

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 120

Short Title: Carolina Trace Incorporated.

(Local)

Sponsors: Representatives Davis and Hall.

Referred to: Local and Regional Government I, if favorable, Judiciary I.

February 12, 1997

A BILL TO BE ENTITLED

AN ACT TO INCORPORATE THE VILLAGE OF CAROLINA TRACE.

The General Assembly of North Carolina enacts:

Section 1. A Charter of the Village of Carolina Trace is enacted as follows:

**"THE CHARTER OF THE VILLAGE OF CAROLINA TRACE.**

**"CHAPTER I.**

**"INCORPORATION AND CORPORATE POWERS.**

"Section 1-1. **Incorporation and Corporate Powers.** The inhabitants of the Village of Carolina Trace are a body corporate and politic under the name 'Village of Carolina Trace'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general law of North Carolina.

**"CHAPTER II.**

**"CORPORATE BOUNDARIES.**

"Section 2-1. **Village Boundaries.** Until modified in accordance with the law, the boundaries of the Village of Carolina Trace are as follows:

Beginning at an iron stake in the eastern right-of-way line of NC Highway 87 marking the northwest corner of the Carolina Trace Volunteer Fire Department, Inc., fire station lot as shown on a map thereof recorded in Lee County Registry P. C. 6, Slide 136; thence with the eastern line of NC Highway 87 North 12° 47' 39" West 612.68 feet to the southwestern corner of the Carolina Trace Corporation maintenance area; thence with the

1 lines of said area North 54° 12' 37" East 275.83 feet, North 17° 46' 35" West 189.54 feet,  
2 and South 72° 13' 39" West 210.52 feet to the southeastern corner of the Heins Telephone  
3 Company lot; thence with the eastern and northern lines of said lot North 11° 58'  
4 41" West 28.45 feet and South 72° 00' 23" West 34.70 feet to its northwest corner in the  
5 eastern line of NC Highway 87; thence with the eastern line of said highway, North 12°  
6 25' 13" West 785.47 feet to the southwest corner of the Patten Corporation's office lot, as  
7 shown by map recorded in Lee County Registry P. C. 7, Slide 18E; thence with the lines  
8 of said lot, North 56° 26' 38" East 57.09 feet, North 01° 30' 31" West 100.39 feet, South  
9 86° 04' 15" East 183.52 feet, North 04° 05' 03" East 106.19 feet, North 84° 13' West  
10 136.46 feet, and North 35° 51' 39" West 44.60 feet to Rosser's southeast corner; thence  
11 with Rosser's eastern line, North 02° 30' 50" East 186.37 feet, and North 02° 31' 21" East  
12 331.61 feet to a common corner with Clark designated as Control Corner A and marked  
13 by an axle; thence with Clark's line, North 87° 13' 39" East 1,272.03 feet to a concrete  
14 monument designated as Control Corner B; thence with the western boundary line of  
