
38 No. 8.1620801 to the southern edge of pavement of said Moore-RJR Drive; thence,
39 westwardly with the said southern edge of pavement to the western terminus of said
40 Project No. 8.1620801; thence, southwardly with the said western terminus of said
41 Project No. 8.1620801 to the common corner of said Moore-RJR Drive at Ramp "D" of
42 said Project No. 8.1620801 and the property of RJR designated as Block 4727, Lot
43 128B of the Forsyth County Tax Records (" RJR Property"); thence, continuing
44 southwardly along the extension of last said line 50 feet to a point; thence, eastwardly

1 and southwardly parallel to and at all points 50 feet from the common boundary line of
2 the RJR Property and said Ramp "D" and the western right-of-way line of said U. S.
3 Highway No. 52 to a point 50 feet northwardly of the northern right-of-way line of
4 Southern Railway at its nearest point; thence, westwardly parallel to and at all points 50
5 feet from the common line of the RJR Property and the northern right-of-way line of
6 said Southern Railway to a point 50 feet eastwardly from the eastern right-of-way line
7 of said King-Tobaccoville Road at its nearest point; thence, northwardly parallel to and
8 at all points 50 feet from the common line of said RJR Property and the said eastern
9 right-of-way line of said King-Tobaccoville Road to a point on a line perpendicular to
10 the said eastern right-of-way line of said King-Tobaccoville Road, which line also runs
11 through the point and place of beginning; thence, along said perpendicular line to the
12 point and place of beginning.

13 "CHAPTER III.

14 "INVOLUNTARY ANNEXATION EXCLUSION AREA.

15 "Sec. 3.1. The Village of Tobaccoville shall not, for a period of 40 years from the
16 earlier of the incorporation of the Village of Tobaccoville or the effective date of the
17 Amendment to the City of King Charter enacted during the 1991 Session of the General
18 Assembly, involuntarily annex any property owned by R.J. Reynolds Tobacco
19 Company, a New Jersey corporation ('Reynolds'), as of February 11, 1991, in the area
20 that is bounded on the east by U.S. Highway 52, on the west by King-Tobaccoville
21 Road, and on the south by a right-of-way of Southern Railway, less and except that area
22 proposed to be included in the Village of Tobaccoville upon incorporation and that area
23 proposed to be annexed by the City of King, as more particularly described in the
24 Agreement referred to in Chapter IV below and incorporated herein and described there
25 as the 'Industrial Opportunity Area,' and as more particularly shown on the map
26 attached to the Agreement as Exhibit E.

27 "Sec. 3.2. The Village of Tobaccoville shall not, for a period of 10 years from the
28 effective date of this Charter, annex any property lying west of King-Tobaccoville Road
29 and east of Butner Road between Spainhour Mill Road and the Forsyth County/Stokes
30 County line, except for certain properties marked 'excluded' on Exhibit F to the
31 Agreement by and among the City of King, Reynolds, and the Steering Committee for
32 the Incorporation of the Village of Tobaccoville (the 'Agreement').

33 "CHAPTER IV.

34 "AUTHORITY TO ENTER INTO AGREEMENT.

35 "Sec. 4.1. This act specifically authorizes the Village of Tobaccoville to enter into
36 and to affirm and ratify an Agreement by and among the City of King, R.J. Reynolds
37 Tobacco Company and the Steering Committee for the Incorporation of Tobaccoville
38 dated February 11, 1991. A copy of the Agreement is incorporated herein by reference.
39 This act further authorizes the Village of Tobaccoville and the parties to the Agreement
40 to modify and amend the Agreement, upon mutual consent of the parties, without the
41 ratification of this legislature.

42 "CHAPTER V.

43 "GOVERNING BODY.

1 "Sec. 5.1. **Structure of the Governing Body and Number of Members.** The
2 governing body of the Village of Tobaccoville shall be the Mayor and the Village
3 Council. The Village Council shall have four members.

4 "Sec. 5.2. **Manner of Electing Council.** The qualified voters of the entire Village
5 shall elect members of the Village Council.

