

A RESOLUTION STATING THE INTENT OF THE TOWN OF CARRBORO N.C.
TO CONSIDER ANNEXATION OF THE AREAS DESCRIBED
HEREIN AND FIXING THE DATE OF A PUBLIC INFORMATIONAL
MEETING AND A PUBLIC HEARING ON THE QUESTION OF ANNEXATION
Resolution No. 20/2004-05

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro, North Carolina
that:

Section 1. It is the intent of the Board of Aldermen of the Town of Carrboro, North Carolina to consider annexation of the following described territory pursuant to Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina:

Northeast Annexation Area "A"

Beginning at a point on the existing Carrboro City limits line, said point also being the northeast corner of Tax Map 109..11A known as Tract 2 of the T. H. Hogan Estate owned by the University of North Carolina at Chapel Hill and the southeast corner of Tax Map 109..11F owned by David L. Backus et al and on the western property line of Tax Map 109..12 known as the Chapel Hill High School Property that is also the existing Chapel Hill corporate limit line thence from said point of beginning and in a northerly direction along the existing Chapel Hill corporate limit line and the eastern boundary line of Tax Map 109..11F and Tax Map 109..11E owned by James M. Rosinia to a point on the northeast corner of Tax Map 109..11E; thence continuing in a westerly direction along the Chapel Hill corporate limit line and the northern boundary of Tax Map 109..11E and Tax Map 109..11 owned by Robert W. Mastro; to a point where the Chapel Hill corporate limit line runs within the right-of-way of Homestead Road (SR 1777); thence continuing approximately 200 feet along the existing Chapel Hill corporate limit line to its northernmost intersecting point with the centerline of Homestead Road (SR 1777); thence in a northerly direction along the centerline of Homestead Road (SR 1777) approximately 1,606 feet to its intersection with the centerline of Rogers Road (SR 1729); thence in a northerly direction approximately 2,360 feet along the centerline of Rogers Road (SR 1729) to a point along a line coinciding with the northern boundary line of the Highlands North Subdivision (see: PB 78, Pg. 110); thence in a westerly direction along a line coinciding with the northern boundary line of the Highlands North Subdivision approximately 630 feet to a point on the northwestern corner of the Highlands North Subdivision; thence in a southerly

direction along the western boundary of the Highlands North Subdivision approximately 569 feet to a point in the centerline of Tallyho Trail (SR 2213); thence in an easterly direction along the centerline of Tallyho trail approximately 200 feet; thence in a southerly direction approximately 25 feet to a point on the northwestern corner of the Highland Meadows Subdivision (see PB 61 P126); thence in a southerly direction along the western boundary of the Highland Meadows Subdivision approximately 765 feet to a point on the southwest corner of the Highland Meadows Subdivision and the northern boundary of the Highlands Subdivision Phase 4B (see PB 53 P 86); thence in a westerly direction along the northern boundary of the Highlands Subdivision Phase 4B and Phase 4 (see PB 52 P 139) approximately 845 feet to a control corner on the northeastern corner of Tax Map 109..8 (see DB 218 P 806) owned by the University of North Carolina; thence in a southerly direction along the eastern boundary of Tax Map 109..8 and the Carrboro corporate limit line approximately 2,246 feet; thence continuing in an easterly direction along the Carrboro corporate limits and the northern boundary of tax map 109 11..B approximately 1,332 feet thence continuing with the Carrboro corporate limit across the Homestead Road (SR 1777) right of way and along the northern boundary of Tax Map 109..11A known as Tract 2 of the T. H. Hogan Estate owned by the University of North Carolina at Chapel Hill approximately 554 feet to the point and place of the beginning. Containing 119.5 acres more or less.

Northeast Annexation Area "B"

Beginning at a point on the centerline of Rogers Road (SR 1729), said point being approximately 675 feet southeast of the intersection of the Rogers Road right-of-way (SR 1729) with the Eubanks Road (SR 1727) right-of-way; thence in a westerly direction 47 feet to a point along a line coinciding with the northern boundary line of the Meadow Run Subdivision (see: PB 55, Pg. 38) and the northeast corner of lot 1 or Tax Map 23.C.32; thence continuing in a westerly direction along the northern boundary line of the Meadow Run Subdivision approximately 161.85 feet; thence continuing in a southwesterly direction along western boundary of the Meadow Run Subdivision 1,574.97 feet; thence to an existing iron pin on the southwestern corner of the Meadow Run Subdivision and the Northwestern corner of the Fox Meadow Subdivision (see PB 45 Pg 111 Section Three Phase B Fox Meadow); thence continuing in a southwesterly direction along the western boundary of the Fox Meadow Subdivision, Section Three Phase B, 948.47.feet; thence continuing in a

southwesterly direction along the western boundary of the Fox Meadow Subdivision, Section Four Phase A (see PB 49 Pg 78 Section Four Phase A Fox Meadow) 189.81 feet; thence continuing in a westerly direction along the northern boundary of the Fox Meadow Subdivision, Section Four Phase A 703.60 feet; thence continuing in a southwesterly direction along the western boundary of the Fox Meadow Subdivision, Section Four Phase A 427.62 feet to a point along the Carrboro corporate limit line; thence running with the Carrboro corporate limit line and continuing in a southwesterly direction along the western boundary of the Fox Meadow Subdivision, Section Four Phase A 86.78 feet and Section Four Phase B (see PB 50 Pg 36 Section Four Phase B Fox Meadow) 677.98 feet; thence in an easterly direction along the southern boundary of Section Four Phase B of the Fox Meadow Subdivision and along the Carrboro corporate limit 1,463.85 feet; thence continuing in a southern direction along the Carrboro corporate limit and the western boundary of Section Four Phase C (see PB 50 Pg 81 Section Four Phase C Fox Meadow) of the Fox Meadow Subdivision 422.81 feet to a point along the Carrboro corporate limit and the northwest corner of Tax Map 109..8 owned by the University of North Carolina; thence continuing in a easterly direction along the Carrboro corporate limit line and the northern boundary of Tax Map 109..8 approximately 1,183 feet; thence leaving the Carrboro corporate limit line and continuing in an easterly direction along the southern boundary of Tax Map 23.C.28 known as the Laura Walker Cotton Etal property approximately 310 feet to a point on the southwest corner of Section One of the Fox Meadow Subdivision (see PB 39 Pg 154); thence continuing southeast along the southern boundary of the Fox Meadow Subdivision approximately 537 feet to a point on the southeast corner of Section One of the Fox Meadow Subdivision and the southwest corner of the Highland Meadows Subdivision (see PB 61 Pg 126); thence in a northern direction along the eastern boundary of Section One of the Fox Meadow Subdivision approximately 764.8 feet to a point on the centerline of Tallyho Trail (SR 2213); thence in a westerly direction along the centerline of Tallyho Trail approximately 200 feet; thence in a northern direction approximately 25 feet to a point on the southwestern corner of the Highlands North Subdivision (see PB 78 Pg 110); thence along the western boundary of the Highlands North Subdivision approximately 544 feet to a point on the northwestern corner of the Highlands North Subdivision; thence along the northern boundary of the Highlands North Subdivision approximately 630 feet to the centerline of Rogers Road (SR 1729); thence in a northern direction along the centerline of Rogers Road approximately 3,560 feet to the point and place of the beginning. Containing 202 acres more or less.

Section 2. A public informational meeting on the question of annexing the above described territory will be held from 6:30 P.M. until 9:30 P.M. on Monday, November 1, 2004 in the Century Hall located within the Carrboro Century Center, at 100 North Greensboro Street, Carrboro, NC 27510, at which time plans for extending services to said territory will be explained and all residents and property owners in said territory and all residents of the Town of Carrboro, N.C. will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

Section 3. A public hearing on the question of annexing the above described territory will be held in the in the Century Hall located within the Carrboro Century Center, at 100 North Greensboro Street, Carrboro, NC 27510 at 7:30 P.M. on Tuesday, November 16, 2004, at which time plans for extending services to said territory will be explained and all residents and property owners in said territory and all residents of the Town of Carrboro, N.C. will be given an opportunity to be heard.

Section 4. The report of plans for extending services to the above described territory dated July 31, 2004 entitled Town of Carrboro, NC Service Report for Northeast Annexation Areas "A" & "B", is hereby adopted and shall be made available for public inspection at the office of the Town Clerk at least thirty (30) days prior to the date of the public informational meeting. The statement of financial impact contained in the report shall be delivered to the Orange County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. A legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed who have been identified shall be posted in the office of the Town Clerk at least thirty (30) days prior to the date of the public informational meeting.

Section 6. Notice of the public informational meeting and public hearing shall be given by publication and by first class mail, as required by G.S. 160A-49. The effective date of the annexation shall be not less than one year following the date of adoption of the annexation ordinance.

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SERVICE REPORT FOR NORTHEAST ANNEXATION AREAS “A” & “B”

This report describes two separate annexation areas referred to as Area “A” and Area “B” which are generally located northeast of the present Town limits and within Carrboro’s Planning jurisdiction.

Area “A” includes properties that are for the most part located west of the southern portion of Rogers Road (SR 1729), north of Homestead Road (SR 1777) and east of Carrboro’s corporate limits. In addition to individually described parcels, Area “A” includes the following subdivisions: Camden, Highlands Highland Meadows and Highlands North.

Area “B” located north of Area “A” and northeast of Carrboro’s corporate limits includes properties that are for the most part situated west of the northern portion of Rogers Road (SR 1729). In addition to individually described parcels, the Fox Meadow and Meadow Run subdivisions are included within this annexation area.

July 31, 2004

This report has been prepared pursuant to the North Carolina General Statutes, Chapter 160A, Article 4A, Part 3, Sections 160A-45 through 160A-56; and specifically Section 160A-47, as amended. This report includes the required maps, explanation of each area's eligibility for annexation, and plans to extend and finance municipal services.

SUMMARY OF SERVICE REPORT FOR THE NORTHEAST ANNEXATION AREA

- The Carrboro Board of Aldermen, during its February 2004 retreat, requested that a study be prepared regarding the annexation of two adjacent areas located northeast of Carrboro's city limits. Area "A" includes the following subdivisions: Camden, Highlands, Highland Meadows and Highlands North. Area "B" includes the Fox Meadow and Meadow Run subdivisions.
- This report describes the Town's plans for extending and financing municipal services such as police, fire, street maintenance, sanitation, water, sewer and other major services to each of the areas if annexed.
- The report provides detailed information as to how each proposed annexation area meets the standards perscribed by North Carolina State law to be eligible for annexation by the Town of Carrboro.
- Notices of the Public Information Meeting and Public Hearing will be mailed at least four weeks prior to the date of the Public Information Meeting by First Class mail, postage prepaid, to the owners of real property located within the areas to be annexed as shown in Orange County tax records.
- Town staff will hold a Public Information Meeting on the proposed annexation on Monday, November 1, 2004 in the Century Hall located within the Carrboro Century Center, at 100 North Greensboro Street, Carrboro, NC 27510.
- The Board of Aldermen will hold a Public Hearing on the proposed annexation and annexation report on extending and financing services at 7:30 p.m. on Tuesday, November 16, 2004 in the Century Hall located within the Carrboro Century Center, at 100 North Greensboro Street, Carrboro, NC 27510.
- If the Board of Aldermen decides to annex the area, the annexation may be made effective at least one year after the annexation ordinance is adopted. Various Town services will be provided and become available to the annexed area and its residents and property owners on the effective date of the annexation. An effective date of January 31, 2006 is recommended. The Board of Aldermen will establish the effective date if it decides to annex the area.
- The Town is following procedures in State law for considering the annexation. A Planning Staff Report summarizing State annexation law is attached as Appendix A.
- For more information, please call the Planning Department at (919) 918-7324; write the Planning Department at 301 W. Main Street, Carrboro, NC 27510; or visit the Planning Department on the second floor of Town Hall.
- A copy of this annexation report with the services and financing plan is available for any citizen to review in the Town Clerk's office in the Town Hall between 8:30 a.m. and 5 p.m. on weekdays, except holidays. The report will also be available on the Town's website (www.townofcarrboro.org).

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NE Area Annexation Report, July 31, 2004

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I. INTRODUCTION

The Carrboro Board of Aldermen has initiated procedures to consider the annexation of two areas generally located northeast of the present Carrboro town limits.

In accordance with State law (G.S. 160A-47 and other sections), the Town has prepared this report to describe how municipal services including solid waste collection, police and fire protection, street maintenance and water and sewer extensions and service will be provided and financed if the annexation occurs. The annexation could become effective January 31, 2006 or at such other date as established by the Board of Aldermen in accordance with North Carolina General Statutes (G. S. 160A-49(e)).

A. State Law - Procedures and Policy on Annexation

The Town is following the procedures and requirements in Chapter 160A, Article 4A, Part 3 of the North Carolina General Statutes (G.S. 160A-45 and following sections) and North Carolina General Statutes 160A-58.10. A general summary of these annexation laws is included as Appendix A of this report.

Since 1959, the North Carolina General Assembly has set forth the State's policy on annexation as part of the General Statutes governing cities and towns. The laws enacted by the General Assembly state, in part (G.S. 160A-45):

1. That sound urban development is essential to the continued economic development of North Carolina;
2. That municipalities are created to provide the governmental services essential for sound urban development and for the protection of public health, safety and welfare in areas being intensively used for residential, commercial, industrial, institutional and governmental purposes or in areas undergoing such development;
3. That municipal boundaries should be extended, in accordance with legislative standards applicable throughout the State, to include such areas and to provide the high quality of governmental services needed therein for the public health, safety and welfare;
4. That new urban development in and around municipalities having a population of 5,000 or more persons is more scattered than in and around smaller municipalities, and that such larger municipalities have greater difficulty in expanding municipal utility systems and other service facilities to serve such scattered development so that the legislative standards governing annexation by larger municipalities must take these facts into account if the objectives set forth in this section are to be attained;
5. That areas annexed to municipalities in accordance with such uniform legislative standards should receive the services provided by the annexing municipality in accordance with G.S. 160A-47(3).

B. Town Policy on Annexation

The Town's general policy, as reflected in annexation decisions over the last 20-plus years, has been to encourage owners of new developments outside but near the Town to petition the Town voluntarily for annexation so that municipal urban services will be available to the developments.

The Town also may annex areas that qualify for annexation under State law and where part or all of the area is developed for urban purposes and where the area can practically be served by the Town through the extension of municipal services.

C. Steps in the Annexation Process

This report proposes the annexation of two separate areas that are adjacent to one another and generally located northeast of the Town of Carrboro. The annexation of these areas initiated by the Town are authorized under provisions of Article 4A, Part 3, of Chapter 160A of the North Carolina General Statutes.

In accordance with G.S. 160A-49, the annexation process may be initiated by the Board of Aldermen through the adoption of "a resolution of intent". This resolution [(G.S. 160A-49(a))] states the intent of the municipality to consider annexation of certain areas. This resolution must describe the boundaries of the area proposed for annexation; fix a date for a public informational meeting to be held between forty-five (45) and fifty-five (55) days following the passage of the resolution; and fix a date for a public hearing to be held between sixty (60) and (90) days following the passage of the resolution. The resolution of intent and the annexation ordinance must provide that the effective date of the annexation will be at least one year after the annexation ordinance is adopted [G.S. 160A-49(j)].

The Board of Aldermen on September 14, 2004 adopted a Resolution of Intent to consider the areas described in this report. That resolution scheduled a Public Information Meeting for November 1, 2004 and a Public Hearing on the question of annexation for November 16, 2004. Notices of the Public Information Meeting and the Public Hearing will be published in *The Chapel Hill Herald and the Chapel Hill News* on Sunday, October 24, 2004 and Sunday, October 31, 2004. Notices of the Public Information Meeting and the Public Hearing will also be mailed at least four weeks prior to the date of the information meeting by first class mail, postage prepaid, to the owners of real property located within the areas to be annexed as shown in Orange County tax records.

Between 10 and 90 days after the hearing, the Board of Aldermen may adopt an annexation ordinance [G.S. 160A-49(e)]. Under such an ordinance, the effective date of annexation will be established by the Board. The effective date of the annexation will be at least one year after the annexation ordinance is adopted [G.S. 160A-49(j)].

The proposed effective date of this annexation is January 31, 2006.

D. Eligibility for Annexation under North Carolina General Statute 160-48

The North Carolina General Statutes provide standards for determining which areas are eligible to be annexed to a municipality. In general, these standards describe areas that:

- are contiguous to the municipal boundary; and
- are urbanized or are in the process of becoming urbanized; or
- are not urbanized as defined by the statutes but link the municipality with an urbanized area through the provision of services and/or water and/or sewage lines, or
- are sufficiently contiguous to a combination of urbanized areas and the Town limits.

The specific annexation standards are discussed in G.S. 160A-48

E. Organization of this Report

The following sections of this report describe the areas proposed for annexation, establish each area's eligibility for annexation under Section 160A-48, describe the Town's plans for providing municipal services to the areas and state the method of financing services.

The final section of this report includes maps, a description of the boundaries of each annexation area and other appendices.

II.

