

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1979

RATIFIED BILL

CHAPTER 205

HOUSE BILL 704

Wot CO 836.08  
Avery CO 418.04  

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1254.12

AN ACT TO INCORPORATE THE TOWN OF SEVEN DEVILS.

The General Assembly of North Carolina enacts:

Section 1. The inhabitants and property of the area described in Section 2 of this act shall be and constitute a body politic and corporate under the name of the "Town of Seven Devils" and shall be vested with all municipal powers, functions, rights, privileges and immunities conferred by the Constitution and laws of the State of North Carolina upon municipalities and especially Chapter 160A of the General Statutes.

Sec. 2. The corporate boundaries of the Town of Seven Devils shall be as follows until changed in accordance with law:

BEGINNING at a point in the North line of the property described herein, said point of Beginning being at a stake on a large prominent rock in the gap between pinnacles on Four Diamond Ridge in Avery County, and being in the South line of the F.W. VonCannon Estate, North 67° 33' East 3361.25 feet (and crossing from Avery County into Watauga County) to a locust in Lee's Gap; continuing with the VonCannon Estate line (running along Hanging Rock Ridge), North 80° 7' East 1482.20 feet to a Spanish Oak, the Southwest corner of property now or formerly owned by Ben Broyhill; running thence with Broyhill's line the two following courses and distances,

namely, [North 46° East 200 feet to a stake and North 73° East 2680 feet to a marked 24-inch maple tree,] [Mark Townsend's corner; running thence with Townsend's East line, North 6° 30' East 1050 feet to a large birch,] and old corner and Tom Townsend's Southwest line; running thence with Townsend's South line the following courses and distances, namely, South 86° 30' East 1248 feet to a white thorn on a rock; running thence North 34° East 786 feet and passing an "X" cut in a rock, to a pile of rocks; thence North 32° 30' East 297 feet to a stake; thence North 45° East 132 feet to a large water oak; thence North 35° West 332 feet to a point; thence North 61° East 1605 feet to a water oak stump, a corner with Cicero Townsend; thence North along Townsend's South line, North 54° East 120 feet to a rock; thence North 13° East 66 feet to a locust stump, a corner with Adam Townsend; thence with Townsend's South line the following courses and distances, South 81° East 198 feet to an ash on a rock; thence South 79° 30' East 1345 feet to a Spanish Oak located on the top of Nettle Knob, the Northwest corner of Sidney Harmon; running thence with Sidney Harmon's West line, South 21° East 1655 feet to a Spanish Oak, a Northeast corner of property formerly owned by Lin Aldridge; thence with Aldridge's North line, the following courses and distances: South 61° West 946 feet to a Beadwood; thence South 31° West 297 feet to a painted rock; thence South 52° West 842

LINE  
IN QUESTION

feet to an iron stake; thence South 76° West 385 feet to a painted rock; thence South 25° West 266 feet to a pine stump, the Sherwood and Bingham Northeast Corner; running thence with Bingham's North and West lines the following courses and distances: South 70° West 349 feet to an iron stake; South 48° 30' West 148.5 feet to an oak tree; thence South 81° West 194.10 feet to a point in the South margin of a private road; thence with the margin of said road as follows: South 89° West 80.20 feet South 70-42 West 102.35 feet, South 62-22 West 90.28 feet, South 65-16 West 79.70 feet, South 59-44 West 74-45 feet, South 59-35 West 75.34 feet, South 56-34 West 110.39 feet, South 53-32 West 137.39 feet, South 57-53 West 89.61 feet and South 50-59 West 78.09 feet; thence leaving road South 54-04 East 135.80 feet; thence, South 40-15 East 683.31 feet; thence with Winkler's West line South 45° East 394 feet to a maple tree, the Northeast corner of the Andrew Ellis Property; thence with Ellis's North line, the following courses and distances: South 66° West 312 feet to an iron stake; South 39° West 339 feet to an iron stake; South 60° West 378 feet to an iron stake; and South 47° West 130 feet to a painted rock in Gragg Branch, and a common corner with the Johnson property; running thence with the center of the branch and along the Johnson's East line, the following courses and distances: North 60° West 139 feet to a point; North 65° West 170 feet to a