6 "Sec. 5.3. **The Term of Office of Council Members.** In 1991, four members of the
7 Council shall be elected. The two persons receiving the highest number of votes shall
8 be elected for four-year terms, and the two persons receiving the next highest number of
9 votes shall be elected for two-year terms. In 1993 and biennially thereafter, two
10 members of the Council shall be elected for four-year terms.

11 "Sec. 5.4. **Selection of Mayor and Term of Office.** The qualified voters of the
12 entire Village shall elect the Mayor. A Mayor shall be selected in 1991 and every two
13 years thereafter for a two-year term.

14 The Mayor of Tobaccoville shall have the same voting rights and privileges and
15 shall be subject to the same voting limitations and requirements as are Council members
16 under the general law. In determining a quorum, the Mayor shall be treated as a
17 member of the Council. The Mayor, after participating with Council members in a vote
18 that results in a tie, may not vote a second time to break that tie.

19 "CHAPTER VI.

20 "ELECTIONS.

21 "Sec. 6.1. **Type of Election.** The Village officers shall be elected on a nonpartisan
22 basis and the results determined by the plurality method as provided by G.S. 163-292.

23 "Sec. 6.2. **Date of Election.** Elections shall be conducted in accordance with
24 Chapter 163 of the General Statutes, with the first election of Village officers on
25 November 5, 1991.

26 "Sec. 6.3. **Absentee Voting.** Absentee voting shall be allowed as if the municipal
27 governing body had adopted a resolution under G.S. 163-302 to allow absentee voting.

28 "CHAPTER VII.

29 "ADMINISTRATION.

30 "Sec. 7.1. **Mayor-Council Form of Government.** (a) The Village of
31 Tobaccoville shall operate under the mayor-council plan as provided in Part 3 of Article
32 7 of Chapter 160A of the General Statutes and any other charter provision not in
33 conflict therewith.

34 (b) The Village Council may appoint such officers and employees as may be
35 necessary, none of whom need be a resident of the Village at the time of appointment.
36 Such employees or officers shall serve at the pleasure of the Village Council. The
37 Village Council shall fix all salaries, prescribe bonds, and require such oaths as they
38 may deem necessary.

39 (c) The Village Council shall choose a Village Clerk. The Village Clerk shall
40 keep the records of the Village Council and perform other duties as may be required by
41 law or the Village Council.

42 (d) The Council may assign additional functions or duties to offices, departments,
43 or agencies. Where the positions are not incompatible, the Council may combine in one

1 person the powers and duties of two or more offices created or authorized by this
2 Charter.

3 "Sec. 7.2. Transitional Government.

4 Until the Mayor and members of the Village Council are elected in 1991 in
5 accordance with the Village Charter and the law of North Carolina, officers of the
6 Tobaccoville Incorporation Steering Committee shall serve as the interim governing
7 body. Terry Shore, the Chairman of the Steering Committee, shall be the interim Mayor
8 and the following members of the committee shall serve as interim Council members
9 until the results of the 1991 election are certified and the newly-elected successors take
10 office: Ken Bradstock, Kay G. Long, Beth White, and Greg Horton. Vacancies in the
11 interim Council shall be filled by appointment made by the remaining members. A
12 vacancy in the office of interim Mayor shall be filled by appointment made by the
13 interim governing board.

14 The first Council meeting will be the organizational meeting.

15 "Sec. 7.3. **Taxes and Budget.** From and after July 1, 1991, the citizens and
16 property in the Village of Tobaccoville shall be subject to municipal taxes levied for the
17 year beginning July 1, 1991, and for that purpose, the Village shall obtain from Forsyth
18 County a record of property in the area herein incorporated which was listed for taxes as
19 of January 1, 1991, and the businesses in the Village shall be liable for privilege license
20 tax from the effective date of the privilege license tax ordinance.

21 The Village may adopt a budget ordinance for fiscal year 1990-91 without following
22 the timetable in the local Government Budget and Fiscal Control Act, but shall follow
23 the sequence of actions in the spirit of the act insofar as is practical. No property taxes
24 may be levied for the calendar year beginning January 1, 1990, through June 30, 1991.

25 The Village may adopt a budget ordinance for fiscal year 1991-92 without following
26 the timetable in the Local Government Budget and Fiscal Control Act, but shall follow
27 the sequence of actions in the spirit of the act insofar as is practical.