AREAS PROPOSED FOR ANNEXATION

A. General Description of Annexation Areas

The two areas under consideration for annexation by the Town of Carrboro are referred to as Northeast Annexation Area "A" and Northeast Annexation Area "B". Both areas are individually and collectively developed for urban purposes. Map 1 in Appendix C of this report shows the general location of the two areas with respect to Carrboro's existing city limits. The Town of Carrboro computed acreages, lot boundaries and housing unit counts using its Geographic Information System (GIS) and with the use of Orange County's Land Records Data Base supplemented by a June 2004 field survey and aerial photography produced in March of 2003. The total combined area includes 321.5 acres of which 296 acres consist of developed or undeveloped lots and tracts. The combined area includes 288 occupied housing units. Area "A" includes 164 occupied units and approximately 119.5 acres of which 100.8 acres consist of developed or undeveloped lots and tracts. Area "B" includes 124 occupied units and approximately 202 acres of which 195.3 acres consist of developed or undeveloped lots and tracts. The Carrboro Planning Department utilized computation methods provided in accordance with G.S. 160A-54 for calculating population, land area, subdivided lot, and boundary information. As to population, the estimate is based on the number of dwelling units in the area multiplied by the average family size (2.96 persons per unit) in the Chapel Hill Township, as determined by the 2000 federal decennial census. This computation results in an estimated total population for the two areas of 852 people or approximately 2.88 persons per acre which exceeds the 2.3 persons per acre urban standards requirement. Further application of this computation produces a an Area "A" population of 485 persons or 4.81 persons per acre and an Area "B" population of 367 persons or 1.88 persons per acre. The 1.88 persons per acre in "Area "B" fails to meet the 2.3 persons per acre urban standards requirement under the population test, but as included below, Area "B" qualifies as an urban area under other criteria.

As required by Subsection 160A-48(b) of the General Statutes, the area is contiguous to the Town of Carrboro on more than one-eighth (12.5%) of its boundary and no part of the area is within the boundary of another municipality. The boundary of the total area to be annexed has approximately 20,590 linear feet, of which 6,575 feet abut the Town's present primary corporate limits. Thus, 31.9% of the boundary of the annexation area is contiguous to the Town's present primary corporate limits exceeding the one-eighth (12.5%) requirement. The perimeter of Area "A" is 12,307 feet and 4,320 feet or 35% is contiguous to the Town's present primary corporate limits. The perimeter of Area "B" is 14,284 feet and 3,733 feet or 26.1% is contiguous to the Town's present primary corporate limits. Both Area "A" and Area "B" exceed the one-eighth (12.5%) contiguity requirement.

B. Location and Identification of Each Annexation Area

A detailed description of the boundary of each annexation area is included in Appendix B of this report. In addition, Appendix C of this report provides Map 1 that shows the general location both annexation areas, Map2 shows the boundaries and general street layout of Area “A” and Map 3 that shows the boundaries and general street layout of Area “B” with respect to the existing corporate limits of Carrboro. Northeast Annexation Area “A” and Northeast Annexation Area “B” are generally described as follows:

Northeast Annexation Area “A”

Area “A” is located northeast of the present Town limits, within Carrboro’s Planning jurisdiction and includes properties that are for the most part located west of the southern portion of Rogers Road (SR 1729), north of Homestead Road (SR 1777). In addition to individually described parcels, Area “A” includes the following subdivisions: Camden, Highlands Highland Meadows and Highlands North.

Northeast Annexation Area “B”

Area “B” located north of Area “A” and northeast of Carrboro’s corporate limits includes properties that are for the most part situated west of the northern portion of Rogers Road (SR 1729). In addition to individually described parcels, the Fox Meadow and Meadow Run subdivisions are included within this annexation area.

C. Applicable Provisions of G.S. 160A-48

Northeast Annexation Area “A” and Northeast Annexation Area “B” proposed for annexation complies with the criteria in G.S. 160A-48(b)(1), 160A-48 (b)(2), and 160A-48(b)(3). Each area is adjacent or contiguous to the Carrboro’s boundaries as required by G.S. 160A-48(b)(1). At least one eighth of the aggregate external boundaries of each area coincides with the municipal boundary as required by G.S. 160A-48(b)(2) and no part of either area is included within the boundary of another incorporated municipality as required by G.S. 160A-48(b)(3). Each area is developed for urban purposes and meets the requirements of G.S. 160A-48(c).

D. Character of the Annexation Areas

The following describes how the character of Northeast Annexation Area “A” and Northeast Annexation Area “B” complies with the provisions of G.S. 160A-48:

Northeast Annexation Area “A”

1. The area is contiguous to the Town limits.
2. Over one-eighth (12.5%) of the aggregate external boundary of the area under

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consideration coincides with the existing Town limits. As previously noted, 35% of the annexation area boundary is contiguous with the present Town primary corporate limits.

3. None of the area is within the boundary of an incorporated municipality.
4. Recorded property lines and streets have been used in fixing the proposed municipal boundaries resulting from this annexation.
5. Land developments in the area are primarily residential.
6. The annexation area is composed of one area which meets the statutory requirements for urbanization in G.S. 160A-48(c)(1) for a density of at least 2.3 persons per acre.

Northeast Annexation Area "A"; using the 2000 Census Summary File 1 for townships, and based on the Northeast Annexation Area "A" being in the Chapel Hill Township, the appropriate average family size for this area is 2.96 persons. This factor multiplied by the actual count of occupied dwelling units (164) was used to estimate a population of 485 people. The Northeast Annexation Area "A" contains 100.8 acres,(excluding street rights-of-way). The population of 485 people divided by an acreage of 100.8 yields a population density of 4.81 persons per acre. Since Northeast Annexation Area "A" has a density that exceeds 2.3 persons per acre, it qualifies for annexation as an area developed for urban purposes under G.S. 160A-48(c) (1).

In addition the Northeast Annexation Area "A" complies with the urban purpose standard provided in G.S. 160A-48(c) (2) and in G.S. 160A-48(c) (3) as follows:

In compliance with 48(c) (2), the annexation area has a total resident population equal to 4.81 persons per acre which exceeds the one person per acre threshold; 100.8 acres or 100% of the total acreage consists of lots and tracts three acres or less in size which exceeds the 60% threshold and 160 of the 171 lots or 93.6% of the lots are one acre or less in size which exceeds the 65% threshold.

In compliance with 48(c) (3), the annexation area has 70 lots or 99.4% of the lots (71) used for residential, commercial, industrial, institutional or governmental purposes which exceeds the 60% threshold. Secondly, 100.8 acres or 100% of the 100.8 acres (not counting acreage used for commercial, industrial, governmental or institutional purposes) consist of lots and tracts three acres or less in size which exceeds the 60% threshold.

Northeast Annexation Area "B"

1. The area is contiguous to the Town limits.
2. Over one-eighth (12.5%) of the aggregate external boundary of the area under consideration coincides with the existing Town limits. As previously noted, 26.1% of the annexation area boundary is contiguous with the present Town primary corporate limits.
3. None of the area is within the boundary of an incorporated municipality.
4. Recorded property lines and streets have been used in fixing the proposed municipal

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boundaries resulting from this annexation.

5. Land developments in the area are primarily residential.
6. The annexation area is composed of one area which meets the statutory requirements for urbanization in G.S. 160A-48(c)(3)

The Northeast Annexation Area “B” is in compliance with 48(c) (3). The annexation area has 124 lots or 89.8% of the 138 lots are used for residential, commercial, industrial, institutional or governmental purposes which exceeds the 60% threshold. Secondly, 193.8 acres of the total 202 acres are used for purposes other than commercial, industrial, governmental or insitutional purposes. Of this 193.8 acres, 144.5 acres or 74.5%, consist of lots and tracts three acres or less in size which exceeds the 60% threshold.

E. Annexation Boundary Agreement

The Town of Chapel Hill and the Town of Carrboro adopted a 20-year annexation boundary agreement effective June 30, 1995 as authorized by Chapter 160 A, Article 4A, Part 6 of the North Carolina General Statutes (see Appendix H.). This agreement establishes an annexation boundary line between the two towns that generally runs from the Chapel Hill City Limits at High School Road northeast down the centerline of Homestead Road (SR 1777) to Rogers Road (SR 1729) and north along the centerline of Rogers Road to the Duke Forest property located southwest of the intersection of Rogers Road and Eubanks Road (SR 1727). The annexation boundary line is coterminous with the Chapel Hill and Carrboro urban transition area boundary established by the Chapel Hill-Carrboro-Orange County Joint Planning Area Agreement established November 2, 1987. The annexation boundary agreement requires the towns to notify each other at least 60 but not more than 180 days before the adoption of an annexation ordinance. The notice should describe the proposed area by a legible map clearly and accurately showing the boundaries of the annexation area. The Town of Carrboro will notify the Town of Chapel Hill of this proposed annexation on or before November 26, 2004.

F. Other Information Concerning the Annexation Area

The following maps concerning the area proposed for annexation are included as Appendix C of this report:

Map #	<i>Description</i>
1	Carrboro Corporate Limits and NE Annexation Areas “A” and “B”
2	NE Annexation Area “A” and Carrboro Corporate Limits.
3	NE Annexation Area “B” and Carrboro Corporate Limits.
4	Northeast Annexation Area “A”: Major Subdivisions
5	Northeast Annexation Area “B”: Major Subdivisions

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6	Northeast Annexation Areas “A” & “B”: Zoning Districts
7	Annexation Areas “A”: Land Use
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10	Northeast Annexation Areas “A” and “B” Sewer Lines
11	Proposed Sewer Extension
12	Police Response Areas
13	Proposed Police Response Areas
14	Existing Fire Districts

In addition to the maps included in this report, the detailed maps of the existing water distribution system and sewage collection system, both in and outside the Town's corporate limits, are incorporated in and made a part of this report by reference, and are available for public inspection during normal business hours in the offices of the Orange Water and Sewer Authority at 400 Jones Ferry Road in Carrboro.

III.

PLAN FOR EXTENDING AND FINANCING SERVICES

All major municipal services will be provided to each annexation area in accordance with General Statute 160A-47. On the effective date of annexation, the Town of Carrboro will provide each major municipal service on substantially the same basis and in the same manner as such services are provided within the rest of the Town immediately before annexation. All Town policies and services are subject to change over time.

Under General Statute 160A-47, the Town of Carrboro must set forth the method under which the Town plans to finance extension of services into each area to be annexed. Unless otherwise indicated below, the capital and operating expenses associated with providing these municipal services will be financed from the Town's General Fund. The General Fund, as the major operating fund of the Town, includes revenues from the ad valorem (property) tax, sales taxes, State gasoline taxes, and other taxes, fees and revenues.

A. Public Works Services

The Public Works Department provides daily service programs that promote a healthy, safe, environment that is aesthetically pleasing. The department is composed of five divisions.

The Supervision Division provides the foundation for accountability in delivering performance standards, financial, budgetary, purchasing, and administrative services for the entire department.

The Streets Division provides general street maintenance services that include street sweeping, litter collection, asphalt patching, sign installation and repair, pavement markings, gravel street maintenance, snow and ice control, bike path repair, storm water collection system maintenance, and right of way maintenance. Residential streets maintained by the Town are swept 8-10 times per year. The downtown business area is swept twice each week. Public Works staff monitors the condition of traffic control signs, and repairs or replaces signs as needed. Town owned right-of-way areas are picked free of litter and mowed about 4 times during the growing season. The Town resurfaces its streets on a fifteen-year cycle to prevent expensive roadway replacement or reconstruction. The Streets Division is also responsible for initiating street, storm water collection system, sidewalk, and bike path improvements. The Town currently maintains about 36.3 miles of paved streets, 2.2 miles of gravel streets, and 3.0 miles of bikeways.

The Solid Waste Division provides sanitation services that include solid waste collection to the single family sector once a week with a curbside roll-out container system, solid waste collection to the multi-family sector twice a week using a dumpster collection system, and the collection of solid waste from commercial properties using a dumpster collection system. Other services for the single family sector include twice per month collection of yard waste and the collection of bulky waste items. Commercial customers pay a fee for their service

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based on the size of their container and frequency of collection. All other services are paid by the General Fund. The Town currently serves about 3200 single family residents, 208 multi-family dumpsters, and 62 commercial customers. Recycling is provided to all sectors through a private contract administered by Orange Community recycling.

The Building and Trade Division maintains and repairs town owned facilities. These facilities include Town Hall, Century Center, Fire Station, Public Works complex, transit bus shelters, comfort stations and athletic area lighting within various parks. This division also manages cemetery operations that involve the selling and marking of cemetery lots at the Town's two cemeteries.

The Fleet Maintenance Division maintains and repairs all town vehicles and equipment performing preventive maintenance, state vehicle inspections, and general repairs.

The Landscape and Grounds Division provides maintenance of the Town owned properties including three city parks. Maintenance operations include, mowing, trimming, managing the Town's Integrated Pest Management (IPM) program, ball field preparation, tree trimming and removal, comfort station maintenance, and trash disposal. A leaf collection service is available to single family homes (November thru February) whereby residents rake leaves to the edge of the street and Town crews use vacuum machines and trucks to pick up and dispose of the leaves. This Landscape and Grounds Division also assists the Recreation Department during special events which include Carrboro and Independence Day celebrations, Senior Games, Halloween Carnival, and horseshoe tournaments. The number of acres currently maintain are about 8.6 acres of cemetery, 95.7 acres of parks, and 37 acres of right of way.

Solid Waste Collection

Solid Waste collection consists of the following services: Weekly collection of residential garbage, twice per month collection of yard waste, and bulky waste pick-up. Collection services will be provided under refuse collection policies in Chapter 11 of the Town Code applicable to the Town in general. These town code policies are available for public inspection in the Town Clerk's office at the Town Hall or on the town's web site at townofcarrboro.org. All yard waste, including Christmas trees, must be put at the edge of public streets.

Garbage Collection

Annexation Area "A" and Annexation Area "B" will receive the same level of service that is currently provided to all areas of Town. Residential garbage is currently collected once a week at curbside. Each resident will be required to obtain a roll-out cart from the Carrboro Public Works Department. The Town charges its cost for roll-out containers which is currently \$42 each.

Contracting with the private solid waste collection firms that have served these areas for at least 90 days prior to the resolution of consideration is an acceptable alternative for providing service. If the private solid waste collection firms request a contract, the city is required to either contract with these firms for a period of two years after the effective date of annexation or to pay them, in lieu of a contract, a sum equal to a determined economic loss. The written request for a contract must be delivered to the city clerk at least 10 days before the November 16, 2004 public hearing. For the purposes of this report, estimated first year expenses related

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to refuse collection include the costs incurred by the city to provide service and estimated contract payments to the private solid waste collection firms. The contract payments are expected to be paid out to the private haulers for continuing to serve existing customers in equal payments over a two-year period. The Orange County Solid Waste Department was contacted in order to obtain a list of private solid waste collection firms and in order to estimate the potential cost. All six solid waste collection firms were contacted and two (Waste Industries of Durham and Republic Waste Services) tabulated their customer base within the annexation areas. These two firms serve 38% or 110 customers out of a 287 potential customer base. The total monthly fees currently collected by the two firms for once a week pick-up service is approximately \$2,000 per month or about \$18.20 per customer each month. If all 287 customers had private service then the total monthly payments would be about \$5,225 and the annual amount would approach \$62,700.

The Town is proposing to contract for a period of two years with the eligible firms that currently provide garbage collection to a reported 110 households with the balance of the homes served by the town's solid waste collection program. Yard Waste collection and bulky waste pick-up will be provided by the Town for all of the households in the annexed areas. An estimated additional 440 labor hours (0.21 full time equivalents) from Public Works personnel will be required to provide these services while maintaining existing service levels to other residents. It is anticipated that existing equipment will be adequate to handle the additional workload. Additional labor will be required by Public Works as more households switch over to the Town's garbage collection service.

Leaf Collection

Leaf collection service available to single family homes within Town will also be made available on the same basis to single family homes within the annexation areas. It is anticipated that 164 single family homes in "Area A" and 123 single family homes in "Area B" will be served. This leaf collection service will require approximately 420 additional labor hours (0.2 full time equivalents) from Public Works personnel who are also responsible for maintaining existing service levels for other Landscape and Grounds operations. It is anticipated that existing equipment will be adequate to handle the additional workload.

Street Lighting

Installation of streetlights for existing development will be in accordance with the street lighting policies in effect for all areas of the Town. This policy includes installation of streetlights at intersections and intervals of about every 400 feet. Approximately 56 streetlights may be needed. If additional lights are needed to meet the Town's policy, they will be installed as soon as possible following the effective date of annexation.

The Town will direct Duke Power Company to install lights and will pay Duke Power monthly fees for rental and maintenance of street lights. Duke Power Company will be authorized to provide lighting in this area so that lighting is available as close to the time of annexation as possible. Typical installation time for new lights in residential neighborhoods is three months.

If a streetlight is not working, any citizen may have it put back in service by calling the Town at 918-7425 (Public Works Department) or by calling Duke Power (967-8231) directly.

