

GENERAL ASSEMBLY OF NORTH CAROLINA
SECOND EXTRA SESSION 1996

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HOUSE BILL 19*

Short Title: Castle Hayne Incorporation.

(Local)

Sponsors: Representatives Nye and Wright.

Referred to: Rules, Calendar, and Operations of the House.

July 8, 1996

A BILL TO BE ENTITLED
AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A
REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. A Charter for the Town of Castle Hayne is enacted to read:

"CHARTER OF THE TOWN OF CASTLE HAYNE.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Sec. 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of Castle Hayne are a body corporate and politic under the name 'Town of Castle Hayne'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Sec. 2.1. **Town Boundaries.** Until modified in accordance with law, the boundaries of the Town of Castle Hayne are as follows:

Lying and being in New Hanover County and beginning at the center of the Northeast Cape Fear River in the northeasternmost point where Island Creek intersects the river and is the boundary of Pender County to the East, following said Island Creek southward under Holly Shelter Road, continuing South approximately 1 mile where Island Creek

1 departs from the New Hanover/Pender line running West and South to where Island
2 Creek meets Sidbury Road. From the South right-of-way boundary of Sidbury Road and
3 running at a West by West-South Westward direction along said Sidbury Road to where
4 it intersects with Blue Clay Road, thence South by Southwest on Blue Clay Road South
5 right-of-way to where Blue Clay Road intersects with Seaboard Railroad Track, from that
6 point an abrupt change to a Northern direction along the East boundary of said Seaboard
7 Coastline Railroad right-of-way to where it meets Hermitage Road, turning West along
8 the South side of Hermitage Road to US 117 and State Road 133 crossing said US 117
9 and State 133 to the Northern boundary of General Electric Company property, running
10 Westward along the Northern boundary of General Electric Company property to the
11 N.E. Cape Fear River continuing North by Northwest to the Northwest point of New
12 Hanover County and Brunswick County where they meet at center of N.E. Cape Fear
13 Channel. All of said boundaries are those relating to the Cape Fear 2 voting district and
14 stated as such on the maps of New Hanover County.

15 Save and except from the above description the following described property:

16 All that certain lot of land lying and being in Cape Fear Township, New Hanover
17 County, State of North Carolina, bounded and described as follows:

18 BEGINNING at the intersection of the properties of Ideal Basic Industries., Inc, and
19 Superior Stone Company with the north right-of-way line of Ideal Basic Industries, Inc.'s
20 125 foot wide railroad access. Said point of beginning being located North 07°16'05"
21 West, 145.07 feet from a concrete monument marked "Ideal Cement Company No. 29";
22 thence northerly, from the Point of Beginning, along the western line of the property
23 conveyed to Ideal Cement Company by P. R. Smith, said deed dated and recorded May
24 17, 1961, in Book 688, Page 19, Register of Deeds, New Hanover County, North
25 Carolina, North 07° 10' 05" West, 1446.30 feet to an old pipe; thence North 07° 14' 05"
26 West 559.5 feet to an old monument; thence North 07°15'40" West, 993.85 feet, crossing
27 an old monument at 782.70 feet to a point, said point being in a meander line running
28 along the south bank of the Northeast Cape Fear River and offset 25 feet, more or less,
29 southerly from the south bank of said river; thence continuing northeasterly 25 feet, more
30 or less, to the said south bank; thence northeasterly along the south bank of the river 2750
31 feet, more or less to a point, said point lying north of a monument which is offset 33 feet,
32 more or less, from said south bank; the courses and distances of the offset meander line
33 of the south bank of said Northeast Cape Fear River being as follows: North 60° 45' 50"
34 East, 577.62 feet; North 55° 38' 50" East, 512.90 feet; North 52° 14' 50" East, 319.88
35 feet; North 65° 20' 50" East, 402.95 feet; North 54° 22' 20" East, 244.10 feet; North 72°
36 27' 20" East, 312.30 feet; North 82° 41' 50" East, 377.43 feet to said monument which is
37 offset 33 feet, more or less from the South bank of the Northeast Cape Fear River; thence
38 from said monument South, 2256.55 feet to a monument on the north right-of-way line of
39 Ideal Basic Industries, Inc.'s 125 feet wide railroad access; thence Southerly along said
40 north right-of-way line, South 46° 04' 05" West, 2479.06 feet to a monument marking the
41 point of curvature of a 01° 45' 15" curve to the right; thence on said 01° 45' 15" curve to
42 the right an arc distance of 334.50 feet (chord bearing South 49° 00' 05" West 334.33
43 feet) to the Point of Beginning, containing 150 acres, more or less.