28 The Village of Tobaccoville will be eligible to receive distributions of State funds
29 during fiscal year 1991-92 as if it had been incorporated with an effective date of June
30 30, 1991."

31 Sec. 2. (a) The Forsyth County Board of Elections shall conduct an election
32 on a date set by it, to be not less than 60 nor more than 120 days after the date of
33 ratification of this Charter, for the purpose of submission to the qualified voters of the
34 area described in Chapter II of the CHARTER FOR THE VILLAGE OF
35 TOBACCOVILLE, the question of whether or not such area shall be incorporated as
36 Tobaccoville. Registration for the election shall be conducted in accordance with G.S.
37 163-288.2.

38 (b) In the election, the questions on the ballot shall be:

39 1. **FOR** incorporation of Tobaccoville

40 **AGAINST** incorporation of Tobaccoville

41 2. If incorporation is approved, the name of the incorporated area shall be

42 City of Tobaccoville

43 Town of Tobaccoville

44 Village of Tobaccoville

1 (c) In such election, if a majority of the votes cast are not cast **FOR**
2 incorporation of Tobaccoville, this Charter shall have no force and effect.

3 (d) In such election, if a majority of the votes are cast **FOR** incorporation of
4 Tobaccoville, this Charter shall become effective on the date that the Forsyth County
5 Board of Elections determines the result of the election and the Village of Tobaccoville
6 shall have that name which receives the highest number of votes in question 2 with all
7 provisions of this Charter being deemed modified to reflect such name.

8 **PART II. KING**

9 Sec. 3. Article II of the Charter of the City of King, being Chapter 351,
10 Session Laws of 1983, as amended, is rewritten to read:

11 **"ARTICLE II.**

12 **"CORPORATE BOUNDARIES.**

13 "Sec. 2.1. Until changed in accordance with law, the boundaries of the City of King
14 consist of the area within the corporate limits on June 30, 1991, and also the following:

15 **(AREA 'A')**

16 BEGINNING on a concrete right-of-way monument located on the Southwest right-of-
17 way line of US Highway #52, said monument being a present corner of the City of King
18 boundary and said monument being located South 37 degrees 46 minutes 09 seconds
19 East 994.51 feet from a North Carolina Grid monument in the North Carolina Grid
20 System entitled 'King', having the grid system coordinate of x=1, 597, 446.35 and
21 y=916,217.01, thence with the present boundary line of the City of King the following
22 eleven (11) courses and distances: crossing said Highway North 75 degrees 20 minutes
23 32 seconds East 320.36 feet to a point in the Northeast right-of-way of US Highway
24 #52; thence along the said right-of-way the following seven (7) courses and distances:
25 North 38 degrees 04 minutes 43 seconds West 73.46 feet to a point; thence along a
26 spiral chord to the right North 36 degrees 46 minutes 30 seconds West 191.72 feet to a
27 point; thence South 55 degrees 55 minutes 16 seconds West 30.00 feet to a point; thence
28 a curve to the right North 25 degrees 19 minutes 44 seconds West a chord distance of
29 409.03 feet with a radius of 1344.39 feet to a point; thence along the spiral chord to the
30 right, North 13 degrees 53 minutes 25 seconds West 193.81 feet to a point; thence North
31 12 degrees 34 minutes 44 seconds West 80.38 feet to a point; thence along a spiral
32 chord to the left North 13 degrees 39 minutes 55 seconds West 59.02 feet to a point;
33 thence South 88 degrees 38 minutes 29 seconds East 61.87 feet to an existing iron stake
34 and continuing along the same course 249.56 feet for a total distance of 311.43 feet to
35 an existing iron stake, thence North 01 degrees 23 minutes 21 seconds East 188.49 feet
36 to a point; thence South 88 degrees 42 minutes 18 seconds East 676.94 feet to an
37 existing iron; thence South 88 degrees 30 minutes 09 seconds East 790.93 feet to a
38 point; thence South 89 degrees 13 minutes 09 seconds East 155.59 feet to a point;
39 thence South 1 degree 37 minutes 46 seconds West 535.37 feet to a point; thence South
40 00 degrees 32 minutes 36 seconds West 558.11 feet to a point; thence North 87 degrees
41 36 minutes 03 seconds West 498.30 feet to a point; thence South 3 degrees 56 minutes
42 35 seconds West 1162.28 feet to a point on the Northeast right-of-way line of US
43 Highway #52; thence along said right-of-way the following courses and distances;
44 South 38 degrees 05 minutes 51 seconds East 145.53 feet to a concrete right-of-way