15 Carolina Trace Subdivision North 13° 35' 43" West 820.47 feet to the southeast corner of  
16 the Sedgemoor II Section of the Carolina Trace Subdivision; thence with the outer  
17 boundary lines of Sedgemoor II Section, South 79° 29' 29" West 1,370.02 feet, North 18°  
18 41' 43" West 203.17 feet, North 6° 41' 00" East 116.35 feet, North 20° 00' 55" West 63.38  
19 feet, South 79° 27' 15" West 54.15 feet, North 10° 43' 07" West 199.93 feet, North 28° 23'  
20 56" East 76.27 feet, North 18° 05' 05" West 938.81 feet, North 36° 34' 07" West 53.56 feet,  
21 North 17° 59' 17" West 161.04 feet, North 71° 30' 49" East 63.94 feet, North 13° 25'  
22 03" West 49.56 feet, North 43° 38' 29" East 94.86 feet, North 23° 32' 35" East 152.44 feet  
23 to the northwest corner of the Sedgemoor Section II of the Subdivision; thence North 07°  
24 47' 29" West 12.4 feet to the southwest corner of the Woodmere Section II of the  
25 Subdivision; thence with the outer lines of the Woodmere Section II, North 07° 47'  
26 29" West 394.24 feet to a corner with Mrs. W. B. Womble's 103 acre tract, same being  
27 marked as Control Corner 'B' on the Woodmere Section II plat recorded in Lee County  
28 Registry P. C. 5, Slide 28; thence with the dividing line between the Womble tract and  
29 Woodmere Section II, North 51° 18' 32" East 740 feet to Control Corner 'A', North 78°  
30 01' East 891 feet, North 8° 12' 39" East 52.8 feet, North 11° 41' 59" West 511.96 feet,  
31 North 46° 14' 15" East 295 feet, and North 00° 08' 58" West 429 feet to a point in  
32 Adcock's line marked by an iron pipe, same being the northwest corner of the Woodmere  
33 Section of the Subdivision; thence with the dividing line between the Woodmere Section  
34 and the Adcock tract, North 81° 40' 34" East 1,918.83 feet to a stump marking a corner  
35 with C. B. Thomas lands; thence with the dividing line between Woodmere and the C. B.  
36 Thomas tract, South 22° 19' 51" East 994.89 feet to an iron stake marking a corner with  
37 W. H. Kelly; thence as the dividing line between Woodmere and the lands of W. H. Kelly  
38 and Homer Kelly, South 05° 45' 54" East 1,499.12 feet to a point in the northern line of  
39 the Laurel Thicket Section of the Carolina Trace Subdivision; thence with the outer  
40 boundary lines of the Laurel Thicket Section of the Subdivision as follows: North 81° 15'  
41 22" East 53.76 feet, North 55° 21' 52" East 380.47 feet, North 63° 27' 02" East 102.39 feet,  
42 North 58° 15' 22" East 77.17 feet, North 59° 04' 00" East 364.80 feet, North 41° 07'  
43 11" East 206.11 feet, North 38° 55' 21" East 116.61 feet, North 37° 09' 51" East 293.46