General Street Maintenance

General street maintenance consists of the following services: Street sweeping, litter patrol, snow removal, pavement repair, pavement marking, sign installation and repair, storm water collection

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system maintenance, mowing, and general right of way maintenance.

Street Name Signs

Street name signs meeting Town standards will be installed at the intersection of all public streets, as is the practice within the present Town limits.

Traffic Control Signs and Markings

Traffic control devices such as signs, signals, pavement markings, and other related traffic control devices will be installed on Town-maintained public streets in accordance with the Manual on Uniform Traffic Control Devices published by the U.S. Federal Highway Administration. Traffic control devices associated with streets accepted by the Town will be maintained by existing Town personnel after installation.

The North Carolina Department of Transportation will determine the types of traffic control devices, signs and markings to be used on roads in the State-maintained road system. All public roads within the annexation area are state maintained roads.

Street Paving

Present paving policies applicable inside the Town will apply to public streets in the proposed annexation area. An unpaved street in the Town-maintained street system can be paved and otherwise improved to Town standards, including curb and gutter, at the property owners' request with a petition signed by a majority of the lot owners who also own a majority of the front footage abutting the street. The assessment to property owners is 50% of actual cost per front foot. The Town pays the other 50% of costs. The Town's share of the cost of paving dirt streets will be financed from the Capital Improvement Fund. All public streets within the annexation area are presently paved and maintained by the North Carolina Department of Transportation (NCDOT).

Street and Right-of-Way Maintenance

The North Carolina Department of Transportation (NCDOT) currently owns and maintains public roads in both annexation areas. There are approximately two miles of neighborhood roads in each annexation area. Additional cost to the Town for street maintenance within the annexation area will be minimal if the roads remain on the state maintenance system. However, following the effective date of annexation, NCDOT may request the transfer of maintenance responsibility for neighborhood streets within the annexation area to the Town of Carrboro. The Town may want to consider this option depending upon the funds which would become available for maintenance with the transfer. Major roads or arterials such as Homestead Road and Rogers Road will continue to be owned and maintained by NCDOT.

Additional Resources Required for General Street Maintenance Service

Should the Town of Carrboro take over maintenance responsibility of roads within the annexation areas, all existing street maintenance services as previously discussed will be provided. Approximately 1670 labor hours (0.80 full time equivalents) from Public Works personnel will be required to provide these services while maintaining existing service levels to other parts of the Town. It is anticipated that existing equipment will be adequate to accommodate the additional workload.

B. Water and Sewer Service

OWASA Water Service

Water service, as within the present Town limits, will be provided in accordance with policies adopted by the Orange Water and Sewer Authority (OWASA) to be applicable within the existing Town limits and the annexed area.

Water Mains and Trunks

Appendix C, Map 9 shows the location of existing major water mains in the vicinity of the two annexation areas. Major trunk water mains needed to make public water service generally available to the two annexation areas are already in place.

Property owners within the two annexation areas are able to secure public water services from OWASA in accordance with OWASA policies, regulations and standards applicable throughout the entire OWASA service area (which includes the Town of Carrboro in its entirety) for extending water lines to individual lots and subdivisions. A copy of OWASA's water and sewer extension policies is included in Appendix E of this report.

OWASA Sewer Service

OWASA sewer service, as in the present Town limits, will be provided in accordance with present or future policies adopted by OWASA to be applicable within the existing Town limits and the two annexation areas.

Sewer Outfalls

Appendix C, Map 10 shows the location of existing sewer outfalls in the vicinity of Northeast Annexation Areas "A" and "B". Sewer outfall lines within annexation area "A" as required to make service generally available to this area have already been completed. All properties within annexation Area "A" have OWASA public sewer service available.

Properties within Northeast Annexation Area "B" use private septic systems for wastewater disposal. If this area is annexed by the Town, then the town will extend an outfall line to a point where sewer service will be generally available to the annexation area. Maps 10 and 11 in appendix C depict the location of the outfall extension proposed by the Town of Carrboro. This sixteen-inch diameter sewer outfall extension is approximately 900 feet in length. The proposed outfall extension along with existing sewer outfall lines will make sewer service generally available to Annexation Area "B". The Town intends to construct the 900 feet of sewer line as soon as possible following the effective date of the annexation of Northeast Annexation Area "B" with a completion date not to exceed two years following the effective annexation date. The Town intends to finance the construction of this line through the appropriation of general fund revenues.

Property owners in the annexation area will be able to secure public sewer service from OWASA according to the policies in effect within the Town of Carrboro for extending sewer lines to individual lots and subdivisions. The sewer extension policy in effect within the Town is that of OWASA, as described above. A copy of OWASA's sewer extension policies is included in Appendix E of this report.

OWASA Water and Sewer Extension Policies

Assessment Projects for Extension of Water and Sewer Mains

If an owner of an occupied dwelling unit or an operating commercial or industrial property within the annexation area files with the Town Clerk, no later than 5 days after the public hearing, a petition for water or sewer extension, OWASA will provide for the extension of water or sewer lines to the property, or to a point on a public street or road right-of-way next to the property, according to the OWASA's financing policies in effect for such extensions throughout the OWASA service area at the time of the petition. The present policy of OWASA is to allow extensions to the public water and sewer system, within or outside of any corporate limits, as follows:

1. Extensions may be made by the benefiting party, subject to the approval of OWASA, provided the benefiting party pays, at the time the extension is undertaken, the full cost of the water and/or sewer service extension including outfalls, trunk lines, pumping stations, costs of easements or rights-of-way, and other proper and reasonable costs of the extension. Reimbursement of the party financing the extension will occur as applicable under OWASA's policies.
2. The benefiting party or parties may petition OWASA to finance the extension of water and/or sewer services, subject to applicable statutory provisions concerning assessment projects. The Board of Directors of OWASA has discretionary authority to approve or defer action on the petition for extension with assessments. An extension may be undertaken following receipt of a petition if: (a) there would be an adverse impact on the public health, safety and welfare if the extension were not made; and (b) adequate funding is available. The full local cost of the extension is assessed to the benefiting properties and must be repaid with interest over a period of up to 10 years. Project costs may include pump stations, force mains, easements, sewer collection lines, water distribution lines, trunk water main extensions and other proper and reasonable costs.
3. Extensions may be undertaken and financed by OWASA as determined necessary by OWASA Board of Directors or may be completed and financed by local governmental units. Project costs may be assessed to benefiting properties in accordance with statutory procedures. OWASA has the authority to extend services and levy assessments with or without receipt of a petition from the affected property owners.

1999 OWASA Policy on the Extension of Water and Sewer Service to Existing Unserved Neighborhoods

In May 1999, OWASA adopted a policy for the extension of water and sewer service to existing unserved neighborhoods. This policy incorporates guidelines and principles to address service availability, extension of water/sewer mains, easement acquisition, assessment issues, existing service connections, and emergency circumstances of failed septic treatment facilities in existing neighborhoods. This policy is included as part of Appendix E.

Petitions for Water and Sewer Extensions

As noted above, property owners who are not now served by public water or sewer service, and who desire to have water and sewer extensions within two years after the annexation becomes effective, may submit written petitions to the Town Clerk (for subsequent transmittal to OWASA) no later than 5 days after the November 16, 2004 public hearing, for the

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extension of water or sewer lines to their property or to a point on a public street or road right-of-way next to their property, in accordance with G.S. 160A-47(3)(b). The cost of water and sewer extensions is borne by benefiting property owners in accordance with OWASA's policies. Extension requests must be made on a form available in the Town Clerk's Office. When the annexation ordinance is adopted, the annexation service plan will be amended to reflect and accommodate such requests. Property owners who desire water and sewer extensions as soon as possible should follow this procedure.

A copy of the water extension petition form and a copy of the sewer extension petition form is included in Appendix F of this report.

C. Parks and Recreation

The Recreation and Park Department's mission is to enrich the leisure needs and quality of life for citizens by providing accessible facilities, creative and diverse recreation opportunities, and a safe public park system.

Residents of the area to be annexed will be able, on the same basis as other Town residents, to use Town parks, playgrounds, gymnasiums, nature trails, picnic facilities, and other recreational facilities, services and programs including athletic leagues, instructional classes, special events, and free-play activities at Town-supervised facilities.

Smith Park, which is nearby behind the Chapel Hill High School, includes 2 athletic/soccer fields, a baseball field and tennis courts. The Town of Carrboro maintains and programs the use of one soccer field referred to as field "B" and the remaining facilities are under the control of the Chapel Hill-Carrboro City Schools.

D. Police Services

The Police Department protects persons and property and provides law enforcement and community services necessary to maintain a safe living and working environment within the Town. The Department provides officers, essential equipment, and vehicles for 24-hour service in order to effectively answer all calls for service, initiate investigations, and assist the public. The Department is comprised of the Administrative Division which includes the Chief of Police, the Captain of Administrative Services, and the Captain of the Field Operations Division. Currently, the Captain of the Administrative Services Division supervises and manages the Investigations Division, the Community Services Division, the Records Division, the School Resource Officers, and the School Crossing Guards. The Captain of the Field Operations Division supervises and manages the Uniform Patrol Division and the Animal Control Officer. The Uniform Patrol Division currently consists of four platoons each staffed by five patrol officers.

Should the area(s) be annexed, police protection and other police services will be provided on the same basis as in other areas of the Town. Police protection includes periodic patrol of public streets in residential, commercial, and other areas, with assignment of officers throughout the Town based on periodic analysis of patrol needs indicated by offense reports, workload analysis, and community needs. For patrol purposes, the Town is currently divided into three patrol areas (see Appendix C Map 12), and officers are assigned to a particular area "Police Response Areas". The Department anticipates realigning the patrol areas in order to

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more effectively and efficiently deploy personnel so that the department will be in a position to provide services on the same basis as in other areas of Town (see Appendix C Map 13). Two additional patrol officers will be needed to accomplish this objective. Presently, 20 patrol officers within four platoons are assigned to the patrol division resulting in approximately one officer per 900 people. The addition of two officers will exceed the existing one officer per 900 people service level for the addition of 485 people from Area "A" and 367 people from Area "B" as well as for the total additional population of approximately 852 people.

The Investigations Division consists of a Lieutenant who supervises four Investigators. The Investigations Division will investigate offenses on the same basis and in substantially the same manner as for other areas of the Town. The division investigates major criminal cases, domestic violence situations, offenses involving juveniles both as suspects and victims, and coordinates efforts with area juvenile authorities and service providers. The division also investigates sexual assault offenses and coordinates follow-up investigations and other related services with other law enforcement agencies and the Orange County Rape Crisis Center. This division can provide investigative services to the annexation areas without adding personnel or equipment.

The Community Services Division consists of a Lieutenant who supervises three Community Services Officers and two School Resource Officers. The Community Services Officers will be available to provide on request a free analysis of security needs of a property owner, with recommendations on security measures. Crime prevention services will be provided for preventing and detecting property crimes and crimes of violence against persons and for increasing citizen awareness of and participation in community watch and other related programs. This division also provides specialized services based upon specific needs within areas and it will provide any necessary services in the annexed area(s). This division can provide community services to the annexation areas without adding personnel or equipment.

The Town will also enforce its animal control ("leash law") and noise ordinances, all traffic laws, and all other ordinances and North Carolina statutes on the same basis and in the same manner as for other areas of the Town.

Police protection and other police services will be provided by supplementing existing equipment and personnel with additional funding. Approximately \$100,000 annually will be needed to support additional patrol resources related to the Northeast Annexation Area (approximately \$57,000 for Area "A" and \$43,000 for Area "B"). This funding will "cover" the salaries and benefits of two patrol officers and their required uniform equipment. With regard to police patrol vehicles, the Department will not initially require the purchase of new vehicles for the additional two officers since they will not be eligible for take-home vehicles during their first probationary year.

E. Fire Services

The Carrboro Fire Department protects lives, property, and the community from the destructive effects of fire, natural disasters, and other hazards by providing public education, incident prevention, and emergency response services with an emphasis on quality customer service. The fire department serves the community by providing the following program of work activities:

- Fire suppression services and EMS first responder/vehicle rescue services;

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- Safety education services and fire prevention classes for tour groups;
- Fire prevention by inspecting all business and commercial buildings, day cares, schools, nursing homes, and inspecting homes upon request;
- Conducts investigations of all fires for cause determination;
- Directs and monitors all fire drills for schools and occupancies as required by the Fire Prevention Code;
- Investigates emerging technologies and advances in Fire and Emergency Management Services and integrates them into the department's operations when deemed both appropriate and financially prudent to improve the capacity of providing services;
- Administers the town's safety program and provides emergency management during major disasters.

The Carrboro Fire Department, located beside Town Hall at 301 West Main Street, currently employs 27 full time positions including a Fire Chief, Deputy Fire Chief, Fire Marshal, 3 Fire Captains, a Fire Driver Mechanic, 5 Fire Driver Operators and 12 Firefighters. The town has four fire trucks including a 75 foot aerial truck and four support vehicles. The fire department's service area includes the 5.7 square mile municipal area plus 12.76 square miles within the South Orange Fire District for a total service area of 18.4 square miles (see Appendix C Map 14). Through a mutual aid agreement with surrounding emergency service operations, the Carrboro Fire Department responds to any emergency, including medical emergencies, when dispatched by the Orange County 911 Emergency Management system. The medical emergency response provided by the fire department is referred to as the "First Responder" and supplements the county's Emergency Medical Service (EMS) by normally being the first to arrive at the scene of the emergency. Appendix "G" entitled a Statement of the Impact of Annexation on the Orange New Hope Volunteer Fire Department and Statement of the Impact of Annexation on Fire Protection and Fire Insurance Rates in Annexation Area provides more information about the equipment used by the Carrboro and New Hope fire departments as well information on the impact of annexation on fire insurance rates. The ISO (Insurance Services Organization) rating is one of several factors used by insurance agencies to determine insurance premiums. In general, the lower the rating number assigned by the ISO between 1 and 10, the better the fire protection service and the lower the premium. An ISO rating between 1 and 6 are considered the same for calculating homeowner policies meaning a reduction in a premium will be awarded when the rating drops within the range of 10 to 6 but not below a 6. The New hope Fire District has an ISO rating of 9 and the Town of Carrboro Fire Department has an ISO rating of 4 which should produce a premium reduction through annexation as illustrated in Appendix "G".

Fire Protection

Existing Town Fire Department personnel and equipment will respond to calls in the proposed annexation areas beginning on the effective date of annexation. In addition, we anticipate the Orange New Hope Volunteer Department will respond to fire emergencies in the annexation area for a five-year period following the effective date of annexation (see next section). Fire suppression and other Fire Department services will be provided on substantially the same basis and in the same manner as services are currently provided to areas already in the Town limits. Road mile distances from the Carrboro Fire station to the furthest portions of annexation area "A" is 4.6 miles and area "B" is 5.6 miles which is comparable to the 4.7 mile distance to extremities of the existing town limits within the Lake Hogan Farm Subdivision.

Fire Department personnel and equipment located at the Town's Fire Station will respond to

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calls for assistance following established dispatching criteria based on incident type and severity.

A fire substation is proposed for the northern part of Carrboro to accommodate anticipated growth and to improve fire coverage. The Town's current Capital Improvement Program anticipates construction of the substation in FY 06-07.

The Town's policy regarding fire hydrants is to have them installed approximately 1,000 feet apart in areas served by OWASA water lines, if necessary, either at the Town's expense in a previously developed area, or at the expense of a private developer at the time of development. Previously developed areas, which are annexed, will be evaluated for fire protection water supply and hydrant distribution. Six additional fire hydrants connected to new OWASA water lines extended in accordance with OWASA water service extension policies will provide an adequate water supply for fire protection purposes.

Orange New Hope Volunteer Fire Department

A statement of the impact of annexation on the Orange New Hope Volunteer Fire Department and a statement of the impact of annexation on fire protection and fire insurance rates in the annexation area (required by GS 160A-47(4)) is included as Appendix G of this report.

The Town anticipates entering into a 5-year contract for services with the Orange New Hope Volunteer Fire Department for the portion of the Northeast Annexation Area, which New Hope currently serves. Both the Carrboro and the Orange New Hope Volunteer Department will respond to fire emergencies in the annexation area.

The contract with the Orange New Hope Volunteer Fire Department would include payments by the Town to the Volunteer Department in accordance with G.S. 160A-49.1.

The Town will comply with the annexation statute (G. S. 160A-49.1) requiring the Town to make a good faith effort to negotiate a 5-year contract with the rural fire department (Orange New Hope Volunteer Fire Department) if the Chief Officer makes a written, signed request delivered to the Town Clerk no later than 15 days before the November 16, 2004 Public Hearing on the annexation.

When the rural fire department's contract with the Town expires, the Town will also comply with the requirements in G.S. 160A-49.2 to pay to the rural fire department a proportionate share of the rural fire department's debt payments for facilities and equipment for debt that existed at the time that the resolution of intent to annex the area was adopted (September 14, 2004).

Fire Prevention

The Town's Fire Prevention and Suppression Divisions will provide commercial inspections, fire prevention, code enforcement and public fire education in the annexation area on the same basis and in the same manner as in the present Town limits.