1 monument; North 51 degrees 39 minutes 09 seconds East 9.87 feet to a concrete right-
2 of-way monument; South 38 degrees 05 minutes 11 seconds East 203.20 feet to
3 concrete right-of-way monument; South 51 degrees 55 minutes 16 seconds West 10.00
4 feet to a concrete right-of-way monument; South 38 degrees 05 minutes 29 seconds East
5 697.59 feet to a concrete right-of-way monument; North 51 degrees 55 minutes 17
6 seconds East 29.85 feet to a concrete right-of-way monument; thence South 38 degrees
7 04 minutes 24 seconds East 602.27 feet to a concrete right-of-way monument; South 51
8 degrees 47 minutes 21 seconds West 29.78 feet to a concrete right-of-way monument;
9 South 38 degrees 04 minutes 15 seconds East 311.75 feet to a concrete right-of-way
10 monument; South 58 degrees 00 minutes 40 seconds East 382.26 feet to a concrete
11 right-of-way monument; South 75 degrees 02 minutes 27 seconds East 191.13 feet to a
12 concrete right-of-way monument; South 75 degrees 02 minutes 40 seconds East 227.63
13 feet to a concrete right-of-way monument; South 54 degrees 11 minutes 57 seconds East
14 207.43 feet to a concrete right-of-way monument; South 39 degrees 36 minutes 20
15 seconds East 122.61 feet to a concrete right-of-way monument; South 28 degrees 11
16 minutes 36 seconds East 166.35 feet to a concrete right-of-way monument; South 84
17 degrees 33 minutes 55 seconds East 66.63 feet to a concrete right-of-way monument;
18 South 75 degrees 50 minutes 15 seconds East 158.32 feet to a concrete right-of-way
19 monument; North 69 degrees 19 minutes 30 seconds East 279.64 feet to a concrete
20 right-of-way monument; North 38 degrees 38 minutes 40 seconds East 248.78 feet to a
21 concrete right-of-way monument; thence North 89 degrees 11 minutes 17 seconds East
22 43.13 feet to a point at the East edge of pavement of the Moore-RJR Drive (SR #1634);
23 thence along the East and South edge of pavement a curve to the right, said curve
24 having a radius of 492.10 feet, a delta angle of 76 degrees 07 minutes 45 seconds and a
25 chord bearing and chord distance of South 47 degrees 55 minutes 47 seconds West
26 606.81 feet to a point; thence continuing with said South edge of pavement South 85
27 degrees 59 minutes 39 seconds West 879.35 feet, crossing said Highway #52 to a point;
28 thence along said South edge of pavement South 85 degrees 28 minutes 45 seconds
29 West 458.31 feet to a point; thence continuing along South edge of pavement South 86
30 degrees 55 minutes 19 seconds West 462.50 feet to a point in the West line of the
31 Department of Transportation's property (State Highway Project No. 8.1620801)
32 described in deed from R.J. Reynolds Tobacco Company to the Department of
33 Transportation in Book 1453, Page 0683, Forsyth County Register of Deeds; thence
34 along the right-of-way lines of Moore-RJR Drive and US Highway #52 the following
35 thirteen (13) courses and distances; North 00 degrees 01 minutes 53 seconds West
36 145.11 feet to a concrete monument; South 86 degrees 12 minutes 51 seconds East
37 147.64 feet to a concrete right-of-way monument; North 86 degrees 00 minutes 02
38 seconds East 214.02 feet to a concrete monument; North 7 degrees 37 minutes 33
39 seconds West 293.68 feet to a concrete right-of-way monument; North 11 degrees 15
40 minutes 49 seconds West 371.72 feet to a concrete right-of-way monument; North 26
41 degrees 26 minutes 56 seconds West 194.47 feet to a concrete right-of-way monument;
42 North 38 degrees 03 minutes 03 seconds West 656.79 feet to a point; North 38 degrees
43 03 minutes 04 seconds West 662.68 feet to a point; South 48 degrees 00 minutes 02
44 seconds West 20.05 feet to a point; North 38 degrees 07 minutes 32 seconds West