1 All that certain tract, parcel, or lot of land in New Hanover County, North Carolina,
2 bounded and described as follows, to-wit:

3 Beginning at an old concrete monument marked "Ideal Cement #40" in the southern
4 right of way line of the New Holly Shelter Road (S.R. #1002) (100.0 feet right of way),
5 said point being North 72 deg. 10 min. East 1739.0 feet from the center of twin culverts
6 under said New Holly Shelter Road through which flow the waters of Sturgeon Creek,
7 said culverts being 976.8 feet from the centerline of Blue Clay Road (S.R. #1318) (60.0
8 feet right of way) at its intersection with said New Holly Shelter Road, said beginning
9 point being almost directly opposite the centerline of the paved road to Martin Marietta
10 and Diamond Shamrock; running thence from said beginning point South 7 deg. 08 min.
11 East, passing over an old concrete monument marked "Ideal Cement #51", 973.7 feet to
12 an old stone, marked "FGH"; running thence South 70 deg. 48 min. East, passing over an
13 old concrete monument marked "Ideal Cement #50", 3192.38 feet to an old stone marked
14 "FGH and MAC"; running thence South 26 deg. 27 min. West 1099.54 feet to an old
15 concrete monument marked "Ideal Cement #49"; running thence South 58 deg. 57 min.
16 West, passing over an old concrete monument marked "Ideal Cement #48", 1188.6 feet to
17 an old iron pipe; running thence South 40 deg. 56 min. West 362.8 feet to an old stone
18 marked "MAC"; running thence South 5 deg. 44 min. East 926.0 feet to an old stone
19 marked "MAC"; running thence South 26 deg. 41 min. West 560.4 feet to an old stone
20 marked "MAC"; running thence North 48 deg. 58 min. West 791.6 feet to an old stone
21 marked "MAC"; running thence North 86 deg. 45 min. West 198.82 feet to an old stone
22 marked "MAC"; running thence North 53 deg. 18 min. West 148.3 feet to an old stone
23 marked "FGH and MAC"; running thence, the same course continued, North 53 deg. 18
24 min. West 1751.8 feet to an old stone marked "FGH"; running thence North 75 deg. 24
25 min. West 690.05 feet to an old stone marked "FGH" on the eastern side of Eason
26 Branch; running thence South 89 deg. 35 min. West 307.9 feet to an iron pipe; running
27 thence North 89 deg. 38 min. West 279.9 feet to an old iron pipe at the southeastern
28 corner of Lot 18, Section 1, Highland Dunes as recorded in Map Book 12 at Page 26 of
29 the New Hanover County Registry; running thence, along the southeastern line of said
30 Section 1, Highland Dunes, North 0 deg. 26 min. East 72.4 feet, North 30 deg. 25 min.
31 East 370.65 feet and North 75 deg. 30 min. East 64.9 feet to an old pipe at the
32 southwestern corner of Lot 19, Section 2, Highland Dunes as recorded in Map Book 13 at
33 Page 13 of the New Hanover County Registry; running thence, along the southern line of
34 said Section 2, Highland Dunes, North 82 deg. 28 min. East 175.22 feet, North 79 deg. 38
35 min. East 60.79 feet and North 74 deg. 42 min. East 158.16 feet to an old pipe at the
36 southeastern corner of Lot 42, Section 2, Highland Dunes; running thence, along the
37 eastern line of Section 2 and Section 3, Highland Dunes, North 24 deg. 25 min. West
38 50.05 feet and North 8 deg. 33 min. West 1862.29 feet to an old pipe at the northeastern
39 corner of Lot 47, Section 3, Highland Dunes as recorded in Map Book 15 at Page 9 of the
40 New Hanover County Registry; running thence, parallel with aforementioned New Holly
41 Shelter Road, North 72 deg. 10 min. East 542.32 feet to a point in a pond; running thence
42 North 17 deg. 50 min. West 432.22 feet to an iron pipe in the southern right of way line
43 of said New Holly Shelter Road (50.0 feet from the centerline thereof); running thence,

