

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 180
Senate State and Local Government Committee Substitute Adopted 6/5/12
Third Edition Engrossed 6/20/12

Short Title: Wilmington Voluntary Annexations.

(Local)

Sponsors:

Referred to:

February 28, 2011

A BILL TO BE ENTITLED

AN ACT TO VOLUNTARILY ANNEX CERTAIN DESCRIBED AREAS TO THE
CORPORATE LIMITS OF THE CITY OF WILMINGTON.

The General Assembly of North Carolina enacts:

SECTION 1. The corporate limits of the City of Wilmington are extended to
include the following described area:

Belle Meade Plaza Tract: Commencing at an existing concrete monument in the
centerline of St. Andrews Drive at its intersection with the north right-of-way line of U.S. 421
(Carolina Beach Road); thence along and with the north line of Carolina Beach Road South 39
degrees, 30 minutes, 53 seconds East a distance of 501.00 feet to an existing iron pipe, said
pipe being the Point of Beginning; thence North 50 degrees, 25 minutes, 51 seconds East a
distance of 200.00 feet to a point; thence North 39 degrees, 30 minutes, 53 seconds West a
distance of 49.88 feet to an existing iron pipe; thence North 50 degrees, 29 minutes, 05 seconds
East a distance of 732.86 feet to a point; thence North 40 degrees, 35 minutes, 47 seconds West
a distance of 24.42 feet to a point; thence North 04 degrees, 24 minutes, 13 seconds East a
distance of 45.26 feet to a point; thence North 40 degrees, 35 minutes, 46 seconds West a
distance of 293.65 feet to a point; thence following along a curve to the left (Arc=50.11',
Radius=170.00') a chord which bears North 49 degrees, 02 minutes, 29 seconds West a chord
distance of 49.93 feet to a point; thence South 50 degrees, 29 minutes, 21 seconds West a
distance of 627.43 feet to a point; thence North 03 degrees, 34 minutes, 31 seconds East a
distance of 398.81 feet to a point; thence North 50 degrees, 28 minutes, 31 seconds East a
distance of 299.73 feet to an existing iron pipe; thence South 03 degrees, 37 minutes, 27
seconds West a distance of 275.57 feet to an existing iron pipe; thence North 50 degrees, 23
minutes, 26 seconds East a distance of 1384.07 feet to an existing iron pipe; thence North 17
degrees, 05 minutes, 15 seconds East a distance of 225.05 feet to an existing iron pipe; thence
South 46 degrees, 53 minutes, 49 seconds East a distance of 595.10 feet to a point; thence
South 40 degrees, 53 minutes, 56 seconds West a distance of 39.64 feet to a point located in the
Run of Barnard's Creek; thence North 67 degrees, 36 minutes, 33 seconds West a distance of
250.15 feet to a point; thence North 66 degrees, 54 minutes, 20 seconds West a distance of
131.32 feet to a point; thence South 49 degrees, 36 minutes, 10 seconds West a distance of
53.47 feet to a point; thence South 62 degrees, 59 minutes, 20 seconds West a distance of
202.70 feet to a point; thence South 04 degrees, 50 minutes, 57 seconds East a distance of
92.97 feet to a point; thence South 23 degrees, 24 minutes, 26 seconds East a distance of
167.04 feet to an existing iron pipe; thence South 39 degrees, 26 minutes, 08 seconds East a
distance of 51.43 feet to an existing iron pipe; thence South 18 degrees, 32 minutes, 11 seconds