1 462.02 feet to a point; North 38 degrees 07 minutes 17 seconds West 146.23 feet to a
2 point; North 53 degrees 39 minutes 28 seconds East 20.05 feet to a point; North 38
3 degrees 09 minutes 03 seconds West 471.24 feet to a point; thence North 87 degrees 00
4 minutes 48 seconds West 667.61 feet to a point; North 1 degree 37 minutes 58 seconds
5 East 100.02 feet to a point; North 5 degrees 55 minutes 01 second East 611.43 feet to a
6 point; thence North 49 degrees 56 minutes 11 second East 10.17 feet to the point of
7 BEGINNING. Containing 106.1186 acres, more or less.

8

9 All Bearings are oriented to the North Carolina Grid System.

10

(AREA 'B')

11 BEGINNING on an existing iron stake West of the King-Tobaccoville Road, said iron
12 being a present boundary corner for the City of King and being located South 38
13 degrees 38 minutes 58 seconds East 290.28 feet from NCGS monument entitled 'King',
14 said grid monument coordinates being x=1,597,446.35, y=916,217.01; thence with said
15 City of King's boundary, crossing the King-Tobaccoville Road, South 00 degrees 30
16 minutes 08 seconds East 272.67 feet to an existing iron stake on the East right-of-way
17 line; thence with said right-of-way line a curve to the right, said curve having a radius of
18 2914.93 feet, a bearing of South 32 degrees 14 minutes 06 seconds West 395.08 feet to
19 a point; thence continuing along said right-of-way North 53 degrees 52 minutes 45
20 seconds West 20.00 feet to a point; thence continuing with said right-of-way South 36
21 degrees 07 minutes 15 seconds West 755.64 feet to a point at the back of curb of the
22 Northern entrance to the Reynolds Tobacco Company; thence crossing said King-
23 Tobaccoville Road North 53 degrees 52 minutes 45 seconds West 60.00 feet to a point;
24 thence parallel with the center line of said highway, being along the right-of-way,
25 Southwestwardly to a point, the Southeastern corner of Lot #202B, Block 4728, Forsyth
26 County Tax Map; thence with the North line of Lot #123 and the South line of Lot
27 #202B, Forsyth County Tax Block 4728, Westwardly to the Southwest corner of Said
28 Lot #202B, said point being a corner of Lot #12R, Forsyth County Tax Block 4728;
29 thence with the West line of Lots #202B, 202A and 201 and being with the East line of
30 Lot #12R, Northwardly to a point in the South line of Forsyth County Tax Block 4728C
31 (said Block 4728C is Coventry Forest Subdivision); thence with the South line of Tax
32 Block 4728C Westwardly to a point, the Southwest corner of Tax Block 4728C; thence
33 with the Western lines of Tax Block 4728C Northwardly to a point the Northwest
34 corner of Tax Block 4728C; thence with the North line of Tax Block 4728C and with
35 the South lines of Lot 27, Tax Map #83, Stokes County Tax Maps, Map #83B, Stokes
36 County Tax Maps, Lot #26, Tax Map #83, Stokes County Tax Maps, Eastwardly to a
37 point, the Southeast corner of Lot #26; thence with the East line of Lot #26 and the
38 West line of Lot #25, Stokes County Tax Maps, Northwardly to a point in the South
39 right-of-way line of Newsome Road (SR 1222), said point being in the present boundary
40 line of the City of King; thence with the present boundary line of the City of King
41 Eastwardly along the South right-of-way line of Newsome Road (SR 1222) to the
42 Northeast corner of Lot #25, Tax Map #83; thence Southwardly with the East boundary
43 of Lot #25, Stokes County Tax Map #83, and being along the City of King's present
44 boundary to the Southwest corner of Lot #24, Tax Map #83, Stokes County Tax Maps;

1 thence with the South lines of Lot #24 and Lot #24A, Stokes County Tax Map #83 and
2 being along the present boundary of the City of King South 85 degrees 59 minutes 56
3 seconds East 958.15 feet to the point of BEGINNING.