point; North 75° West 278 feet to a point; North 34° West 142 feet to a point; and North 4° West 96 feet to a painted rock; thence continuing with Johnson's North line, South 88° West 247 feet to a chestnut stump; thence South 78° West 115.5 feet to a maple; thence South 66° West 66 feet to a rock; thence South 57° West 470 feet to an iron stake; thence South 34° East 214 feet to a bunch of chestnut oaks; thence South 55° East 625 feet to a poplar; thence South 24° East 206 feet to an iron stake; thence South 25° West 320 feet to an iron stake; thence South 78° West 592 feet to an iron stake; thence South 56° 30' West 297 feet to an iron stake; thence South 83° West 261 feet to an iron stake; thence South 12° 30' East 269 feet to a locust; thence South 7° East 69 feet to a point in the center of Valley Creek, Wagner's North line; thence along the center of Valley Creek following Wagner's North line the following courses and distances: North 67° West 74 feet; North 61° West 118 feet; North 42° West 138 feet; South 85° West 72 feet; North 57° West 37 feet; North 03° 30' West 109 feet; North 41° West 92 feet; South 83° West 46 feet; North 60° 30' West 46 feet; North 54° West 65 feet; North 9° West 90 feet; North 70° West 211 feet; North 67° West 60 feet; North 86° West 187 feet; North 81° 30' West 95 feet; North 89° West 125 feet; South 58° West 108 feet; South 65° West 72 feet; North 80° West 150 feet; North 60° West 125 feet; North 70° West

136 feet; South 62° West 165 feet; South 84° West 145 feet; North 61° West 86 feet; South 88° West 111 feet; South 58° West 181 feet; South 55° West 136 feet; South 70° West 145 feet; South 60° West 112 feet; South 85° West 123 feet; and South 60° West 107 feet to an iron stake, the Northwest corner of the Wagner property; running thence South 1° 30' West 660 feet to an iron stake, the Northwest corner of the Shook Heirs Property; running thence with the Shook Heirs line the following courses and distances: South 02° West 287 feet to a painted rock; thence South 02° West 500 feet to a point; thence South 02° West 1992 feet to a point; thence North 80° West 242 feet to a point; thence due West 326 feet to a point; thence South 80° West 84 feet to a point; thence due West 2,550 feet to a point; thence South 01° 30' West 485 feet to a large white oak; thence North 70° West 66 feet to a chestnut stump; thence South 58° 30' West 690 feet, more or less, to a point; thence North 63° 30' West 109.63 feet to a point; thence North 53° 18' West 64.70 feet to a point; thence North 61° 49' West 71.38 feet to a point; thence North 71° 05' West 162.28 feet to a point; thence North 83° 56' West 86.85 feet to a point; thence South 86° 18' West 125.17 feet to a point; and South 68° 10' West 72.18 feet to a point; thence with the VonCannon Estate, the following courses and distances; North 26° 45' West 1228.14 feet to a point; North 01° East 160 feet to a

point; South 70° West 66.70 feet to a point; North 37° West 375.70 feet to a point; thence North 69° 45' West 290.95 feet to an iron stake; North 44° 44' West 426.32 feet to a stake; thence North 58° 44' West 77.1 feet to a stake; thence North 47° 49' West 127.14 feet to a hole in a rock; thence North 04° 12' West 115.78 feet to the top of a rock; thence North 37° 15' East 110.53 feet to a water hole in a rock; thence North 26° East 1161.30 feet to a stake on top of Rock Bluff; thence North 36° 29' East 1138.12 feet to a stake on Rock Ledge; thence North 41° 25' East 1179.41 feet to the place of Beginning, containing 1254.12 acres, more or less.

Sec. 3. Until the initial election hereinafter provided for, Ruth L. Greene, Joan St. Louis, and F. Landis Smith are appointed as the Board of Aldermen of the Town of Seven Devils. Robert L. Brown is appointed Mayor. The persons appointed shall exercise the powers granted by law to the Board of Aldermen until the 1979 election of municipal officers when their successors shall be elected and qualified.

Sec. 4. The elected officers of the Town shall be a Board of Aldermen composed of four members, and the Mayor shall be elected by and from the Board of Aldermen. The term of the Mayor shall be two years, and after the initial election as provided in Section 5, the terms of aldermen shall be four years.

Sec. 5. At the regular municipal election in 1979, the candidates for alderman receiving the largest number of votes and the second largest number of votes shall be elected for four-year

terms; the candidates for alderman receiving the third largest number of votes and the fourth largest number of votes shall be elected for two-year terms. In 1981 and quadrennially thereafter, two aldermen shall be elected for four-year terms. In 1983 and quadrennially thereafter, two aldermen shall be elected for four-year terms.