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1 East a distance of 28.38 feet to a point; thence South 36 degrees, 31 minutes, 16 seconds East a
2 distance of 66.14 feet to a point; thence South 13 degrees, 23 minutes, 36 seconds East a
3 distance of 21.16 feet to an existing iron pipe; thence South 50 degrees, 30 minutes, 17 seconds
4 West a distance of 11.18 feet to a point; thence South 05 degrees, 34 minutes, 46 seconds East
5 a distance of 220.98 feet to an existing iron pipe; thence South 03 degrees, 35 minutes, 59
6 seconds East a distance of 19.56 feet to an existing iron pipe; thence South 03 degrees, 35
7 minutes, 21 seconds East a distance of 203.30 feet to an existing iron pipe; thence South 03
8 degrees, 06 minutes, 22 seconds East a distance of 68.14 feet to an existing iron pipe; thence
9 South 67 degrees, 36 minutes, 46 seconds East a distance of 166.66 feet to a point; thence
10 South 50 degrees, 44 minutes, 58 seconds West a distance of 442.58 feet to an existing iron
11 pipe; thence South 50 degrees, 23 minutes, 58 seconds West a distance of 1093.30 feet to an
12 existing iron pipe; thence South 50 degrees, 23 minutes, 58 seconds West a distance of 0.70
13 feet to a point located in the north right-of-way line of U.S. 421 (Carolina Beach Road); thence
14 along and with said north right-of-way line North 39 degrees, 30 minutes, 53 seconds West a
15 distance of 365.27 feet to an existing iron pipe; thence North 50 degrees, 26 minutes, 55
16 seconds East a distance of 200.00 feet to an existing iron pipe; thence North 39 degrees, 30
17 minutes, 53 seconds West a distance of 50.00 feet to an existing iron pipe; thence South 50
18 degrees, 26 minutes, 55 seconds West a distance of 200.00 feet to an existing R.R. spike
19 located in the north right-of-way line of U.S. 421 (Carolina Beach Road); thence along and
20 with said north right-of-way line North 39 degrees, 30 minutes, 53 seconds West a distance of
21 100.00 feet to the Point of Beginning; containing 34.69 acres, more or less. Subject to all of
22 Grantor's right, title, and interest, if any, in the following: (1) "Non-exclusive access easement
23 for ingress and egress" as recorded in Book 4137 Page 0536 at the New Hanover County
24 Registry. (2) "20' x 50' Bellsouth Easement" as recorded in Book 4639 Page 0721 at the New
25 Hanover County Registry. (3) "Deed of Easement" for Progress Energy Carolinas, Inc., as
26 recorded in Book 4169 Page 239 at the New Hanover County Registry. (4) "90-Foot Wide
27 Carolina Power & Light Company right-of-way" as recorded in Book 3760 Page 405 at the
28 New Hanover County Registry. (5) "30' Public Sanitary Sewer Easement" per New Hanover
29 County As-Built of "Sanitary Sewer Locations Johnson Farm" dated January 4, 1987. (6) "30'
30 Public Sanitary Sewer Easement" per Carolina Power & Light Co. survey map prepared by
31 Moore, Gardner & Associates, Inc., dated May 1971, revised date: December 16, 1999. Added
32 sanitary sewer easement per New Hanover County. Together with all of Grantor's right, title,
33 and interest, if any, in the following: (1) "25' Drainage and Utility Easement" as recorded in
34 Book 4765 Page 0803 at the New Hanover County Registry. (2) "Deed of Right-of-Way" Tract
35 1 St. Andrews Place II as recorded in Book 4897 Page 0148 at the New Hanover County
36 Registry. (3) "Reciprocal Easement" Tract 2 and Tract 3 St. Andrews Place II as recorded in
37 Book 4897 Page 0156 at the New Hanover County Registry.

38 **SECTION 2.** The corporate limits of the City of Wilmington are extended to
39 include the following described area:

40 Lockwood Village Apartments Tract: Commencing at an old concrete monument
41 situated at point and place where the centerline of Greenbriar Road (S.R. 1698, being 60 feet in
42 width) intersects the easterly right-of-way of South College Road (NC Highway 132, being 200
43 feet in width) and runs thence N 57-34-35 W, 232.65 feet to an old concrete monument located
44 in the westerly right-of-way of said College Road, said monument lying at the southeasterly
45 corner of the United Advent Christian Church, Inc., property (now or formerly) as recorded in
46 Deed Book 1873, Page 9070; thence along the southerly line of said United Advent Christian
47 Church, Inc., property N 70-06-47 W, 408.0 feet to the south easterly corner of the Simpson
48 Property (now or formerly), as recorded in Deed Book 1851, Page 405 and the point and place
49 of beginning of this description. thence N 70-06-47 W, 331.26 feet to the southeasterly corner
50 of the Myrtle Properties LLC property (now or formerly) as shown on an easement plat
51 recorded in Map Book 54, Page 277; thence along the southeasterly line of said Myrtle

1 Properties LLC property N 25-54-03 E, 382.24 feet to a point; thence S 71-37-38 E, 566.40 feet
2 to a point of the westerly right-of-way of said College Road; thence along the right-of-way of
3 said College Road S 01-16-52 W, 248.55 feet to a point; thence N 70-06-49 W, 354.29 feet to a
4 point; thence S 19-53-13 W, 159.54 feet to the point of beginning. The above described parcel
5 contains 4.42 acres, more or less, and is a combination of record information described in
6 record deeds (Book/Page) 4962/296, 1905/485, and 1851/405, and is not a result of a boundary
7 survey. The bearing directions have been rotated to a bearing base as shown on Map Book 54,
8 Page 277.