1 feet, North 42° 45' 16" East 406.95 feet, South 48° 40' 25" East 395.77 feet, and South 39°  
2 25' 38" West 691.97 feet to the line of the Golf North Section of the Carolina Trace  
3 Subdivision; thence with the outer boundary lines of the Golf North Section of the  
4 Subdivision, South 50° 12' 08" East 642.83 feet, South 84° 28' 12" East 837.16 feet, North  
5 46° 41' 32" East 167.11 feet, North 42° 44' 27" East 79.87 feet, South 12° 13' 06" East  
6 481.43 feet, South 64° 06' 29" West 485.53 feet, South 12° 12' 50" East 1,197.88 feet,  
7 South 35° 04' 54" East 216.13 feet, and South 87° 46' 21" East 187.03 feet to the western  
8 line of the Highland Woods Section of the Carolina Trace Subdivision; thence with the  
9 outer boundary lines of the Highland Woods Section of the Subdivision, North 04° 48'  
10 39" East 1,432.43 feet, North 53° 32' 59" East 307.46 feet, South 45° 55' 01" East 159.45  
11 feet, South 22° 50' 21" East 73.21 feet, South 08° 11' 29" West 265.18 feet, South 16° 36'  
12 11" East 268.77 feet, South 06° 09' 07" West 86.57 feet, North 50° 10' 19" East 465.83  
13 feet, South 57° 49' 42" East 115.03 feet, North 60° 36' 12" East 258.12 feet, North 36° 34'  
14 42" West 48.04 feet, North 43° 06' 18" East 258.68 feet, South 50° 18' 41" East 224.8 feet,  
15 South 60° 29' 19" West 200 feet, South 50° 35' 42" East 25 feet, South 60° 33' 19" West  
16 188.31 feet, South 46° 12' 40" East 104.67 feet, South 65° 08' 00" West 81.42 feet, South  
17 04° 27' 32" East 184.05 feet, South 06° 30' 41" East 534.35 feet, South 67° 40' East 53.03  
18 feet, South 19° 41' 50" East 100 feet; thence with the eastern boundary line of the  
19 Carolina Trace Subdivision east of the Mallard Cove Section of the Subdivision, South  
20 19° 41' 50" East 1,991.10 feet to an iron stake marking a corner with the Thomas Gross  
21 properties; thence as a new line South 35° 36' 21" East 132.11 feet to an iron stake in the  
22 eastern boundary line of the Mallard Cove Section of the Carolina Trace Subdivision;  
23 thence with the eastern boundary line of the Mallard Cove Section, South 54° 40' 55" East  
24 81.34 feet, South 28° 22' 55" East 50.52 feet, South 12° 34' 54" East 50.16 feet, South 05°  
25 11' 35" East 50.05 feet, South 01° 08' 30" West 50.44 feet, and South 22° 52' 44" West  
26 153.01 feet to an iron stake in the eastern toe of the earthen portion of the Lake Trace  
27 Dam; thence continuing as a new line located east and outside the Lake Trace Dam,  
28 North 78° 53' 37" West 22.51 feet, South 17° 56' 27" West 110.98 feet to an iron stake,  
29 South 25° 17' 49" West 109.16 feet to an iron stake, South 21° 35' 04" East 102.20 feet,  
30 South 15° 10' 06" West 300.93 feet, South 30° 55' 42" West 105.20 feet to a point in the  
31 eastern toe of the earthen portion of the Lake Trace Dam; thence continuing as a new line  
32 South 14° 49' West 241.16 feet, thence South 14° 34' 25" West 161.97 feet to a point in  
33 the eastern top of the slope of a graded road, thence South 10° 46' 48" East 147.87 feet  
34 and South 41° 49' 23" East 215.96 feet to a point in the outer boundary of the Hidden  
35 Lakes Section of the Carolina Trace Subdivision located North 21° 48' 15" East 20 feet  
36 from the northwestern corner of Lot No. 1501 of the Hidden Lakes Section as shown on  
37 the Subdivision Plat thereof recorded in Lee County Registry Map Book 14, Page 12;  
38 thence with the outer boundary line of the Hidden Lakes Section of the Subdivision South  
39 68° 02' 10" East 191.38 feet, South 50° 23' 40" East 109.49 feet, South 37° 21' 20" East  
40 112.66 feet, South 21° 16' 00" East 116.28 feet, South 05° 34' 00" East 104.69 feet, South  
41 00° 04' 00" West 24.63 feet, South 09° 57' 10" West 200.52 feet, South 22° 47' 40" West  
42 100.61 feet, South 31° 39' 40" West 119.52 feet, South 36° 51' 00" West 112.99 feet,  
43 South 50° 12' 30" West 116.52 feet, South 68° 57' 10" West 166.02 feet, South 82° 13'