At the request of any resident, Fire Department personnel will inspect the resident's home and provide information on fire safety measures.

The Prevention Division's Fire Marshal inspects commercial, office, institutional and certain facilities in multi-family group residences for compliance with fire codes and enforces the codes.

F. Public Transportation Services

Fixed Route Service

The nearest fixed route available to this area is the Chapel Hill High School route which provides fare-free service to downtown Chapel Hill and UNC, and by free transfer to other points in Chapel Hill and Carrboro. The High School route generally operates from 7 a.m. to 8:30 a.m. and from 4 p.m. to 6 p.m. on weekdays throughout the year.

Evening and Sunday Shared Ride Service

Evening and Sunday Shared Ride Service is also available. This service is provided to areas of town that do not receive regular evening or Sunday bus service. Sunday Shared Ride Service is available between the hours of 9:30 a.m. and 11:30 p.m. during periods of full bus service, and between 9:30 a.m. and 6 p.m. during reduced service periods. Evening Shared Ride Service is available to areas without fixed route service from 6:30 p.m. to 12:45 a.m. during full service and 6:30 p.m. to 10:00 p.m. during reduced service schedules. Trips must be scheduled in advance and must fall within one-fourth mile of a bus route. Tickets for this service may be purchased in 20-ticket booklets (currently \$14.25) at Carrboro Town Hall, Chapel Hill Town Hall, and at the UNC Department of Public Safety. Rides to and from a bus stop cost one ticket, while door-to-door service costs two tickets.

EZ Rider Service

EZ Rider Service is also available free on request, when scheduled in advance, to residents with certified mobility impairments. This is a special service that uses lift equipped vehicles to transport individuals with mobility impairments preventing them from using Chapel Hill Transit's fixed route bus service. EZ Rider Service is offered between 6:15 a.m. and 6:15 p.m. on weekdays and between 8:30 a.m. and 7 p.m. on Saturdays. EZ Rider Service is also available during evening hours from 6:30 p.m. to 12:45 a.m. (Full Service) and from 6:30 p.m. to 10 p.m. (Reduced Service) and on Sundays from 9:30 a.m. to 11:30 p.m. (Full Service) and from 9:30 a.m. to 6 p.m. (Reduced Service). However, during evening and weekend hours, riders must obtain tickets as described above for Shared Ride Service and each ride costs one ticket.

Service Expansion

The need for expanded fixed route service is evaluated annually for areas of town that do not currently receive such service. The contract for fixed route Chapel Hill Transit service may be expanded within the general Homestead-Rogers-Eubanks Road area as well as other areas within the Town of Carrboro as development continues to increase the demand.

G. Planning

Both annexation areas "A" and "B" are within Carrboro's Planning Jurisdiction as defined by the Orange County, Carrboro and Chapel Hill Joint Planning Agreement approved November 2, 1987 by all three entities. As a result of this agreement, the Town of Carrboro has provided the annexation areas with planning, land use ordinance administration, building inspection, geographic information (GIS) and engineering services since 1987 in the same manner and to the same extent as provided in the corporate limits and throughout the town's planning jurisdiction. Planning related changes resulting from this annexation will be advisory board representation

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shifting from joint planning transition area representation to “in-town” representation. Zoning district designations will not necessarily be altered as a result of annexation.

H. Other Town Services

As an important part of the Town's community service program, staff in all Town departments respond to citizens' questions and requests for assistance. The Town staff seeks to solve problems and assist citizens as much as is practical within the Town's budget authorization and service policies.

Traffic regulations including speed limits, stop regulations, etc. will be adopted as needed for public streets in the annexation area in the same manner and on the same basis as for other areas of the Town.

The Town administers a franchise agreement with Time Warner Cable for cable television services. Time Warner Cable extends services in accordance with minimum density standards in the franchise

Various other ordinances, including for example, water shortage regulations, public street tree ordinance, Land Use Ordinance, construction codes, minimum housing codes, etc. apply and will be enforced in the annexation area as in all other areas of the Town. The Town Code, as well as noncodified ordinances and resolutions adopted by the Board of Aldermen, are on file for public inspection in the Town Clerk's office in Town Hall, 301 West Main Street.

The annexation area will receive all other Town services not listed above, and residents and owners of property in the annexation area will have all the rights and privileges of being in the Town, in the same manner and on substantially the same basis as for all other areas of the Town of Carrboro.

IV.

FINANCING OF SERVICES

Estimated revenues will be sufficient to pay the estimated costs of police, fire, refuse collection, street maintenance, water and sewer services, and other applicable services as previously described.

A comparison of estimated revenues and expenditures for the fiscal year 2006-2007, the first full year after the annexation is proposed to be effective, is included in Appendix D of this report. As shown, property taxes at the current General Fund tax rate of 71.48 cents per \$100 of value, and other estimated revenues, will be sufficient to pay for the costs of extending services to the annexation area.

If owners of occupied dwelling units or operating commercial or industrial properties request sewer or water extensions no later than 5 days after the public hearing, such extensions will be financed in accordance with financial and water/sewer extension policies of the Orange Water and Sewer Authority.

Property in the annexation area will be subject to ad valorem (property) taxes for the General Fund. Various other taxes and fees, including annual dog license taxes, vehicle license fees and business privilege license taxes, will apply to the annexation area as for all other areas of the Town.

V.
APPENDICES

- A. Planning Staff Report - Mechanics of Annexation
- B. Boundary Description of the Annexation Area
- C. Maps
 - 1. Carrboro Corporate Limits and NE Annexation Areas “A” & “B
 - 2. NE Annexation Area “A” and Carrboro Corporate Limits
 - 3. NE Annexation Area “B” and Carrboro Corporate Limits
 - 4. NE Annexation Area “A”: Major Subdivisions
 - 5. NE Annexation Area “B”: Major Subdivisions
 - 6. Annexation Areas “A” & “B: Zoning Districts
 - 7. NE Annexation Area “A”: Land Use
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 - 11. Proposed Sewer Extension
 - 12. Police Response Areas
 - 13. Proposed Police Response Areas
 - 14. Existing Fire Districts
- D. Estimated Costs and Revenues
- E. Water and Sewer Extension Policies of the Orange Water and Sewer Authority
- F. Form for Petitioning for Extension of Water or Sewer Lines
- G. Statement of the Impact of Annexation on the Orange New Hope Volunteer Fire Department and

TOWN OF CARRBORO

NE Area Annexation Report, July 31, 2004

Statement of the Impact of Annexation on Fire Protection and Fire Insurance Rates in Annexation Area

H. Chapel Hill-Carrboro Annexation Boundary Agreement, 6/30/95

PLANNING DEPARTMENT STAFF REPORT

SUBJECT: Mechanics of Annexation

DATE: July 31, 2004

Background

State Law provides that areas that are urbanizing or becoming urbanized should receive the urban services provided by towns and cities. These municipal services include police protection, fire protection, garbage and trash collection, and maintenance and lighting of public streets (excluding State roads). Annexation permits the Town to extend its boundaries and provide Town services to urbanizing areas in an orderly fashion.

Methods of Annexation

There are three primary methods that the Town may use under State Law to annex land into the Town's corporate limits:

- **Town-Initiated Annexation in Accordance With Statutory Standards,**
- **Contiguous Annexation Petition, and**
- **Non-Contiguous "Satellite" Annexation Petition.**

The Town has annexed land using all three of these annexation methods. This report provides further information on each of these annexation methods.

Mechanics of Annexation

Town-Initiated Annexation in Accordance With Statutory Standards

Without a petition from property owners, cities and towns with 5,000 or more people, may undertake to annex by ordinance certain areas that meet statutory standards of contiguity, population density, and intensity of development. These annexations are subject to the following standards:

- 1) The area must be contiguous. Contiguous means any area that either abuts directly on the municipal boundary or is separated by a street, railroad, or utility corridor, by a creek or river, or lands owned by the municipality, another political subdivision, or the State of North Carolina.
- 2) At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary.
- 3) No part of the area may be within another municipality.

- 4) Part or all of the area must be "developed for urban purposes" which is defined by any one of the following four criteria:
 - a. Has a total resident population equal to at least 2.3 persons per acre; or
 - b. Has a total resident population equal to at least 1 person per acre, and is subdivided into lots such that at least 60% of the total acreage consists of lots 3 acres or less in size and at least 65% of the total number of lots are 1 acre in size; or
 - c. Is so developed that at least 60% of the total number of lots are used for residential, commercial, industrial, institutional or governmental purposes, and at least 60% of the total of residential and undeveloped acreage consists of lots and tracts 3 acres or less in size; or
 - d. Is so developed that, at the time of the approval of the annexation report, all tracts in the area to be annexed are used for commercial, industrial, governmental, or institutional purposes.
- 5) In addition to areas developed for urban purposes, the governing body may include in the area to be annexed any area that:
 - a. Lies between the municipal boundary and an area developed for urban purposes so that the area developed for urban purposes is either not adjacent to the municipal boundary or cannot be served by the municipality without extending services, water lines, and/or sewer lines through such area, or
 - b. Is adjacent on at least 60% of its external boundary, to any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes. [For purposes of this subsection, "necessary land connection" means an area that does not exceed twenty-five percent (25%) of the total area to be annexed.]

In order to complete a Town-Initiated annexation, the Town must prepare a detailed service report that explains how the proposed annexation area qualifies under the State Statutes, and describes how Town services would be provided to the annexation area on substantially the same basis as areas already within the Town's corporate limits.

Contiguous Annexation Petition

The Board of Aldermen may annex by ordinance any area contiguous to its boundaries upon presentation of a petition signed by 100 percent of the owners of all real property located within such area. Such annexations are subject to the following procedures and requirements:

- 1) Essentially, any area contiguous to the corporate limits may be annexed by this method.
- 2) An area is deemed "contiguous" if at the time the petition is submitted, the area either abuts directly on the municipal boundary or is separated from this boundary by a street right-of-way, a creek or river, a railroad, a utility right-of-way, or lands owned by the municipality, another political subdivision, or the State of North Carolina.

Non-Contiguous "Satellite" Petition

The Board of Aldermen may annex by ordinance certain areas whose boundaries do not at any point touch its primary corporate limits. The *primary* corporate limits consists of the boundaries of the municipality as enlarged by contiguous annexations, and therefore, do not include existing "satellite areas" that are within the Town's corporate limits. Non-contiguous "Satellite" Annexation petitions must be signed by 100 percent of the owners of all real property located within such area. Such annexations are subject to the following standards:

- 1) The nearest point on the satellite area must not be more than 3 miles from the *primary* corporate limits of the annexing city.
- 2) No point on the satellite area may be closer to the primary corporate limits of another municipality than to the annexing city.
- 3) Services to annexation areas must be provided on substantially the same basis as within the primary corporate limits.
- 4) If the proposed satellite area is a subdivision, then all of the subdivision must be included in the petition. If the proposed satellite area is a phase of a subdivision, then the entire phase of the subdivision must be included in the petition.
- 5) The area within the proposed satellite limits plus the area within all other satellite corporate limits may not exceed 10% of the total land area within the primary corporate limits of the annexing municipality.

Public Information Meetings and Public Hearings

For each of these three annexation methods, the State Statutes require the Board of Aldermen to hold a public hearing on the subject of annexing the proposed/petitioned area. Annexation initiated by the municipality requires the governing board to first adopt a "Resolution of Intent" stating the municipality's intent to annex an area, describes the boundaries of the area and fixes a date for a public informational meeting and a public hearing. The public informational meeting must be held between forty-five (45) and fifty-five (55) days following the passage of the "Resolution of Intent". The "Resolution of Intent" also fixes the date of the public hearing to be held between sixty (60) days and ninety (90) days following the passage of the resolution. Notice of the public informational meeting and public hearing must be advertised in a newspaper having general circulation in the Town once a week for at least two successive weeks prior to the date of the public informational meeting. The Town usually advertises on the Sunday that is ten days (including the day of the advertisement and the day of the meeting) prior to the meeting/hearing, and on the Sunday before the meeting/hearing. For Town-Initiated annexations, the Town also notifies all of the property owners in the proposed annexation area, as listed in County tax records.

Compensation to Rural Fire Departments

Also in accordance with the State Statutes, the Town is required to compensate any rural fire department serving each annexation area, if the annexation would result in a loss of revenue for the rural fire

department. Accordingly, the Town is required to make a good faith effort to negotiate a five-year contract with the rural fire department to provide fire protection in the area to be annexed. Generally, the Town satisfies this requirement through a five-year agreement that compensates the rural fire department for one-half of the revenue lost due to the Town's incorporation of the annexation area, in return for the continued provision of fire protection service for the annexation area by the rural fire department.

Town Property Taxes and Services

Once annexed, property owners continue to pay County property taxes for County services (such as education, public health and social services) and they pay Town property taxes for Town municipal services. These municipal services include police protection, fire protection, regular garbage and trash collection, maintenance of public streets (excluding State roads), and use of the parks, recreation programs, and transit services. The Town pays to have, streetlights, and street name signs installed where they do not already exist in accord with the Town's normal service policy.

Annexation does not change school district boundaries. In addition, annexation does not change mailing addresses, phone numbers, or election precinct/voting place. New Town citizens will be able to vote in Town elections, however. Annexation may lower a homeowner's fire insurance premiums, as areas served by the Town's Fire Department have a better fire insurance rating than areas served by Rural Fire Departments.

Town property taxes are based on property valuations as of January 1 each year, as determined by Orange County. The Town's property tax, however, is for the budget or service year beginning July 1 each year. For example, property taxes that would be billed on July 1, 2006, will be used for Town services provided from July 1, 2006 until June 30, 2007. These tax bills are mailed to property owners in late summer and would be past due after January 5, 2007. Thus, for example, property annexed with an effective date of June 30, 2006, would be billed for a full year of services (July 1, 2006 - June 30, 2007). Annexations effective at other times during the year would receive prorated tax bills based on the fiscal year, not the calendar year.

**BOUNDARY DESCRIPTION
OF
NORTHEAST ANNEXATION AREA “A”**

Northeast Annexation Area “A”

Beginning at a point on the existing Carrboro City limits line, said point also being the northeast corner of Tax Map 109..11A known as Tract 2 of the T. H. Hogan Estate owned by the University of North Carolina at Chapel Hill and the southeast corner of Tax Map 109..11F owned by David L. Backus et al and on the western property line of Tax Map 109..12 known as the Chapel Hill High School Property that is also the existing Chapel Hill corporate limit line thence from said point of beginning and in an northerly direction along the existing Chapel Hill corporate limit line and the eastern boundary line of Tax Map 109..11F and Tax Map 109..11E owned by James M. Rosinia to a point on the northeast corner of Tax Map 109..11E; thence continuing in a westerly direction along the Chapel Hill corporate limit line and the northern boundary of Tax Map 109..11E and Tax Map 109..11 owned by Robert W. Masto; to a point where the Chapel Hill corporate limit line runs within the right-of-way of Homestead Road (SR 1777); thence continuing approximately 200 feet along the existing Chapel Hill corporate limit line to its northernmost intersecting point with the centerline of Homestead Road (SR 1777); thence in a northerly direction along the centerline of Homestead Road (SR 1777) approximately 1,606 feet to its intersection with the centerline of Rogers Road (SR 1729); thence in a northerly direction approximately 2,360 feet along the centerline of Rogers Road (SR 1729) to a point along a line coinciding with the northern boundary line of the Highlands North Subdivision (see: PB 78, Pg. 110); thence in a westerly direction along a line coinciding with the northern boundary line of the Highlands North Subdivision approximately 630 feet to a point on the northwestern corner of thr Highlands North Subdivision; thence in a southerly direction along the western boundary of the Highlands North Subdivision approximately 569 feet to a point in the centerline of Tallyho Trail (SR 2213); thence in an easterly direction along the centerline of Tallyho trail approximately 200 feet; thence in a southerly direction approximately 25 feet to a point on the northwestern corner of the Highland Meadows Subdivision (see PB 61 P126); thence in a southerly direction along the western boundary of the Highland Meadows Subdivision approximately 765 feet to a point on the southwest corner of the Highland Meadows Subdivision and the northern boundary of the Highlands Subdivision Phase 4B (see PB 53 P 86); thence in a westerly direction along the northern boundary of the Highlands Subdivision Phase 4B and Phase 4 (see PB 52 P 139) approximately 845 feet to a control corner on the

TOWN OF CARRBORO

NE Area Annexation Report, July 31, 2004

APPENDIX B

Boundary Description of the Annexation Area

northeastern corner of Tax Map 109..8 (see DB 218 P 806) owned by the University of North Carolina; thence in a southerly direction along the eastern boundary of Tax Map 109..8 and the Carrboro corporate limit line approximately 2,246 feet; thence continuing in an easterly direction along the Carrboro corporate limits and the northern boundary of tax map 109 11..B approximately 1,332 feet thence continuing with the Carrboro corporate limit across the Homestead Road (SR 1777) right of way and along the northern boundary of Tax Map 109..11A known as Tract 2 of the T. H. Hogan Estate owned by the University of North Carolina at Chapel Hill approximately 554 feet to the point and place of the beginning. Containing 119.5 acres more or less.