Sec. 6. The officers of the Town shall be elected by the nonpartisan plurality method as provided in G.S. 163-292.

Sec. 7. The Town shall operate under the mayor-council form of government in accordance with Part 3 of Article 7 of Chapter 160A of the General Statutes. ~~AMENDED~~ <sup>4/80</sup> <sup>NOW</sup> <sup>COUNCIL/MANAGERIAL</sup>

Sec. 8. Elections in the Town of Seven Devils shall be conducted in accordance with Subchapter IX of Chapter 163 of the General Statutes.

Sec. 9. The Board of Aldermen and Mayor may adopt a budget ordinance for the 1979-80 fiscal year, following their qualification for office, without having to comply with the budget preparation and adoption timetable set out in the Local Government Budget and Fiscal Control Act.

Sec. 10. This act shall become effective June 30, 1979.

In the General Assembly read three times and ratified,  
this the 26th day of March, 1979.

JAMES C. GREEN

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James C. Green

President of the Senate

CARL J. STEWART, JR.

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Carl J. Stewart, Jr.

Speaker of the House of Representatives



AN ORDINANCE TO AMEND THE CHARTER OF THE  
TOWN OF SEVEN DEVILS, NORTH CAROLINA  
TO ADOPT THE COUNCIL-MANAGER  
FORM OF GOVERNMENT

BE IT ORDAINED by the Board of Aldermen of the Town of Seven Devils, N. C.

SECTION 1: Pursuant to G. S. 160A-101 and 160A-102, the Charter of the Town of Seven Devils as set forth in Chapter 205 of the 1979 Session Laws of North Carolina, as amended, is further amended to provide that the Town shall operate under the Council-Manager form of government in accordance with Part 2 of Article 7 of G. S. Chapter 160A and any charter provisions not in conflict therewith.

SECTION 2: Subject to any referendum petitioned for and conducted pursuant to G. S. 160A-103, this ordinance shall be in full force and effect from and after the day of 12 APRIL, 19 80.



ATTEST:

Robert R. Brown

Mayor

Town of Seven Devils, North Carolina

122201  
Clerk

Town of Seven Devils, North Carolina

TOWN OF SEVEN DEVILS

COUNTIES OF AVERY AND WATAUGA

STATE OF NORTH CAROLINA

ORDINANCE AMENDING THE CHARTER  
OF THE TOWN OF SEVEN DEVILS

WHEREAS, the Town of Seven Devils adopted a resolution of intent to consider an ordinance amending its charter on April 16, 1991; and

WHEREAS, pursuant to law, a duly noticed public hearing on the proposed charter amendments was held by the Town of Seven Devils on May 21, 1991; and

WHEREAS, at its regularly scheduled meeting on June 18, 1991, the Town of Seven Devils duly adopted an ordinance amending the charter to implement the amendments proposed in the resolution of intent;

NOW, THEREFORE, notice is hereby given that the Town of Seven Devils hereby resolves and amends its charter by ordinance as follows:

1. STYLE OF THE GOVERNING BOARD: The governing board shall be styled the council of the Town of Seven Devils as provided by N.C.G.S. §160-101(3);

2. TERMS OF OFFICE OF MEMBERS OF THE COUNCIL: Members of the council shall serve terms of office of four years, except the member of the council receiving the third highest vote shall serve a term of office of two years. The terms shall be staggered so that three council members shall be elected during the general election. Two council members receiving the highest vote shall serve terms of office of four years and the council members

receiving the third highest vote shall serve a term of office of two years as provided by N.C.G.S. §160A-101(4);

3. NUMBER OF MEMBERS OF THE COUNCIL: The council shall consist of five (5) members as provided by N.C.G.S. §160A-101(5);

4. MODE OF ELECTION OF THE COUNCIL: All candidates shall be nominated and elected by all the qualified voters of the city as provided by N.C.G.S. §160A-101(6);

5. ELECTIONS: Municipal elections shall be conducted as a nonpartisan plurality as provided in N.C.G.S. §163-292 pursuant to N.C.G.S. §160A-101(7);

6. SELECTION OF MAYOR: The mayor shall be selected by the council from among its membership to serve at its pleasure pursuant to N.C.G.S. §160A-101(8);

7. FORM OF GOVERNMENT: The city shall continue to operate under the council-manager form of government as provided by N.C.G.S. §160A-101(9).

This amendment to the charter of the Town of Seven Devils shall be effective upon its adoption this 18th day of June, 1991.

Chess Hill  
Town Clerk

AB Benson IV  
Mayor