1 20°West 76.49 feet to a point in the outer boundary line of the section opposite the  
2 southwest corner of Lot 1487 of the Hidden Lakes Section; thence South 02° 43' 20°East  
3 104.63 feet to a corner marked by a concrete monument; thence South 21° 56' 43°West  
4 83.45 feet to a point in the northern boundary line of the Woodfield Section of Carolina  
5 Trace Subdivision; thence South 65° 52' 12°East 252.73 feet to the western right-of-way  
6 line of State Road 1529, thence with the line of State Road 1529, South 14° 51' 56°West  
7 203.94 feet and South 09° 27' 08°West 224.86 feet to a corner with the outer boundary  
8 line of the Woodfield Section of the Subdivision; thence continuing with the outer  
9 boundary line of Woodfield, North 76° 29' 52°West 770.45 feet, North 30° 34' 19°West  
10 450.87 feet, South 67° 55' 31°West 418.78 feet, South 06° 58' 22°East 2,125.36 feet,  
11 South 58° 52' 30°East 958.95 feet, North 72° 43' 44°East 418.30 feet to a point in the  
12 western right-of-way line of SR 1529; thence with the right-of-way line of SR 1529,  
13 South 34° 28' 10°East 555.10 feet and South 26° 35' 29°East 105 feet to a corner of the  
14 Woodfield Section of the Carolina Trace Subdivision; thence continuing with the outer  
15 boundary lines of the Woodfield Section, South 66° 32' 52°West 1,186.18 feet to a corner  
16 of the Woodfield Section, and North 63° 04' 52°West 1,618.93 feet to the southwest  
17 corner of the Woodfield Section of the Subdivision in the eastern line of Traceway;  
18 thence with the eastern line of Traceway, South 55° 04' 34°West 531.33 feet to an iron  
19 pipe marking the northeast corner of the 16.504 acre tract conveyed to Carolina Trace  
20 Corporation by J. M. Groce, et al., dated March 12, 1987, recorded in Lee County  
21 Registry Book 398, Page 360, as shown on a recorded plat thereof recorded in Lee  
22 County Registry Plat Cabinet 6, Slide 82, said corner also being a common corner with  
23 the J. M. Groce residential tract and the northernmost corner of the presently proposed  
24 addition to the Carolina Trace Subdivision to be known as the Golf South Section as  
25 shown on the plat thereof dated May 10, 1988, recorded in Lee County Registry Plat  
26 Cabinet 7, Slide 5-H; thence with the outer boundary lines of the proposed Golf South  
27 Section of the Subdivision, South 20° 36' 57°East 396.15 feet, North 79° 07' 06°East  
28 468.90 feet, North 75° 44' 18°East 466.18 feet, a corner with the residential lot of R. C.  
29 Cox, Jr.; thence continuing with the outer boundary lines of the Golf South Section,  
30 South 24° 10' 58°East 133.50 feet, South 72° 09' 43°East 342.80 feet, North 64° 47'  
31 23°East 216.32 feet, South 63° 07' 03°East 281.53 feet, South 07° 29' 22°East 1,274.74  
32 feet to a corner marked by an iron pin, thence South 49° 54' 34°West 253.11 feet, South  
33 47° 19' 27°West 190.75 feet to Bollinger's northeast corner marked by an axle; thence  
34 with Bollinger's line South 78° 00' 14°West 208.37 feet and South 15° 04' 02°East  
35 208.55 feet to the northern right-of-way line of SR 1143; South 83° 57' 56°West 101.79  
36 feet, South 83° 19' 34°West 335.72 feet, and South 82° 55' 04°West 136.33 feet to an  
37 iron stake marking Weathers' southeast corner; thence continuing with the outer boundary  
38 line of the Golf South Section of the Subdivision, North 16° 07' 32°West 776.75 feet,  
39 South 52° 15' 18°West 572.01 feet, North 23° 49' 20°West 466.37 feet, South 69° 41'  
40 59°West 565.63 feet, North 72° 34' 08°West 94.46 feet, South 87° 05' 24°West 369.47  
41 feet, South 81° 15' 21°West 582 feet, South 46° 24' 28°West 303.75 feet, South 04° 02'  
42 05°West 415.47 feet, South 20° 53' 07°East 665.27 feet, South 68° 19' 19°West 1,070.78  
43 feet, North 13° 49' 47°West 579.95 feet, North 13° 50' 48°West 61.76 feet, North 13° 41'