**BOUNDARY DESCRIPTION
OF
NORTHEAST ANNEXATION AREA “B”**

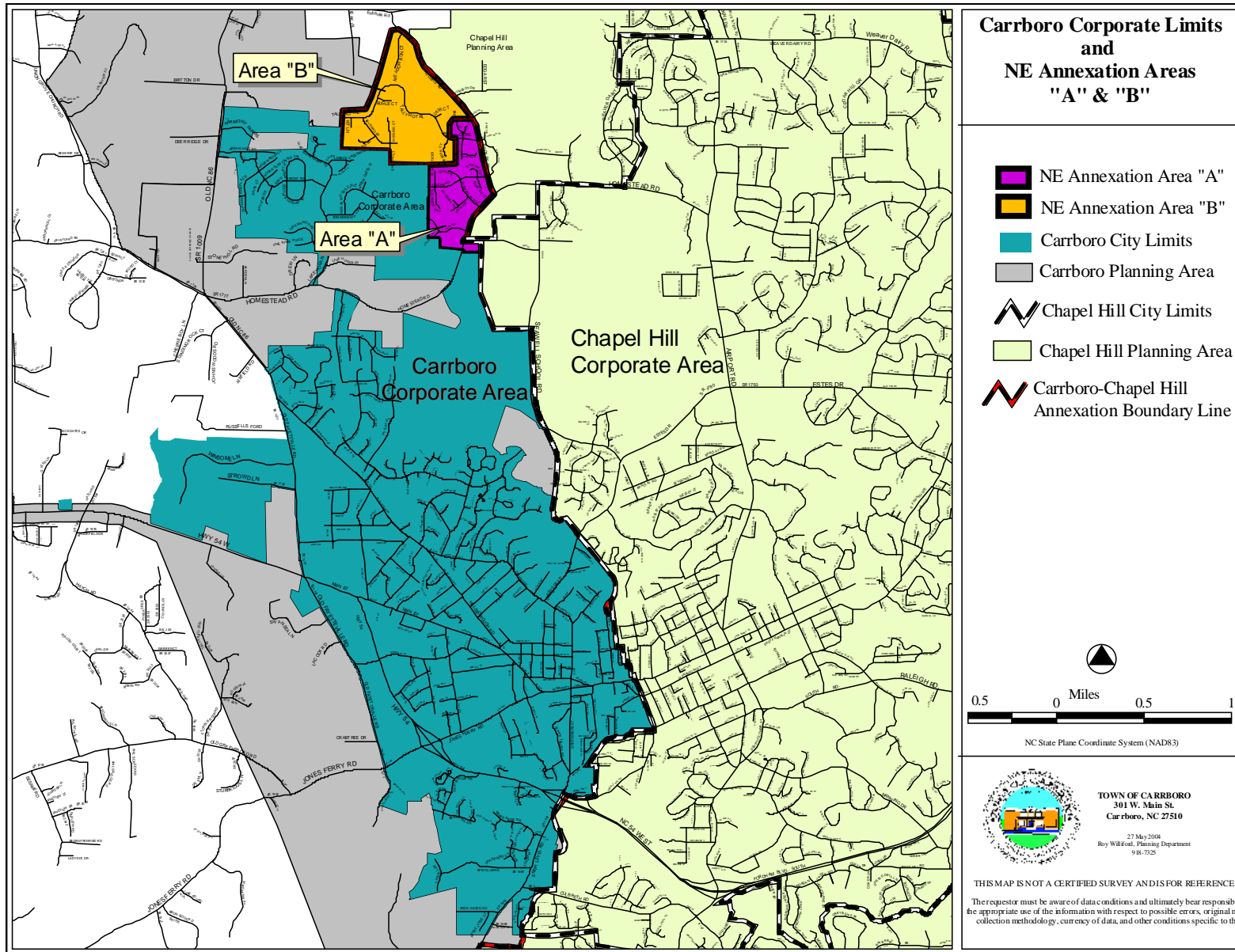
Northeast Annexation Area “B”

Beginning at a point on the centerline of Rogers Road (SR 1729), said point being approximately 675 feet southeast of the intersection of the Rogers Road right-of-way (SR 1729) with the Eubanks Road (SR 1727) right-of-way; thence in a westerly direction 47 feet to a point along a line coinciding with the northern boundary line of the Meadow Run Subdivision (see: PB 55, Pg. 38) and the northeast corner of lot 1 or Tax Map 23.C.32; thence continuing in a westerly direction along the northern boundary line of the Meadow Run Subdivision approximately 161.85 feet; thence continuing in a southwesterly direction along western boundary of the Meadow Run Subdivision 1,574.97 feet; thence to an existing iron pin on the southwestern corner of the Meadow Run Subdivision and the Northwestern corner of the Fox Meadow Subdivision (see PB 45 Pg 111 Section Three Phase B Fox Meadow); thence continuing in a southwesterly direction along the western boundary of the Fox Meadow Subdivision, Section Three Phase B, 948.47.feet; thence continuing in a southwesterly direction along the western boundary of the Fox Meadow Subdivision, Section Four Phase A (see PB 49 Pg 78 Section Four Phase A Fox Meadow) 189.81.feet; thence continuing in a westerly direction along the northern boundary of the Fox Meadow Subdivision, Section Four Phase A 703.60 feet; thence continuing in a southwesterly direction along the western boundary of the Fox Meadow Subdivision, Section Four Phase A 427.62 feet to a point along the Carrboro corporate limit line; thence running with the Carrboro corporate limit line and continuing in a southwesterly direction along the western boundary of the Fox Meadow Subdivision, Section Four Phase A 86.78 feet and Section Four Phase B (see PB 50 Pg 36 Section Four Phase B Fox Meadow) 677.98 feet; thence in an easterly direction along the southern boundary of Section Four Phase B of the Fox Meadow Subdivision and along the Carrboro corporate limit 1,463.85 feet; thence continuing in a southern direction along the Carrboro corporate limit and the western boundary of Section Four Phase C (see PB 50 Pg 81 Section Four Phase C Fox Meadow) of the Fox Meadow Subdivision 422.81 feet to a point along the Carrboro corporate limit and the northwest corner of Tax Map 109..8 owned by the University of North Carolina; thence continuing in a easterly direction along the Carrboro corporate limit line and the northern boundary of Tax Map 109..8 approximately 1,183 feet; thence leaving the Carrboro corporate limit line and continuing in an easterly direction along the southern boundary of

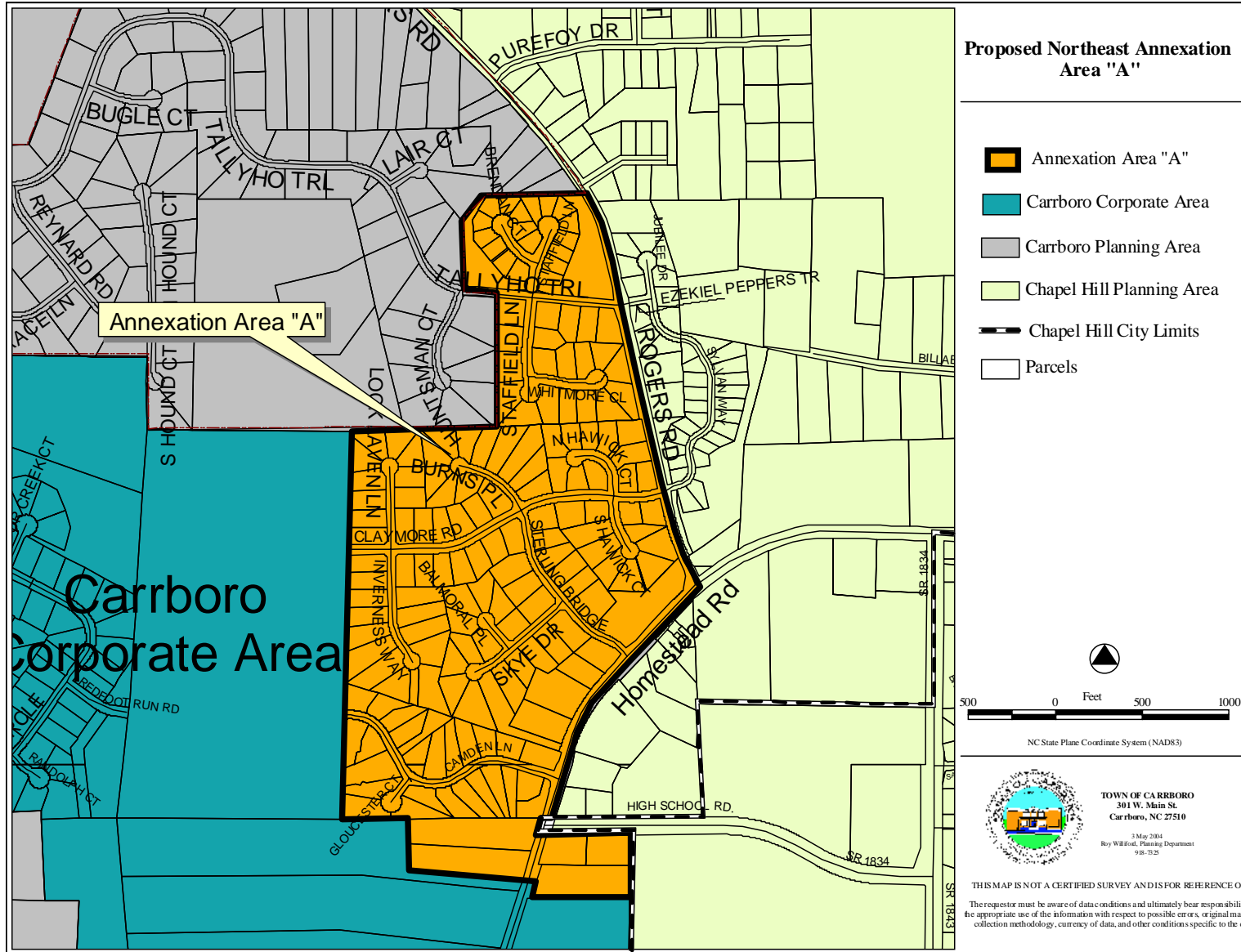
Tax Map 23.C.28 known as the Laura Walker Cotton Etal property approximately 310 feet to a point on the southwest corner of Section One of the Fox Meadow Subdivision (see PB 39 Pg 154); thence continuing southeast along the southern boundary of the Fox Meadow Subdivision approximately 537 feet to a point on the southeast corner of Section One of the Fox Meadow Subdivision and the southwest corner of the Highland Meadows Subdivision (see PB 61 Pg 126); thence in a northern direction along the eastern boundary of Section One of the Fox Meadow Subdivision approximately 764.8 feet to a point on the centerline of Tallyho Trail (SR 2213); thence in a westerly direction along the centerline of Tallyho Trail approximately 200 feet; thence in a northern direction approximately 25 feet to a point on the southwestern corner of the Highlands North Subdivision (see PB 78 Pg 110); thence along the western boundary of the Highlands North Subdivision approximately 544 feet to a point on the northwestern corner of the Highlands North Subdivision; thence along the northern boundary of the Highlands North Subdivision approximately 630 feet to the centerline of Rogers Road (SR 1729); thence in a northern direction along the centerline of Rogers Road approximately 3,560 feet to the point and place of the beginning. Containing 202 acres more or less.

MAPS

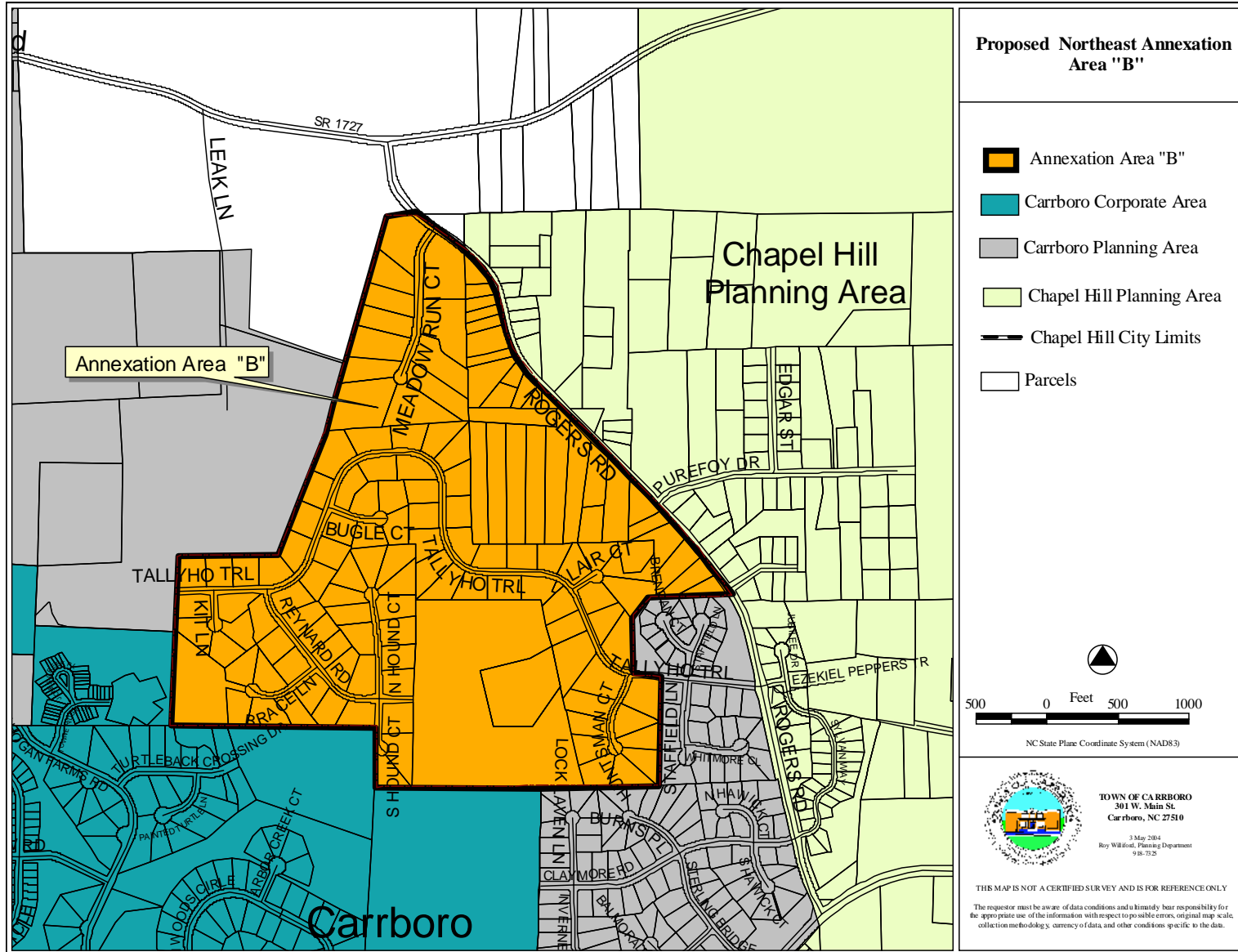
MAP #	TITLE	PAGE
1.	Carrboro Corporate Limits and NE Annexation Areas "A" & "B"	33
2.	NE Annexation Area "A" and Carrboro Corporate Limits.	34
3.	NE Annexation Area "B" and Carrboro Corporate Limits.	35
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APPENDIX C
Map 2: Northeast Annexation
Area "A" and
Carrboro Corporate Limits