9 **SECTION 3.** The corporate limits of the City of Wilmington are extended to
10 include the following described area:

11 Certain parcel or parcels of land situated in Masonboro Township, New Hanover
12 County, North Carolina, and being more particularly described as follows: Beginning at a point
13 on the mean high water line along the eastern bank of the Cape Fear River and the southern
14 bank and mouth of Barnard's Creek, said point having NC GRID NAD 83(86) coordinates of
15 North 149760.05 and East 2319807.02 and being located South 62° 54' 02" West 1733.67 feet
16 from a point in the centerline of Barnard's Creek Bridge on River Road, said centerline point
17 having NC GRID NAD 83(86) coordinates of North 150478.77 and East 2321328.74, said
18 point being the true Point of Beginning; thence from said Point of Beginning, along the eastern
19 bank of said Cape Fear River the following courses and distances: S 01° 07' 11" E 400.25 feet,
20 S 09° 04' 11" W 68.47 feet, S 00° 19' 35" E 47.79 feet, S 32° 18' 52" W 34.11 feet, S 01° 13' 39"
21 W 45.88 feet, S 12° 03' 24" W 36.72 feet, S 21° 28' 10" W 25.70 feet, S 00° 06' 15" W 32.82
22 feet, S 08° 17' 04" W 100.02 feet, S 16° 08' 19" W 98.71 feet, S 38° 12' 53" W 37.66 feet, S 18°
23 02' 03" W 73.66 feet, S 29° 55' 48" W 119.32 feet, S 27° 01' 35" W 44.69 feet, S 15° 32' 10" W
24 54.99 feet, S 33° 19' 47" E 108.56 feet, S 13° 01' 34" E 79.17 feet, S 24° 40' 46" E 63.75 feet, S
25 18° 33' 42" E 75.11 feet, S 13° 21' 04" E 149.64 feet, S 19° 17' 08" E 80.31 feet, S 24° 57' 12" E
26 72.60 feet, and S 06° 48' 54" E 5.17 feet; thence leaving said eastern bank South 62° 54' 02"
27 West 880.44 feet to a point; thence North 00° 00' 00" East 1761.24 feet to a point; thence North
28 62° 54' 02" East 881.82 feet to the Point of Beginning, containing 28.919 acres, more or less.

29 **SECTION 4.** The corporate limits of the City of Wilmington are extended to
30 include the following described area:

31 Magnolia Trace Tract: A tract of land bound on the Southwest by Carolina Beach
32 Road (U.S. Hwy. 421), a 160' public right-of-way; on the Northwest by the lands, now or
33 formerly, of Silver Lake Baptist Church, recorded among the land records of the New Hanover
34 County Registry in Deed Book 1052, at Page 110; on the Northeast by the lands, now or
35 formerly, of South College Road Associates, recorded in Deed Book 1417, at Page 1317; on the
36 Southeast by Treetops HOA, Inc., recorded in Deed Book 3966, at Page 163; and being more
37 particularly described as follows: BEGINNING at a point in the northeastern boundary of
38 Carolina Beach Road, said point being located North 35°29'0" West, 168.00' along the right-of-
39 way from its intersection with the centerline of Winding Branches Drive, a 50' private right-of-
40 way; and running thence from the point of beginning with the right-of-way of Carolina Beach
41 Road, North 35°28'46" West, 307.01 feet to a point; thence North 36°30'11" West, 101.04 feet
42 to a point; thence North 35°49'34" West, 99.49 feet to a point; thence with the Silver Lake
43 Church line, North 54°19'50" East, 879.21 feet to a point; thence with the South College Road
44 Associates line, South 12°10'42" West, 150.06 feet to a point; thence South 11°55'45" West,
45 148.07 feet to a point; thence with the Treetops HOA line, South 11°54'20" West, 227.12 feet to
46 a point; thence South 36°55'00" West, 513.79 feet to the point and place of beginning,
47 containing 6.42 acres, more or less.

48 **SECTION 5.** This act becomes effective July 1, 2012.