1 along the southern right of way line of said New Holly Shelter Road, North 72 deg. 10
2 min. East 1701.92 feet to the point of beginning, containing 330.4 acres of land, more or
3 less, the same being a portion of the formerly Frank G. Harris tract of land, the same also
4 being a portion of that certain tract of land conveyed by S & G Prestress Company to
5 Wilmington Prestress, Inc. by deed dated August 17, 1979, recorded in Book 1155 at
6 Page 1165 of the New Hanover County Registry.

7
8 Beginning at an iron pipe on or near the high-water mark on the south side of Northeast
9 Cape Fear River; said iron pipe is located south 69 degrees 40 minutes west 950 feet,
10 more or less, along edge of said river from the northeast corner of property owned by
11 Martin Marietta Corporation and the northwest corner of property owned by Diamond
12 Shamrock Corporation.

13
14 Thence from said iron pipe, the beginning point, south 32 degrees 15 minutes 17 seconds
15 east 382.25 feet to an iron rod set near edge of flooded quarry pit; thence the following
16 bearings and distances along or near the edge of said flooded quarry pit:

17
18 North 61 degrees 59 minutes 31 seconds East 413.58 feet to an iron rod North 65 degrees
19 24 minutes 53 seconds East 262.35 feet to an iron rod South 50 degrees 50 minutes 03
20 seconds East 132.28 feet to an iron rod South 07 degrees 39 minutes 39 seconds East
21 371.21 feet to an iron rod South 03 degrees 56 minutes 24 seconds West 106.53 feet to an
22 iron rod South 12 degrees 02 minutes 30 seconds East 481.27 feet to an iron rod South 07
23 degrees 12 minutes 23 seconds East 476.18 feet to an iron rod South 75 degrees 10
24 minutes 11 seconds West 985.75 feet to an iron rod South 12 degrees 02 minutes 13
25 seconds East 826.84 feet to an iron rod South 18 degrees 47 minutes 29 seconds West
26 228.64 feet to an iron rod South 65 degrees 34 minutes 25 seconds West 210.95 feet to
27 an iron rod South 32 degrees 36 minutes 32 seconds West 169.30 feet to an iron rod
28 South 41 degrees 01 minutes 24 seconds West 171.84 feet to an iron rod South 12
29 degrees 27 minutes 21 seconds West 150.67 feet to an iron rod South 51 degrees 46
30 minutes 55 seconds West 288.78 feet to an iron rod South 72 degrees 08 minutes 27
31 seconds West 238.32 feet to an iron rod North 18 degrees 36 minutes 59 seconds West
32 288.32 feet to an iron rod North 12 degrees 51 minutes 20 seconds West 321.19 feet to an
33 iron rod North 08 degrees 08 minutes 26 seconds West 445.55 feet to an iron rod North
34 10 degrees 53 minutes 57 seconds West 184.94 feet to an iron rod North 00 degrees 54
35 minutes 30 seconds West 233.49 feet to an iron rod North 23 degrees 48 minutes 38
36 seconds West 244.00 feet to an iron rod North 62 degrees 38 minutes 09 seconds West
37 269.78 feet to an iron rod North 58 degrees 19 minutes 49 seconds West 346.61 feet to an
38 iron rod

39
40 Thence leaving the edge of flooded quarry pit, north 60 degrees 00 minutes 00 seconds
41 West 685 feet, more or less, to a point on edge of the south side of said Northeast Cape
42 Fear River; thence along edge of said river in a northeasterly direction 2,480 feet, more or
43 less, to the point of beginning; containing 126.9 acres more or less.