APPENDIX C
Map 3: Northeast Annexation
Area "B" and
Carrboro Corporate Limits

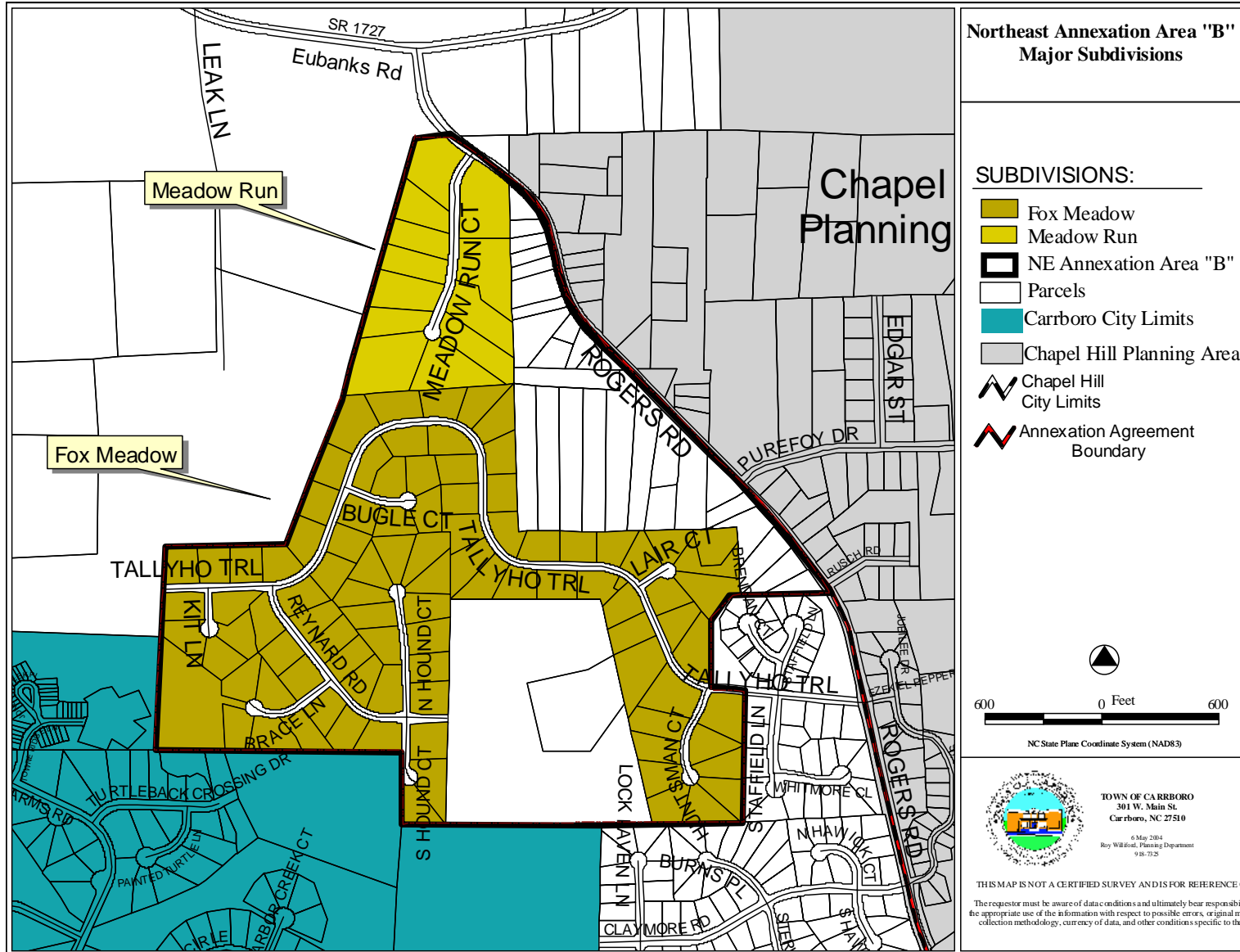


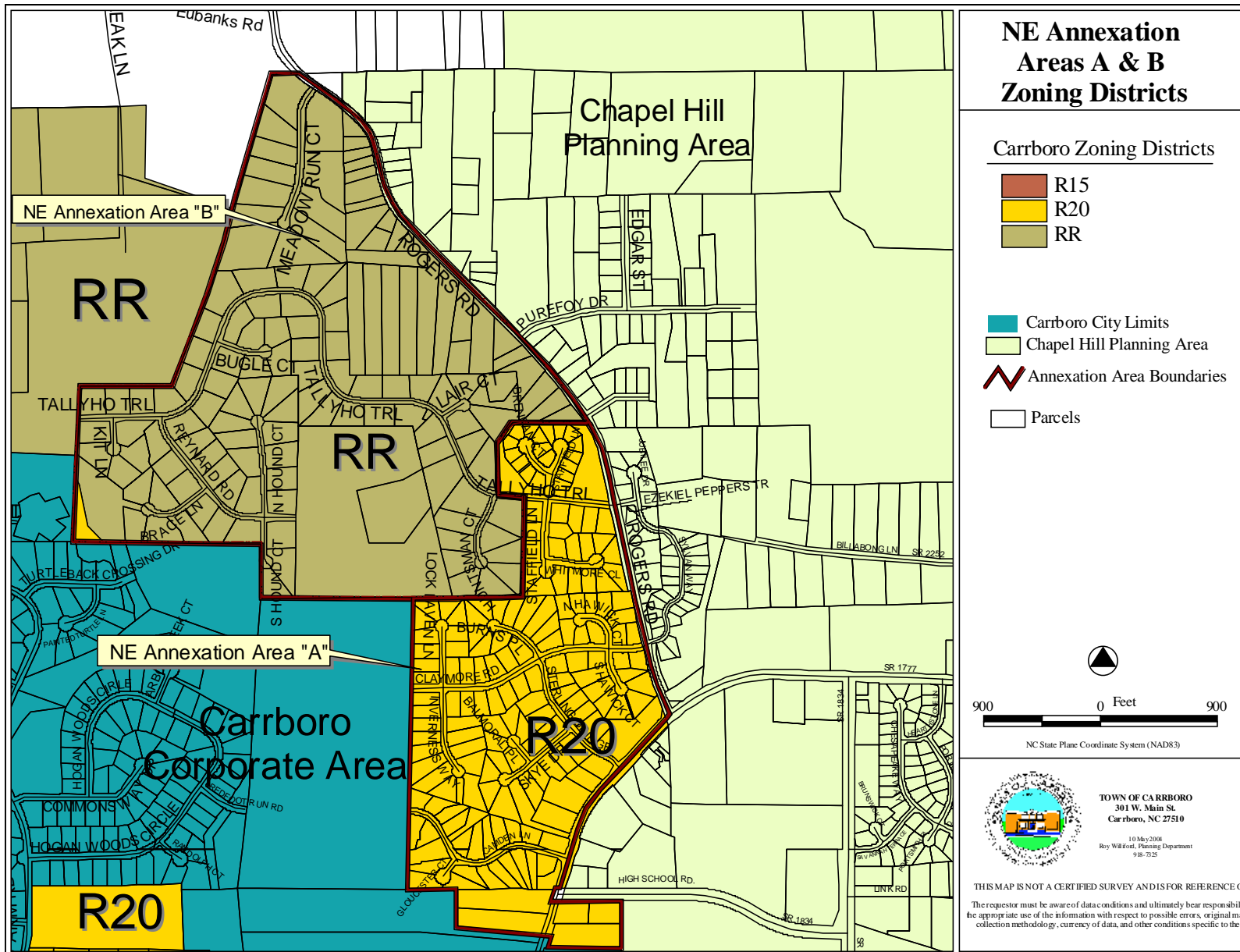
NE Area Annexation Report, July 31, 2004

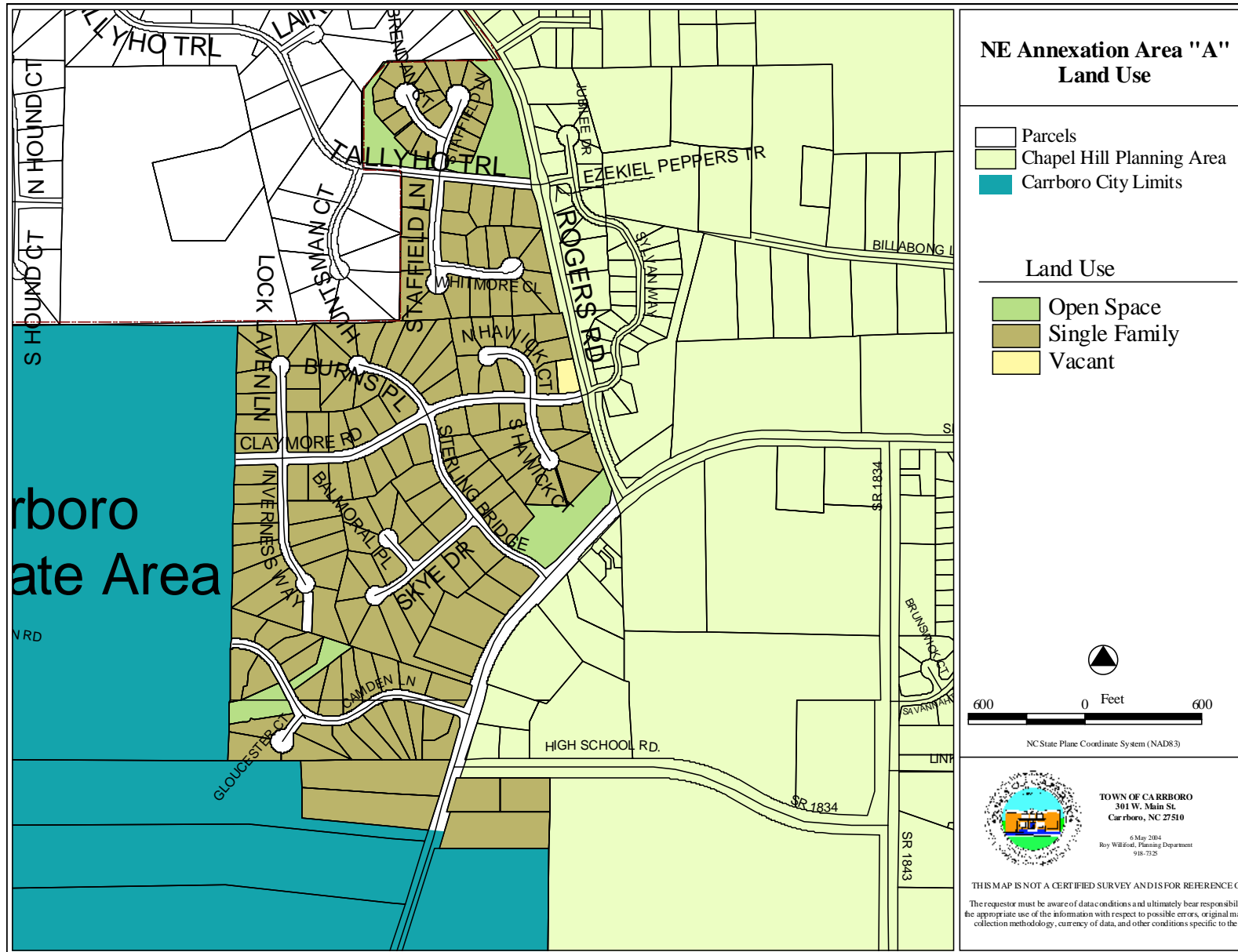
Map 4: Northeast Annexation Area “A”: Major Subdivisions