1 47°East 160 feet, South 75° 30' 33"West 258.92 feet to an iron pin in the eastern right of  
2 way line of Highway 87; thence with the eastern right of way line of Highway 87, North  
3 22° 09' 33"West 108.69 feet to an iron pin marking a corner with Roberts; thence  
4 continuing as the outer boundary line of the Golf South Section and the Roberts line,  
5 North 56° 32' 12"East 313.67 feet to an iron pin, North 15° 03' East 181.2 feet to an iron  
6 pin, and North 23° 44' 07"West 200.90 feet to a corner marked by an iron pin in the line  
7 of the Lakewood Section of the Carolina Trace Subdivision; thence with the outer  
8 boundary line of the Lakewood Section of the Subdivision, South 74° 01' 23"West  
9 425.66 feet to the eastern right-of-way line of NC Highway 87; thence with the eastern  
10 boundary line of Highway 87, North 25° 17' 04"West 91.37 feet, North 27° 36' 51"West  
11 334 feet, North 29° 56' 38"West 836.82 feet to the northwest corner of the Lakewood  
12 Section of the Subdivision; thence continuing with the eastern right-of-way line of  
13 Highway 87, North 29° 56' 38"West 957.47 feet, North 21° 32' 48"West 752.10 feet,  
14 North 13° 17' 34"West 1,023.62 feet to an iron stake in the eastern line of Highway 87  
15 marking a corner in the western line of fairway number 16 of the Lake Side golf course;  
16 thence with the western line of fairway number 16, North 04° 52' 41"East 117.24 feet,  
17 North 01° 35' 56"East 423.67 feet, North 07° 03' 28"West 129.99 feet, North 20° 50'  
18 35"West 116.77 feet, North 04° 03' 24"West 100.01 feet, North 01° 20' 38"West 99.41  
19 feet, and North 13° 14' 32"West 75 feet to the southeast corner of the 0.514 acre lot  
20 conveyed to Carolina Trace Country Club, Inc., by Julia B. Clark, et al., by deed dated  
21 April 21, 1987, recorded in Lee County Registry Book 400, Page 157, same being a  
22 portion of the Clark 1.4 acre tract; running thence as the southern boundary of the 1.4  
23 acre tract, South 74° 26' 36"West 175.71 feet to a concrete monument in the eastern  
24 right-of-way of NC Highway No. 87; thence as said right-of-way North 13° 28' 56"West  
25 166.63 feet to a new iron stake in said right-of-way; thence leaving the road, North 78°  
26 35' 33"East 44.56 feet to a set iron pipe; thence South 12° 34' 53"East 43.76 feet to a set  
27 iron pipe; thence North 78° 45' 02"East 132.07 feet to a set iron pipe in the dividing line  
28 between the Clark and Carolina Trace Country Club, Inc., line; thence with said dividing  
29 line, North 13° 14' 32"West 190.1 feet to a corner in Carter's line; thence with the  
30 boundary line between Carter and the Carolina Trace Subdivision, North 74° 44' 24"East  
31 549.34 feet, North 11° 44' 56"West 794.98 feet, North 22° 19' 35"West 1,309.07 feet,  
32 and South 83° 20' 55"West 435.87 feet to an iron stake marking the southwest corner of  
33 the Carolina Trace Volunteer Fire Department fire station lot; thence with the lines of the  
34 fire station lot, North 33° 11' 41"East 121.23 feet to a stake in the southern line of Indian  
35 Trail; thence with the curvature of the southern line of Indian Trail, North 56° 41'  
36 40"West, a chord distance of 120 and an arc distance of 120.99 feet, and North 38° 11'  
37 46"West a chord distance of 61.78 feet and an arc distance of 61.9 feet; thence leaving  
38 Indian Trail with the northern line of the fire station lot South 37° 58' 14"West 99.85 feet  
39 to the point of first Beginning, and being the calls of the Outer Boundary Line of the  
40 Buffer Zone; thence North 77° 12' 21"East to a point five (5) feet therefrom; said point  
41 being hereinafter referred to as the 'Beginning Point of the Inner Boundary Line of the  
42 Buffer Zone'; thence as a new line having the same bearings as the Outer Boundary Line  
43 of the Buffer Zone and running parallel to and five (5) feet inside the first and each of the