4
5 Any and all bearings are oriented to North Carolina Grid.

6 **(AREA 'C')**

7 BEGINNING at a point where the North right-of-way line of Ingram Road (SR 1108)
8 intersects the Northeast right-of-way line of US Highway #52; thence with the North
9 right-of-way line of said Ingram Road (SR 1108) Eastwardly to the intersection of said
10 right-of-way line and the West right-of-way line of the King-Tobacoville Road (SR
11 1112); thence Northwardly along the West right-of-way line of the said King-
12 Tobacoville Road (SR 1112) to a point where the West right-of-way line intersects the
13 South right-of-way line of Meadowbrook Drive; thence Westwardly along the South
14 right-of-way line of Meadowbrook Drive (SR 1105) to a point where the South right-of-
15 way line of Meadowbrook Drive intersects the center line of US Highway #52; thence
16 Northwestwardly with the center line of US Highway #52 to a point, a corner of the
17 present boundary of the City of King, said point lying due South of the Southwestern
18 corner of Meadowbrook Estates Subdivision Plat referenced as Stokes County Tax Map
19 72-A as per the description of the City of King's Boundaries; thence due South to the
20 intersection of the Southwest right-of-way line of US Highway #52; thence with said
21 right-of-way line of US Highway #52 Southeastwardly to the Northernmost corner of
22 Lot #36 and the Easternmost corner of Lot #38 as shown on the Stokes County Tax Map
23 #83; thence Eastwardly crossing said highway to a point on the Northeast right-of-way
24 line, said point being shown as the Southernmost corner of Lot #42 and also shown as a
25 corner of Lot #44 Stokes County Tax Map #83; thence along said Northeast right-of-
26 way line of said highway Southeastwardly to the point of BEGINNING.

27
28 SAVE AND EXCEPT from this description any and all land that was described in the
29 original boundary of the City of King or of any subsequent annexation.

30 "Sec. 2.2. The City of King is expressly authorized, pursuant to Section 4 of the act
31 ratifying this charter amendment, to enter into the Agreement by and among the City of
32 King, R.J. Reynolds Tobacco Company, a New Jersey corporation ('Reynolds') and
33 the Steering Committee for the Incorporation of the Village of Tobacoville (the
34 'Agreement').

35 "Sec. 2.3. The City of King shall not, for a period of 40 years from the earlier of the
36 incorporation of the Village of Tobacoville or the effective date of this charter
37 amendment, involuntarily annex any property owned by Reynolds as of February 11,
38 1991, in the area that is bounded on the east by U.S. Highway 52, on the West by King-
39 Tobacoville Road, and on the South by a right-of-way of Southern Railway, less and
40 except that area proposed to be included in the Village of Tobacoville upon
41 incorporation and that area proposed to be annexed by the City of King, as more
42 particularly described in the Agreement as the 'Industrial Opportunity Area' and as more
43 particularly shown on the map attached to the Agreement as Exhibit E.

1 "Sec. 2.4. The City of King shall not, for a period of 10 years from the effective
2 date of this charter amendment, involuntarily annex any property lying west of King-
3 Tobacoville Road and east of Butner Road between Spainhour Mill Road and the
4 Forsyth County/Stokes County line, except for certain properties marked 'excluded' on
5 Exhibit F to the Agreement (this area is described in the Agreement as the 'Non-
6 Annexation Area')."

7 Sec. 4. This act specifically authorizes the City of King to enter into the
8 Agreement; a copy of the Agreement is incorporated herein by reference. This act
9 further authorizes the parties to the Agreement to modify and amend the Agreement,
10 upon mutual consent of the parties, without the ratification of this legislature.

11 **PART III. EFFECTIVE DATES**

12 Sec. 5. The agreement by and among the City of King, R.J. Reynolds
13 Tobacco Company and the Steering Committee for the incorporation of Tobacoville,
14 dated February 11, 1991, and incorporated in this act by reference shall be recorded by
15 the parties in the registries of Forsyth and Stokes Counties.

16 Sec. 6. Section 1 of this act is effective as provided herein. Sections 2, 4, and
17 5 of this act are effective upon ratification. Section 3 of this act becomes effective June
18 30, 1991.