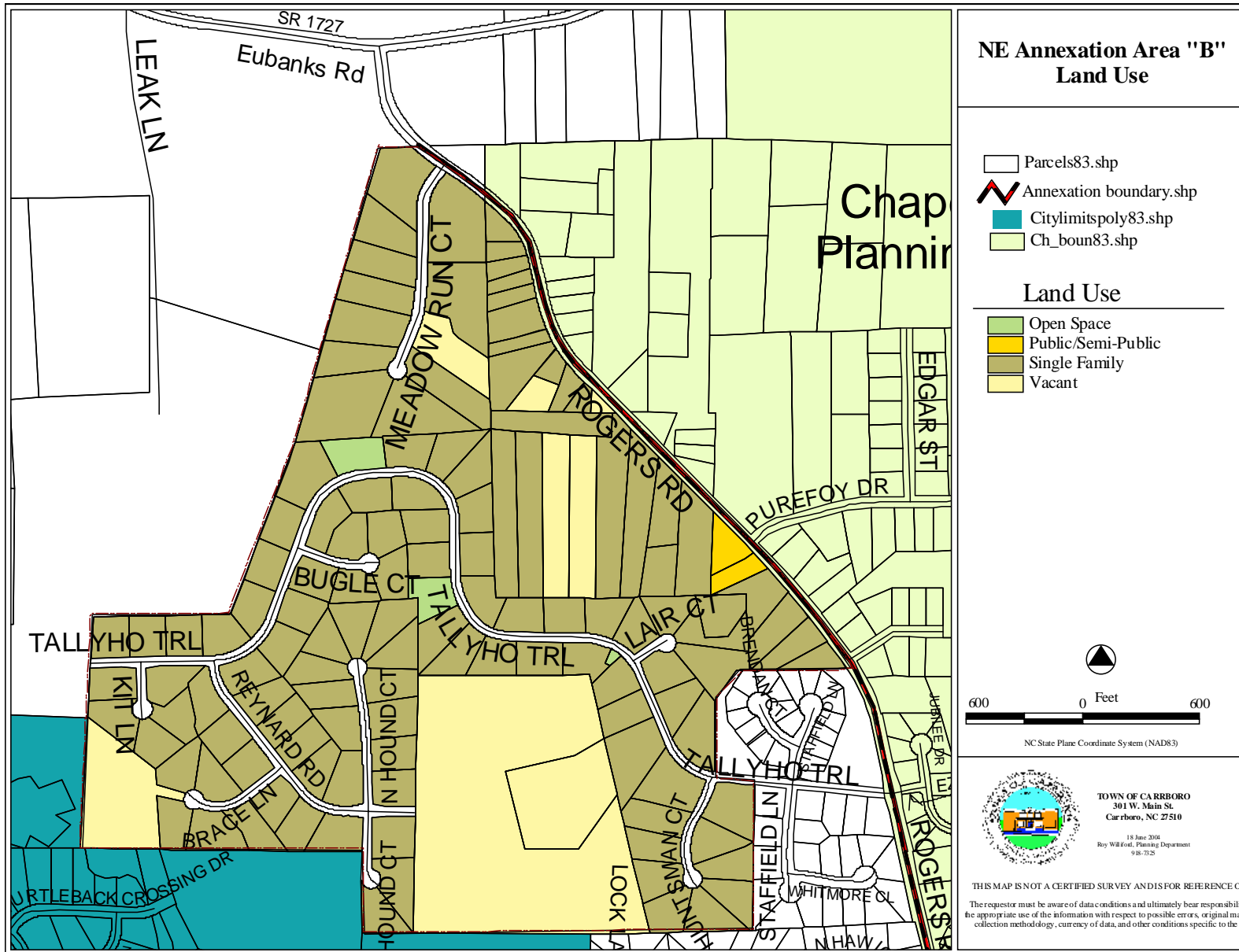


APPENDIX C
Map 5: Northeast Annexation
Area "B":
Major Subdivisions



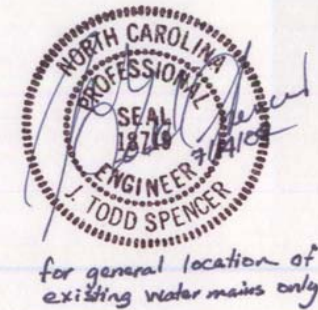




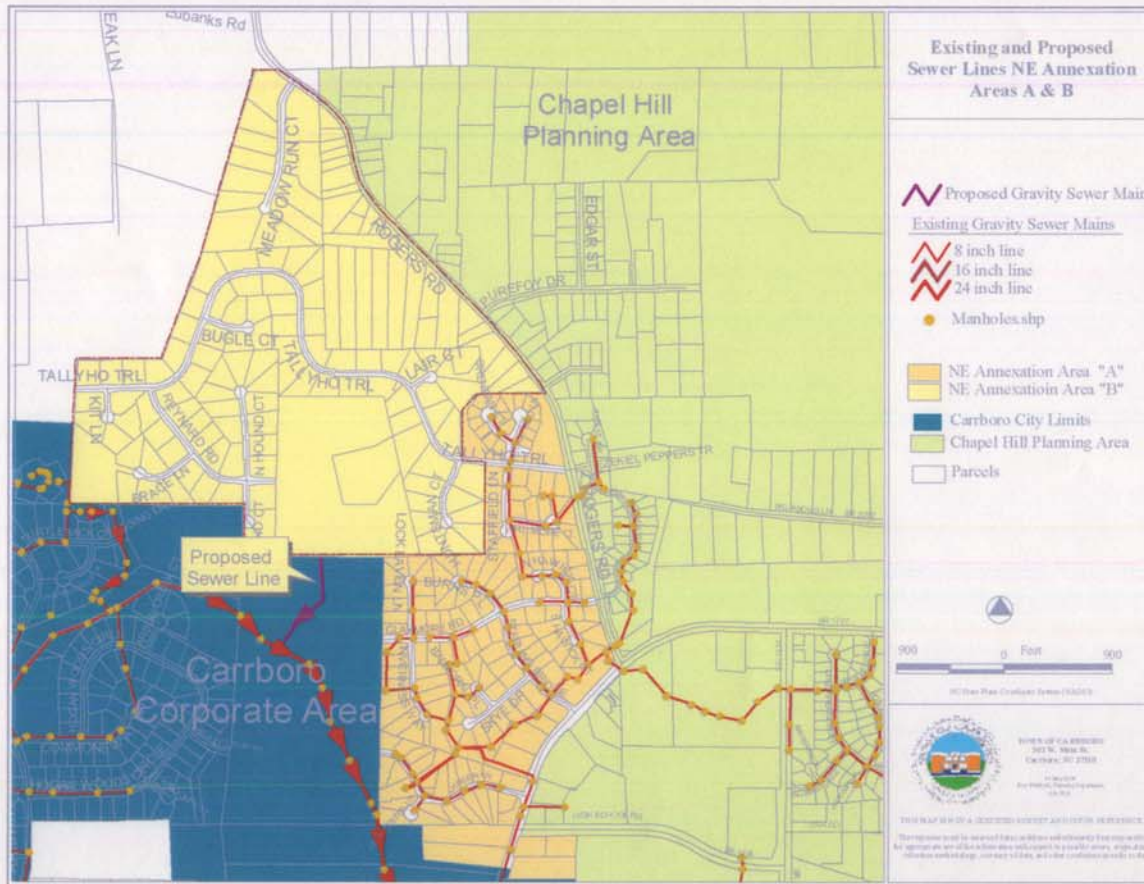


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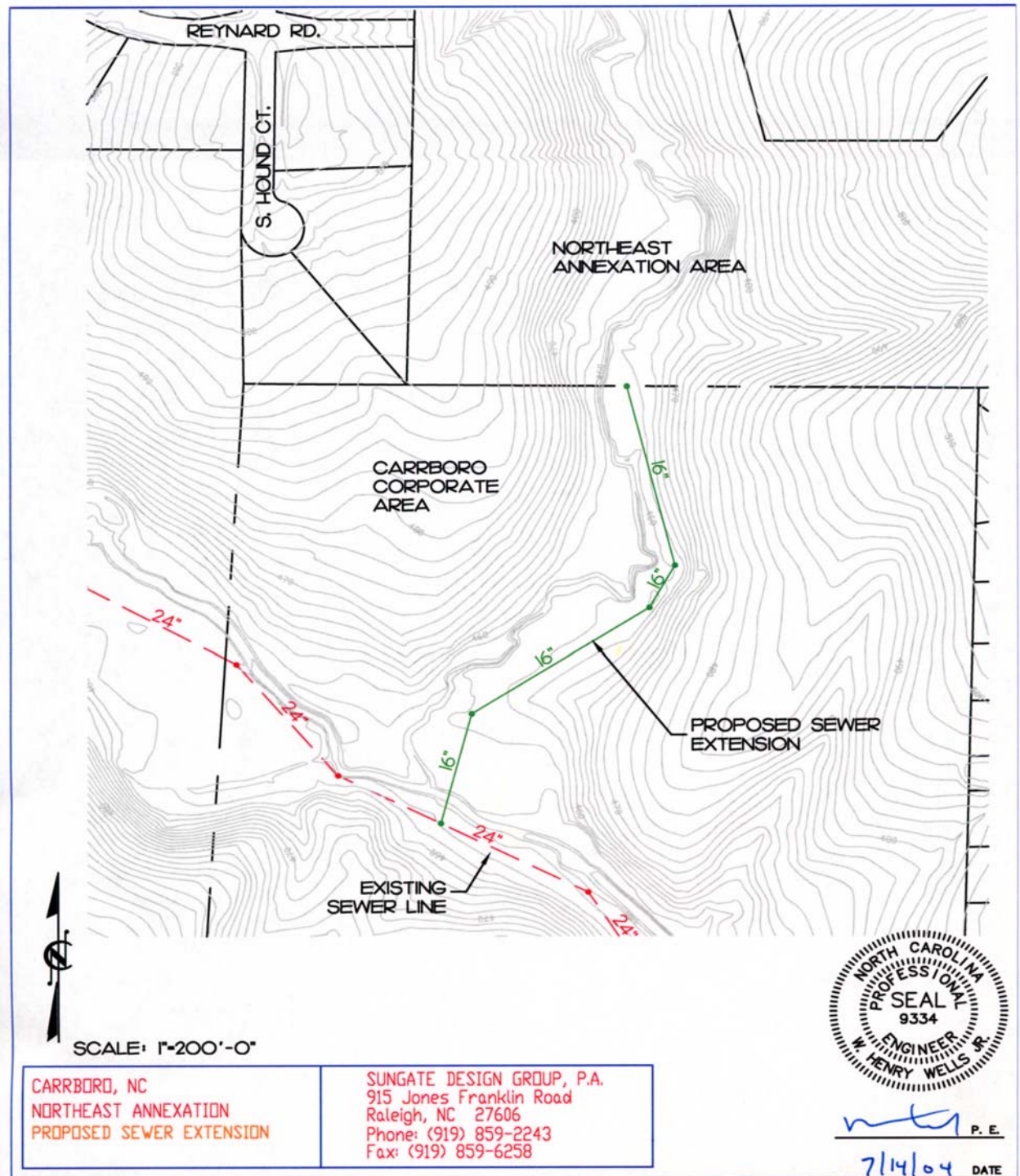
Map 9: NE Annexation Areas “A” & “B” Water Lines

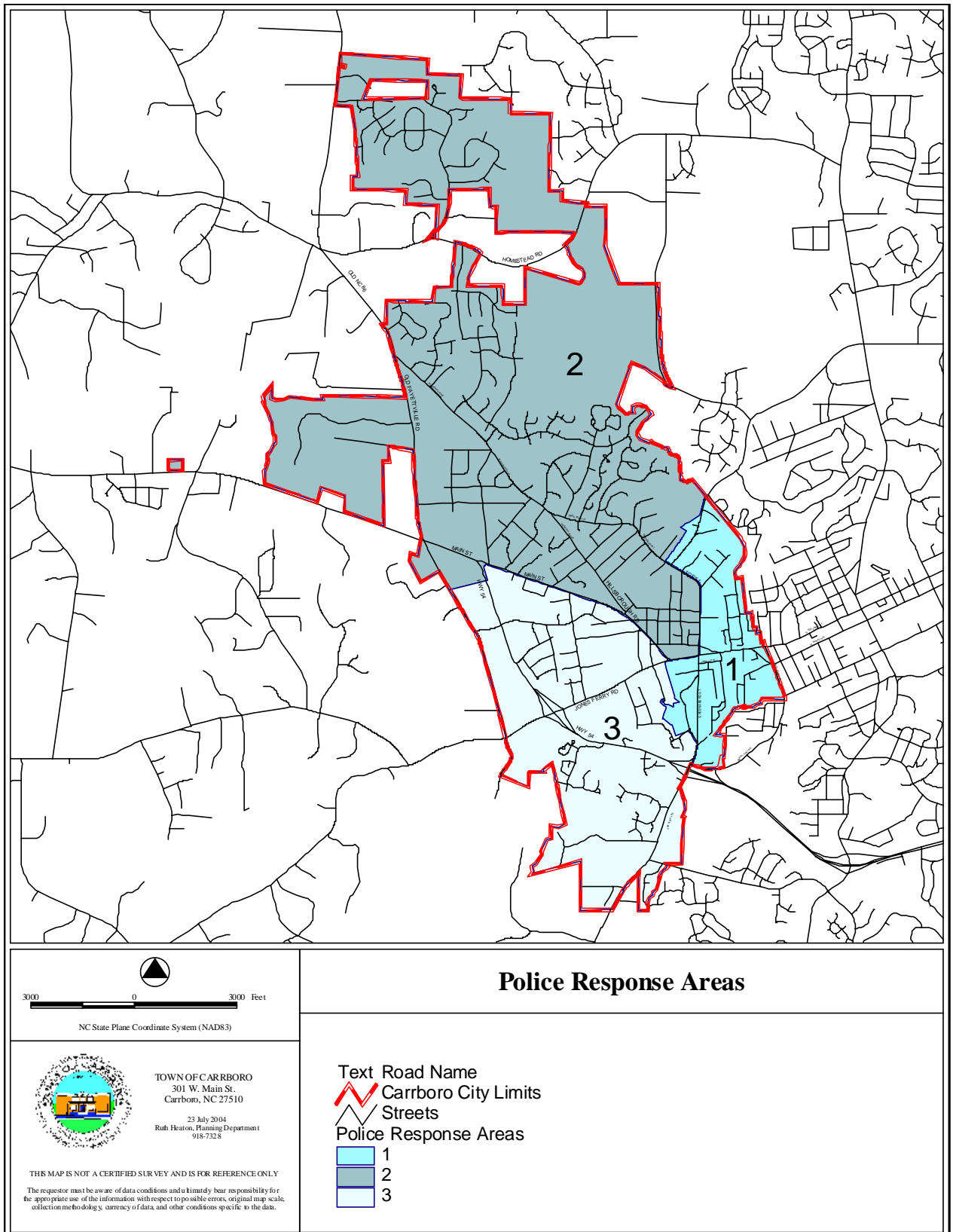


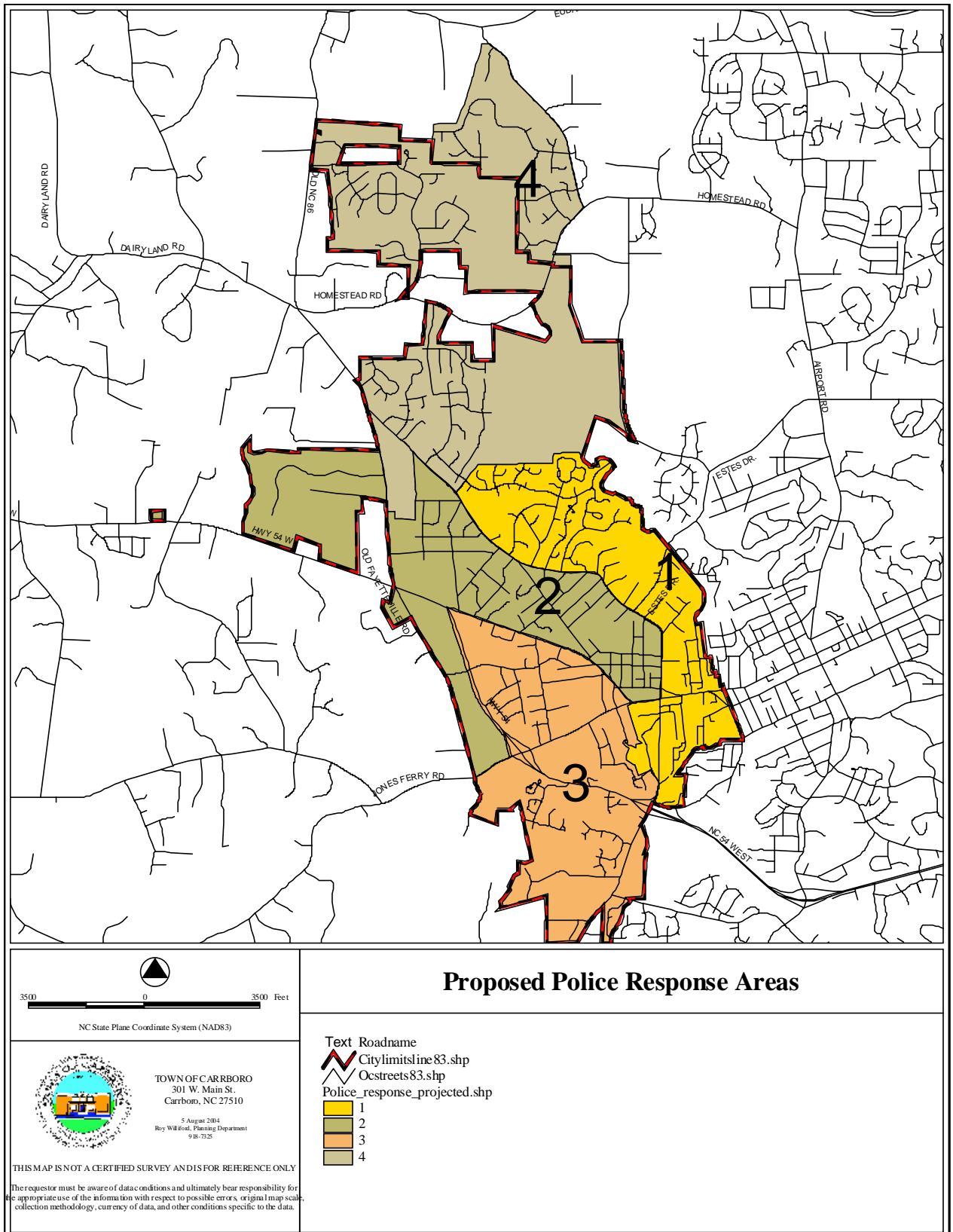
APPENDIX C
Map 10: NE Annexation Areas "A" & "B":
Sewer Lines

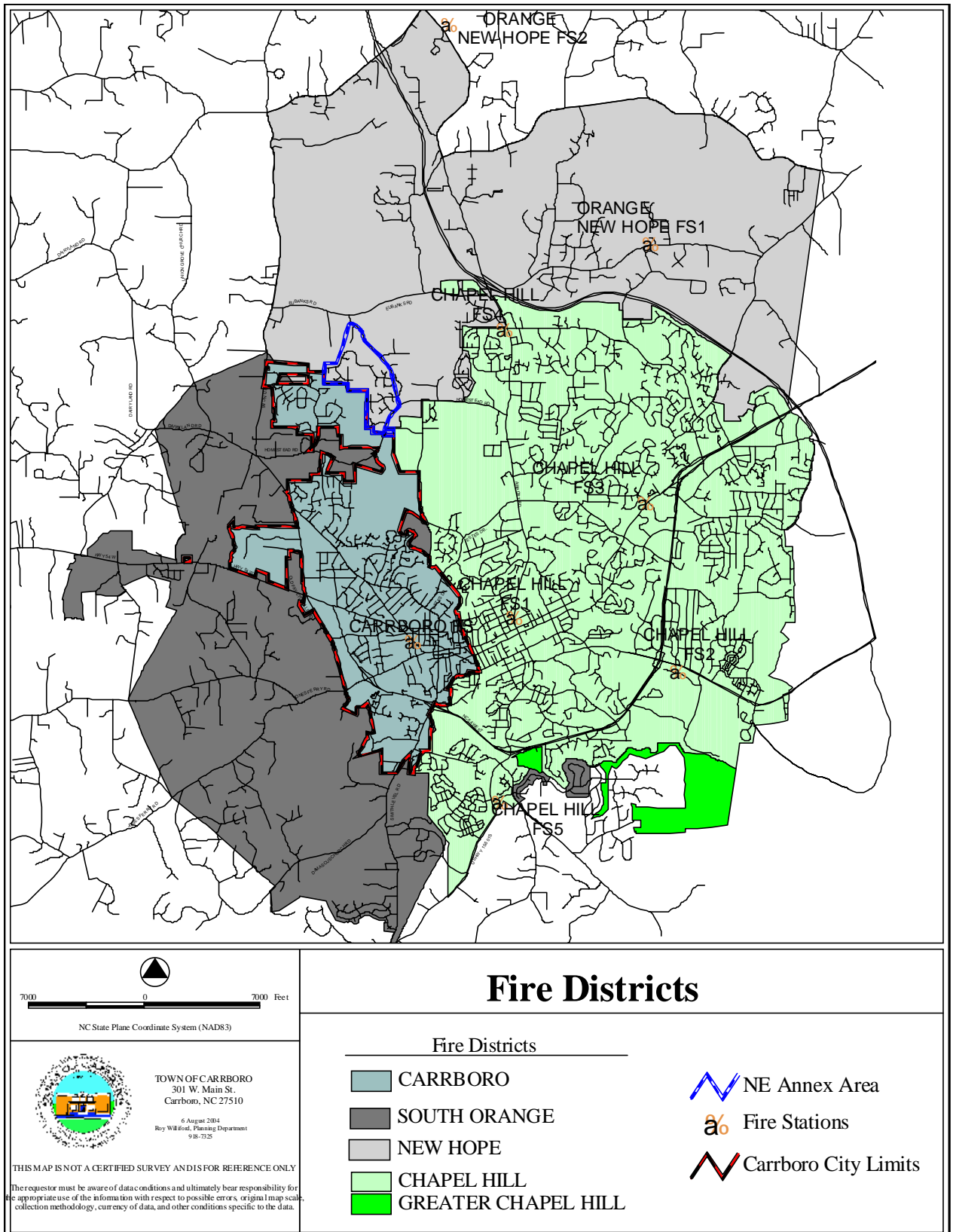


for general location
of existing sanitary
sewer mains only









APPENDIX D

ESTIMATED COSTS AND REVENUES
FOR THE NORTHEAST ANNEXATION AREAS

Summary

A summary of cost and revenue estimates (rounded) for each Annexation Area is as follows:

ANNEXATION AREA	Year 1 1/31/2006-6/30/2006		Year 2 7/1/2006-6/30/2007		Year 3 7/1/2007-6/30/2008	
	Area "A"	Area "B"	Area "A"	Area "B"	Area "A"	Area "B"
Town Costs	50,994	45,973	124,650	105,871	127,578	107,604
Town Revenues	18,440	13,918	594,678	276,711	437,205	208,719
Difference	-32,554	-32,055	470,028	170,840	309,627	101,115

Detailed cost and revenue estimates are provided on the attached Tables 1 and 2. Year one cost and revenues have been prorated to reflect a 5-month cost and revenue period.

Comparison of Costs and Revenues for the Northeast Annexation Area

COST

Year-One Costs

- Table-1 summarizes costs associated with town expenditures needed to serve the annexation areas over the five-month period of year-one as well as the subsequent full fiscal years labeled year-two and year-three..
- Year-one costs are calculated for the remaining five months following the January 31, 2006 annexation effective date until the end of the 2005-06 fiscal year on 6-30-06.
- The Town will provide leaf, yard waste and bulk item collection to all residents of each annexation area in the same manner and on the same basis as it does for all residents of town.

- Municipal solid waste services include the cost for roll-out curbside refuse collection, , and land fill tipping fees. The Town anticipates that these services will be provided with current positions and equipment. Properties within each annexation area will receive the same level of solid waste collection service as other properties in the community receive.