1 BEGINNING at a point in the common eastern line of Martin-Marietta and the
2 western line of Occidental Chemical Corporation, said point located north 07 degrees 16
3 minutes 05 seconds west 1139.30 feet as measured with said common line from the
4 southeastern corner of Occidental Chemical Corporation in the northern line of the Ideal
5 Cement 135-foot railroad right of way; running thence from said Beginning with said
6 common line north 7 degrees 16 minutes 05 seconds west 307.06 feet to a point; thence
7 north 7 degrees 14 minutes 05 seconds west 559.15 feet to a point; thence north 7 degrees
8 15 minutes 40 seconds west 782.70 feet to a point; thence north 7 degrees 15 minutes 40
9 seconds west 211.15 feet to a point designated Point "A" for reference hereinafter; thence
10 continuing north 7 degrees 15 minutes 40 seconds west 25 feet to a point at the southern
11 edge of the Northeast Cape Fear River; thence with said edge of river westward 990 feet
12 more or less to the northernmost corner of the tract conveyed to Diamond Shamrock
13 (now Occidental Chemical Corporation) by Martin-Marietta by deed recorded in Book
14 1213, Page 929, New Hanover County Registry (said corner located south 71 degrees 10
15 minutes 56 seconds west 981.02 feet from the point designated Point "A" hereinabove);
16 thence with the boundary line of said Tract (Deed Book 1213, Page 929) the following
17 courses: South 30 degrees 40 minutes 56 seconds east 382.25 feet to a point; thence
18 north 63 degrees 33 minutes 52 seconds east 413.58 feet to a point; thence north 66
19 degrees 59 minutes 14 seconds east 262.35 feet to a point; thence south 49 degrees 15
20 minutes 12 seconds east 132.28 feet to a point; thence south 6 degrees 05 minutes 18
21 seconds east 371.21 feet to a point; thence south 5 degrees 30 minutes 45 seconds west
22 106.53 feet to a point; thence south 10 degrees 28 minutes 09 seconds east 481.27 feet to
23 a point; and south 5 degrees 38 minutes 02 seconds east 476.18 feet to a point, said point
24 being the easternmost corner of said tract (Deed Book 1213, Page 929); thence with a
25 new line north 76 degrees 44 minutes 32 seconds east 95.59 feet to the Point of
26 BEGINNING, containing 10.39 acres.

27 BEGINNING at a point in the southeastern line of the tract conveyed to Diamond
28 Shamrock (now Occidental Chemical Corporation) by Martin-Marietta by deed recorded
29 in Deed Book 1213, Page 929, New Hanover County Registry, said point located from
30 the easternmost corner of said tract by courses of *south 76 degrees 44 minutes 32
31 seconds west 985.75 feet and *south 10 degrees 27 minutes 52 seconds east 826.84 feet
32 as measured with the boundary line of said tract; running thence from said Beginning
33 with the boundary line of said tract (Deed Book 1213, Page 929) the following courses:
34 South 20 degrees 21 minutes 50 seconds west 228.64 feet to a point; thence south 67
35 degrees 08 minutes 46 seconds west 210.95 feet to a point; thence south 34 degrees 10
36 minutes 53 seconds west 169.30 feet to a point; thence south 42 degrees 35 minutes 42
37 seconds west 171.84 feet to a point; thence south 14 degrees 01 minute 42 seconds west
38 150.67 feet to a point; thence south 53 degrees 21 minutes 16 seconds west 288.78 feet to
39 a point; thence south 73 degrees 42 minutes 48 seconds west 238.32 feet to the
40 southwesternmost corner of above said tract (Deed Book 1213, Page 929); thence south
41 26 degrees 54 minutes 27 seconds east 236.33 feet to a point; thence north 48 degrees 50
42 minutes 05 seconds east 997.22 feet to a point; thence north 22 degrees 12 minutes 18

1 seconds east 396.23 feet to a point; thence north 10 degrees 27 minutes 52 seconds west
2 138.00 feet to the Point of BEGINNING, containing 4.93 acres.