1 succeeding calls of said Outer Boundary Line to the Beginning Point of the Inner  
2 Boundary Line of the Buffer Zone.

3 **"CHAPTER III.**  
4 **"GOVERNING BODY.**

5 "Section 3-1. **Structure of the Governing Body; Number of Members.** The  
6 governing body of the Village of Carolina Trace is the Board of Commissioners which  
7 has four members.

8 "Section 3-2. **Manner of Electing Board.** The qualified voters of the entire town  
9 nominate and elect the Board.

10 "Section 3-3. **Term of Office of Board Members.** In 1997, four members shall be  
11 elected to the Board. The two members receiving the highest numbers of votes shall  
12 serve four-year terms. The two receiving the next highest numbers of votes shall serve  
13 two-year terms. In 1999, and quadrennially thereafter, two members shall be elected to  
14 the Board. In 2001, and quadrennially thereafter, two members shall be elected to the  
15 Board.

16 "Section 3-4. **Mayor; Term of Office.** The Mayor shall be selected by the Board of  
17 Commissioners from among its membership to serve a two-year term ending at the next  
18 organizational meeting of the Council.

19 **"CHAPTER IV.**  
20 **"ELECTIONS.**

21 "Section 4-1. **Method.** Board members shall be elected on a nonpartisan plurality  
22 basis and the results determined in accordance with G.S. 163-292.

23 "Section 4-2. **Results.** Election results shall be determined according to Chapter 163  
24 of the General Statutes.

25 "Section 4-3. **General Law.** Except as provided by this Charter, town elections shall  
26 be conducted in accordance with Chapter 163 of the General Statutes. Elections in even-  
27 numbered years shall be conducted by the same method as in odd-numbered years.

28 **"CHAPTER V.**  
29 **"ADMINISTRATION.**

30 "Section 5-1. **Mayor-Council Plan.** The Village of Carolina Trace shall operate  
31 under the Mayor-Council Plan as provided in Part 3 of Article 7 of Chapter 160A of the  
32 General Statutes.

33 "Section 5-2. **Interim Board.** From the effective date of this Charter until the  
34 organizational meeting of the Board of Commissioners after the 1997 municipal  
35 elections, the Board of Commissioners consists of six members and the members of the  
36 Board shall be: Joseph F. Kilmartin, Ben Kline, Lee Dodge, Richard Bill, Leo Smith,  
37 and Bob Downing. From the effective date of this Charter until the organizational  
38 meeting of the Board of Commissioners after the 1997 municipal elections, the mayor is  
39 Richard McNamara.

40 Section 2. (a) From and after the effective date of this act, the citizens and property in  
41 the Village of Carolina Trace shall be subject to municipal taxes levied for the year  
42 beginning July 1, 1997, and for that purpose the Village shall obtain from the county  
43 where the property is located a record of property in the area herein incorporated which

1 was listed for taxes as of January 1, 1997; and the businesses in the Village shall be liable  
2 for privilege license tax from the effective date of the privilege license tax ordinance.

3 (b) If the effective date of this act is before July 1, 1997, the Village may  
4 adopt a budget ordinance for fiscal year 1996-97 without following the timetable in the  
5 Local Government Budget and Fiscal Control Act, but shall follow the sequence of  
6 actions in the spirit of the act insofar as is practical. The Village may adopt a budget  
7 ordinance for fiscal year 1997-98 without following the timetable in the Local  
8 Government Budget and Fiscal Control Act, but shall follow the sequence of actions in  
9 the spirit of the act insofar as is practical. For fiscal year 1997-98, ad valorem taxes may  
10 be paid at par or face amount within 90 days of adoption of the budget ordinance, and  
11 thereafter in accordance with the schedule in G.S. 105-360 as if the taxes had been due  
12 and payable on September 1, 1997.

13 Section 3. This act is effective when it becomes law.