3 BEGINNING at the southwesternmost corner of the tract conveyed to Diamond
4 Shamrock (now Occidental Chemical Corporation), by Martin-Marietta by deed recorded
5 in Deed Book 1213, Page 929, New Hanover County Registry; running thence from said
6 Beginning with the boundary line of said tract (Deed Book 1213, Page 929) the following
7 courses: North 17 degrees 02 minutes 38 seconds west 288.32 feet to a point; thence
8 north 11 degrees 16 minutes 59 seconds west 321.19 feet to a point; thence north 6
9 degrees 34 minutes 05 seconds west 445.55 feet to a point; thence north 9 degrees 19
10 minutes 36 seconds west 184.94 feet to a point; thence north 0 degrees 39 minutes 51
11 seconds east 233.49 feet to a point; thence north 22 degrees 14 minutes 17 seconds west
12 244.00 feet to a point; thence north 61 degrees 03 minutes 48 seconds west 269.78 feet to
13 a point; thence north 56 degrees 45 minutes 28 seconds west 346.61 feet to a point;
14 thence north 58 degrees 15 minutes 49 seconds west 70.72 feet to a point; thence north 58
15 degrees 25 minutes 39 seconds west 600.00 feet to a point designated as Point "B" for
16 reference hereinafter; thence continuing *north 58 degrees 25 minutes 39 seconds west
17 15.0 feet to a point in the southern edge of the Northeast Cape Fear River, said point
18 being the westernmost corner of said tract conveyed to Diamond Shamrock (now
19 Occidental Chemical Corporation) by Martin-Marietta by deed recorded in Book 1213,
20 Page 929, New Hanover County Registry; thence with said edge of the Northeast Cape
21 Fear River southwestward 1,965 feet more or less to a point, said point being located
22 north 21 degrees 59 minutes 16 seconds west 15.0 feet from a point designated "C" that is
23 located south 43 degrees 47 minutes 06 seconds west 1964.21 feet from the point
24 designated "B" hereinabove; *thence south 21 degrees 59 minutes 16 seconds east 15.0
25 feet to the point designated "C"; thence continuing south 21 degrees 59 minutes 16
26 seconds east 497.53 feet to a point; thence south 24 degrees 56 minutes 20 seconds east
27 1396.90 feet to a point; thence south 11 degrees 32 minutes 49 seconds east 382.24 feet
28 to a point; thence north 78 degrees 27 minutes 11 seconds east 401.27 feet to a point;
29 thence north 80 degrees 54 minutes 16 seconds east 1240.21 feet to a point in the
30 northern line of the Ideal Cement 135-foot railroad right of way; thence with said
31 northern line north 52 degrees 44 minutes 20 seconds east 300.00 feet; thence leaving
32 said railroad north 25 degrees 08 minutes 13 seconds east 430.98 feet; thence north 05
33 degrees 00 minutes 37 seconds west 115.09 feet; thence north 26 degrees 54 minutes 27
34 seconds west 236.33 feet to the Point of BEGINNING, containing 152.83 acres.

35 An area, 60 feet in width, running from State Highway 1002 across the property of Ideal
36 Basic Industries, Inc., to the property of Diamond Shamrock Corporation, located in Cape
37 Fear Township, New Hanover County, North Carolina, located 30 feet on each side of the
38 following described center line:

39
40 Beginning at a point on the north right-of-way line of the State Highway 1002, leading
41 from Castle Hayne to Hampstead, said point being 30 feet perpendicularly distant
42 easterly from Ideal's west property line; thence from said point of beginning run northerly
43 parallel and 30 feet distant from said Ideal's west property line to the center line of the

1 Old Holly Shelter Road; thence continuing on a straight projection from the last given
2 course by the south boundary line of the tract of land deeded to Diamond Shamrock by
3 Ideal by deed dated March 19, 1969.

4 Except that the following described property is included within the corporate limits:

5 BEGINNING at a point in the northern line of Occidental Chemical Company's
6 330.3-acre Frank G. Harris Tract, said point located from the centerline intersection of
7 Holly Shelter Road (S.R. 1002) and Diamond Shamrock Road (S.R. 2023) by courses of
8 south 7 degrees 08 minutes east 1024.58 feet with an eastern line of said Harris Tract and
9 south 70 degrees 48 minutes east 212.00 feet with said northern line of said Harris Tract;
10 running thence from said Beginning with said northern line south 70 degrees 48 minutes
11 east 500.00 feet to a point; thence south 16 degrees 22 minutes 41 seconds west 507.81
12 feet to a point; thence north 70 degrees 48 minutes west 1025.00 feet to a point; thence
13 north 19 degrees 12 minutes east 187.20 feet to a point; thence south 70 degrees 48
14 minutes east 500.00 feet to a point; thence north 19 degrees 12 minutes east 320.00 feet
15 to the Point of BEGINNING, containing 8.118 acres and being part of Occidental
16 Chemical Company's 330.3-acre Frank G. Harris Tract.

17 "CHAPTER III.

18 "GOVERNING BODY.

19 "Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing
20 body of the Town of Castle Hayne is the Town Council and the Mayor. The Town
21 Council has six members.

22 "Sec. 3.2. **Manner of Electing Board.** The qualified voters of the entire Town elect
23 the members of the Council.

24 "Sec. 3.3. **Term of Office of Council Members.** In 1997, six members of the
25 Council shall be elected. The three persons receiving the highest numbers of votes are
26 elected for four-year terms, and the three persons receiving the next highest numbers of
27 votes shall be elected for two-year terms. In 1999 and biennially thereafter, three
28 members of the Council shall be elected for four-year terms.

29 "Sec. 3.4. **Selection of Mayor; Term of Office.** The qualified voters of the entire
30 Town elect the Mayor. A Mayor shall be elected in 1997 and quadrennially thereafter for
31 a four-year term. The Mayor has the same voting rights and privileges and is subject to
32 the same voting limitations and requirements as are Council members under the general
33 law. In determining a quorum, a majority vote of the Council or in being excused from
34 voting, the Mayor is treated as a member of the Council.

35 "CHAPTER IV.

36 "ELECTIONS.

37 "Sec. 4.1. **Conduct of Town Elections.** The Town Council shall be elected on a
38 nonpartisan basis and the results determined by the plurality method as provided by G.S.
39 163-292.

40 "CHAPTER V.

41 "ADMINISTRATION.

1 "Sec. 5.1. **Mayor-Council Plan.** The Town of Castle Hayne operates under the
2 Mayor-Council plan as provided by Part 3 of Article 7 of Chapter 160A of the General
3 Statutes."

4 Sec. 2. Until members of the Town Council are elected in 1997 in accordance
5 with the Town Charter and the laws of North Carolina, Larry E. Lawrence, Jerry L.
6 Kelly, Thomas A. Radewicz, Ernest J. Puskas, James Bordeaux, and Mary Charlene Pete
7 shall serve as members of the Town Council and John E. Dyer shall serve as Mayor.
8 Vacancies in the interim Council shall be filled by appointment made by the remaining
9 members. A vacancy in the office of interim Mayor is filled by appointment made by the
10 interim governing board.

11 Sec. 3. From and after January 1, 1996, the citizens and property in the Town
12 of Castle Hayne shall be subject to municipal taxes levied for the year beginning January
13 1, 1996, and for that purpose the Town shall obtain from New Hanover County a record
14 of property in the area herein incorporated which was listed for taxes as of January 1,
15 1996, and the businesses in the Town shall be liable for privilege license tax from the
16 effective date of the privilege license tax ordinance. For fiscal year 1996-97, ad valorem
17 taxes may be paid at par or face amount within 90 days of adoption of the budget
18 ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes
19 had been due and payable on September 1, 1996.

20 The Town may adopt a budget ordinance for fiscal year 1996-97 without
21 following the timetable in the Local Government Budget and Fiscal Control Act.

22 Sec. 4. (a) The New Hanover County Board of Elections shall conduct an
23 election on a date set by it, to be not less than 60 nor more than 180 days after the date of
24 ratification of this act, for the purpose of submission to the qualified voters of the area
25 described in Section 2.1 of the Charter of Castle Hayne, the question of whether or not
26 such area shall be incorporated as Castle Hayne. Registration for the election shall be
27 conducted in accordance with G.S. 163-288.

28 (b) In the election, the question on the ballot shall be:

29 **"[] FOR [] AGAINST**
30 **INCORPORATION OF CASTLE HAYNE".**

31 Sec. 5. In such election, if a majority of the votes cast are not cast "FOR
32 Incorporation of Castle Hayne", then Sections 1 through 3 of this act shall have no force
33 and effect.

34 Sec. 6. In such election, if a majority of the votes cast shall be cast "FOR
35 Incorporation of Castle Hayne", then Sections 1 through 3 of this act shall become
36 effective on the date that the New Hanover County Board of Elections determines the
37 result of the election.

38 Sec. 7. This act is effective upon ratification.