During the first two years, properties that contracted for private solid waste collection during the 90 day period preceding and including the date that the town passes the resolution of intent may continue receiving private collection paid for by the town. The town's obligation to contract with or pay economic losses to the private collection firm will be determined by North Carolina G.S. 160A-49.3, which requires the Town to contract with qualifying private sanitation firms for two years or pay for economic loss as defined by statute due to annexation. To qualify, a sanitation firm must make a request to the Town and meet other conditions of the statute. In accordance with G.S. 160A-49.3(b), the Town will make a good faith effort to notify each private sanitation firm providing services in the annexation area by providing them with a copy of the resolution of intent 20 days prior to the date of the public hearing.

Municipal solid waste service expenditures and private hauler payments reflect a five month prorated cost for year one based on \$18 per housing unit per month.

- The northeast annexation area has access to major water lines and a portion of the area has access to major sewer lines. The portion that is currently served by water and sewer service is shown on Maps 9 and 10 in Appendix C. The portion of the northeast annexation area that does not have access to the public sewer system can obtain service from the Orange Water and Sewer Authority if the a sewer outfall line is extended as shown on Maps 10 and 11. The Town of Carrboro proposes to construct this outfall line as shown on Map 11, which will enable neighborhoods to obtain sewer service from OWASA. In Year one expenditures for this item represent a five-month debt payment.
- Portions of the annexation area currently receive water service from the Orange Water and Sewer Authority as shown on Map 9. Areas with OWASA water service also have fire hydrants and water supply for fire protection consistent with the rest of the Town.
- Police protection and other police services will be provided by supplementing existing equipment and personnel with additional funding. Approximately \$100,000 annually will be needed to support additional patrol resources related to the Northeast Annexation Area (\$57,000 for "A" and \$43,000 for "B"). Table one reflects the expenditure needed to fund five months of police service during year one.
- The Town's fire services will be provided with current positions and equipment. There is a marginal cost increase for anticipated emergency response trips to the annexation area and for providing fire related activities such as public fire education, inspections, and expected routine calls for assistance.
- The Orange New Hope Volunteer Fire Department currently services the annexation area.

The Town anticipates that the Orange New Hope Volunteer Fire Department will request a "First Responder" agreement with Carrboro in accordance with G. S. 160A-49.1.

- The annexation area can be served by modifying existing public transportation routes.

Year-Two Costs

Year-two costs represents the first full fiscal year of expenditures by the town estimated for funding services within the annexation areas. The nature of the cost items shown in year-two are the same as described above for year-one except that year two-cost are for a full 12 months rather than just the 5 months needed for year-one.

Year-Three Costs

Year-three cost items shown in year-three are the same as described above for year-one except that year-three cost are for a full 12 months rather than just the 5 months needed for year-one. Private sanitation firm payments reflect the final seven months of the twenty-four month contract for private solid waste collection services.

REVENUES

Year-One Revenues

- Year One Revenues are summarized in Table 2.
- The total 2004-05 real property tax valuation of real estate in the Northeast Annexation Area is \$78,295,352 according to Orange County tax records. The real property tax valuation of real estate in Area "A" is \$54,499,271 and in Area "B" is \$23,796,081
- The estimated personal property tax valuation in the Northeast Annexation Area is \$5,624,626 as of January 1, 2004. The estimated personal property tax valuation in Area "A" is \$3,214,072 and in Area "B" is \$2,410,554. Since the proposed annexation date of January 31 is outside of the tax billing cycle beginning on July 1 of the previous year, the remaining five months will be added to the upcoming tax bill generated in July of 2006. The year-one revenues only represent prorated motor vehicle personal property tax revenues since they are collected on a different billing cycle depending on the vehicle registration date. The total estimated motor vehicle value for the Northeast Annexation Area is \$4,668,440, with Area "A" being \$2,667,680 and Area "B" with \$2,000,760.
- The 2004-05 ad valorem tax rate for real and personal property is \$0.7148 per \$100 for the Town's General Fund. The estimated total General Fund Tax Revenue with a 98% collection rate from real property in the Northeast Annexation Area is approximately \$548,462. Estimated total General Fund Tax Revenue from real property in Annexation Area "A" is \$381,770 and in Annexation Area "B" is \$166,692. In the first year the prorated 5 month tax

Estimated Costs and Revenues

revenue for the Northeast Area of approximately \$228,709 will not be collected until the next billing cycle and will be added to the 2006-07 tax billing. The 5 month prorated revenue for Area “A” is approximately \$159,198 and for Area “B” is \$69,511.

- The estimated total General Fund Tax Revenue with a 98% collection rate from personal property in the Northeast Annexation Area is approximately \$39,401. Estimated total General Fund Tax Revenue from personal property in Annexation Area “A” is \$22,515 and in Annexation Area “B” is \$16,886. The five month prorated personal property tax revenue collected in the upcoming 2006-07 fiscal year for the NE Annexation Area should be about \$2,793 with Area “A” generating \$1,596 and Area “B” producing \$1,197. The Town anticipates receiving approximately \$13,604 in motor vehicle personal property tax revenues in the first five months generated from the NE Annexation Area, \$7,774 from Area “A” and \$5,830 from Area “B”.
- The total estimated General Fund Tax Revenue available from the Northeast Annexation Area from both real and personal property is approximately \$587,863. The total estimated General Fund Tax Revenue available from both real and personal property for Annexation Area “A” is \$404,284 and in Annexation Area “B” is \$183,579. The Town only anticipates receiving \$13,604 in motor vehicle personal property tax revenues in the first five months generated from the NE Annexation Area, \$7,774 from Area “A” and \$5,830 from Area “B”. The remaining 5 month prorated amount of \$231,502 from the NE Area (\$160,794 from Area “A” and \$70,708 from area “B”) will not become available until the next tax year.
- Estimates of franchise tax, sales tax, Powell Bill revenues, vehicle license fees, and beer and wine tax, are included within Table 2 under other revenues. Sales tax revenues are allocated on a countywide formula based primarily on the Town’s proportionate share and fluctuation in population determined annually by the state. Additional sales tax revenues resulting from this annexation have not been shown due primarily to the difficulty in predicting the effect of the annexation on the Town’s annual share of sales tax revenues. Additional beer & wine tax revenues for the first five months have not been shown since they are dependent on July 1, 2006 population estimates.
- The total estimated revenue for the Northeast Annexation Area is \$32,358 in the first year, \$871,390 in the second year and \$645,923 in the more typical third year.

Year-Two Revenues

The general description of year-two revenue sources is the same as provided for year-one revenues with the exception of the timing of the collection of personal and real property taxes. Personal and real property taxes levied from the January 31st effective annexation date until the end of the fiscal year on June 30, 2006 will be added to the fiscal year July 1, 2006 to June 30, 2007 tax bill. With the exception of motor vehicle taxes, the real and personal property tax revenues reflect one year and five months of taxation.

Year-Three Revenues

The general description of year-three revenue sources is the same as provided for year-one revenues. Year-three revenues reflect a normal full year revenue picture for the fiscal year beginning July 1, 2007 and ending on June 30th 2008.

Year One, Two and Three Costs and Revenues are summarized in the following Tables 1 and 2:

TABLE 1
TOTAL ESTIMATED COSTS FOR THE NORTHEAST ANNEXATION AREA
1/31/2006-6/30/2006 Fiscal Year (Year One), 7/1/2006-6/30/2007 Fiscal Year (Year Two), 7/1/2007-6/30/2008 Fiscal Year (Year Three)

FUNCTION	YEAR 1			YEAR 2			YEAR 3		
	Area A	Area B	NE Area	Area A	Area B	NE Area	Area A	Area B	NE Area
FIRE									
– Town Operations	0	0	0	0	0	0	0	0	0
– Fire Hydrant	0	0	0	0	0	0	0	0	0
– Contracts with Rural Fire Department	7,233	3,158	10,391	17,358	7,579	24,937	17,358	7,579	24,937
RECREATION & PARKS	0	0	0	0	0	0	0	0	0
POLICE	23,725	17,918	41,670	57,000	43,000	100,000	58,710	44,290	103,000
PUBLIC WORKS									
– General Street Maintenance	1,517	1,783	3,300	3,640	4,280	7,920	3,640	4,280	7,920
– Street Lights	939	939	1,878	2,343	2,343	4,686	2,436	2,436	4,872
– Leaf Collection	2,203	1,653	3,856	5,499	4,124	9,623	5,719	4,289	10,008
– Private Sanitation Firm Payments	7,380	5,580	12,960	18,696	14,136	32,832	11,170	8,446	19,616
– Municipal Solid Waste Services	7,380	5,580	12,960	18,696	14,136	32,832	27,127	20,511	47,638
PUBLIC TRANSIT	0	0	0	0	0	0	0	0	0
UTILITIES									
– Sewer Outfalls	0	8,970	8,970	0	15,333	15,333	0	14,833	14,833
– Water Mains	0	0	0	0	0	0	0	0	0
TOTAL ESTIMATED COSTS	50,403	45,581	95,984	123,232	104,931	228,163	126,161	106,664	232,825

TABLE 2

TOTAL ESTIMATED REVENUES FOR THE NORTHEAST ANNEXATION AREA

1/31/2006-6/30/2006 Fiscal Year (Year One), 7/1/2006-6/30/2007 Fiscal Year (Year Two), 7/1/2007-6/30/2008 Fiscal Year (Year Three)

REVENUE SOURCE	YEAR 1 (5 MONTHS)			YEAR 2			YEAR 3		
	Area A	Area B	NE Area	Area A	Area B	NE Area	Area A	Area B	NE Area
PROPERTY TAX VALUATION									
– Real (7/1/04)	54,499,271	23,796,081	78,295,352	54,499,271	23,796,081	78,295,352	54,499,271	23,796,081	78,295,352
– Personal	546,392	409,794	956,186	551,856	413,892	965,748	557,374	418,031	975,405
– Motor Vehicle	2,667,680	2,000,760	4,668,440	2,694,357	2,020,768	4,715,124	2,721,300	2,040,975	4,762,276
Total Valuation	57,713,343	26,206,635	83,919,978	57,745,484	26,230,741	83,976,224	57,777,946	26,255,087	84,033,033
PROPERTY TAX REVENUE at \$0.7148									
– Motor Vehicles 5 Mo Prorated	7,774	5,830	13,604						
– Pro rated 5 Mo Property Tax @98% from prior year				160,794	70,708	231,502			
– Real & Personal @98%				404,509	183,747	588,257	404,737	183,918	588,655
Net Property Tax Revenue	7,774	5,830	13,604	565,303	254,455	819,759	404,737	183,918	588,655
OTHER REVENUE									
Estimated Sales Tax	0	0	0	0	0	0	0	0	0
Utility Franchise	3,336	2,504	5,840	6,873	5,158	12,031	7,079	5,313	12,392
Cable Franchise	162	121	283	841	630	1,471	870	652	1,522
Beer & Wine	0	0	0	2,027	1,521	3,548	2,057	1,544	3,601
Piped Natural Gas Tax	717	538	1,255	1,457	1,093	2,550	1,479	1,109	2,588
Motor Vehicle License	2,046	1,535	3,581	4,920	3,690	8,610	4,920	3,690	8,610
Miscellaneous	30	20	50	135	105	240	135	105	240
Privilege Licenses	0	0	0	0	0	0	0	0	0
Powell Bill	0	0	0	11,747	8,816	20,563	12,452	9,345	21,797
Dog Fees	25	20	45	125	93	218	125	93	218
Solid Waste Containers	4,350	3,350	7,700	1250	1,150	2,400	3,350	2,950	6,300
TOTAL REVENUE	18,440	13,918	32,358	594,678	276,711	871,390	437,205	208,719	645,923

Notes for Table I & II

Annexation Area ⇒	Area “A”	Area “B”	NE Area
Estimated Population	485	367	852
Dwelling Units	164	124	288

Revenues:

- 1.Although an annexed parcel is liable for a prorated share of taxes levied for the fiscal year in which the annexation takes place, in most instances the owner of that parcel does not have to pay those taxes until the succeeding fiscal year. In this case, owners would pay in succeeding fiscal year.
- 2.The next revaluation year is 2005. The valuation changes would be in effect in 2005-06. Therefore, real property valuation is unchanged for the three years.
- 3.Assumes Motor Vehicles represent 83 percent of the value of the non-real portion of the tax base and other personal property is 17 percent.
- 4.Assumes 1 percent growth in personal property taxes (including motor vehicles) in years 2 and 3.
- 5.Utility Franchise is per capita and assumes 3 percent growth in years 2 and 3.
- 6.Cable Franchise estimates 61 percent of households will have cable and a 3.5 percent growth rate in years 2 and 3.
7. Beer and Wine is per capita and assumes 1.5 percent growth in years 2 and 3. No increase in first 5 months, additional revenues dependent on July 1, 2006 population estimates.
- 8.Piped Natural Gas is per capita and assumes 1.5 percent growth in years 2 and 3.
- 9.Motor Vehicle License is based upon 1.5 vehicles per dwelling unit and does not anticipate growth in years 2 and 3.
- 10.Miscellaneous is a per capita figure.
- 11.Powell Bill assumes a \$22.85 per capita distribution and 6 percent growth in years 2 and 3.

Expenditures:

1. Police represents a 5% increase in Patrol Budget.
2. Fire contract with the Orange New Hope Fire Dept at 1/2 the cost of first responder services.
3. Street repair at \$2,000 per mile to cover incidental needs since all roads are on the NCDOT system and will be maintained by NCDOT until such time that the Town of Carrboro accepts individual streets.
4. Solid waste collection services include landfill tipping fees, curbside collection based on \$18 per unit for at least 1/2 of the units which are not on private contract?
5. Private solid waste hauler fee based in \$18 per unit per month times 1/2 of the units over a 2-year period (this fee will vary based on response from haulers)
6. Annual debt service for extending 925 feet of outfall sewer line & easement with \$125,000 financed over 15 years

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

<p>ORANGE WATER AND SEWER AUTHORITY</p> <p>POLICY MANUAL</p>	<p>SECTION NUMBER</p> <p><u>VIII-2(2)</u></p>	<p>EFFECTIVE DATE:</p> <p>ISSUED: <u>3/12/98</u></p> <p>REVISED: <u>5/27/99</u></p> <p>REVISED: _____</p>
<p>SUBJECT: POLICIES: RATES, FEES, CHARGES, COLLECTION</p> <p>ASSESSMENTS: RESOLUTION ADOPTING ASSESSMENT POLICY APPLICABLE TO WATER AND SEWER EXTENSIONS TO EXISTING UNSERVED NEIGHBORHOODS</p>		<p>PAGE 1 OF 1</p>

Policy Statement on Assessment Projects for Extension of Water and Sewer Mains adopted on September 8, 1994 was rescinded by the Board of Directors on May 27, 1999 and is replaced by Resolution Adopting Assessment Policy Applicable to Water and Sewer Extensions to Existing Unserved Neighborhoods adopted on May 27, 1999.

On March 12, 1998, the Board of Directors made a motion to approve the Discussion Paper on OWASA's Assessment Policy Applicable to Water and Sewer Service Extensions to Existing Unserved Neighborhoods.

The purpose of the Assessment Policy Applicable to Water and Sewer Extensions to Existing Unserved Neighborhoods is to set forth the principles and guidelines for the extension of and the allocation of cost for the water and/or sewer mains of Orange Water and Sewer Authority when such facilities are extended through the assessment process.

Reference: G.S. 153A, Article 9: Special Assessments

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

**RESOLUTION ADOPTING ASSESSMENT POLICY APPLICABLE TO
WATER AND SEWER EXTENSIONS TO EXISTING UNSERVED NEIGHBORHOODS**


WHEREAS, the elected bodies of the Towns of Carrboro and Chapel Hill and Orange County have requested that OWASA review its assessment policies in order to assure that the manner in which the costs of water and sewer extension projects are calculated and assessed is fair and meets the requirements of the statutes and OWASA's obligations under the Sale and Purchase Agreements, and, in particular, that it does not impair the orderly availability or unduly discourage otherwise necessary connections to these vital public services; and

WHEREAS, the Board of Directors of OWASA has considered the opinions, requests and proposals made by citizens in recent public meetings about the costs of gaining access to these public services; it has reviewed the work of its staff, and has considered the suggestions of the elected bodies of the Towns and County, and the advice given on behalf of the University of North Carolina at Chapel Hill in this regard, and it has determined that the attached policy is necessary and appropriate to assure the availability and orderly provision of public water and sewer service to the Carrboro, Chapel Hill, and Orange County citizens within its service area, and that it is necessary and will result in the protection of the environment and public water supply, and that it will primarily benefit persons who are able to connect to these services as well as their neighbors and the public at large;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Orange Water and Sewer Authority Board of Directors adopts the attached policy entitled, *"Assessment Policy Applicable To Water And Sewer Extensions To Existing Unserved Neighborhoods"*.
2. That the policy shall become effective upon adoption.
3. That the Executive Director is directed to implement and interpret the *Assessment Policy Applicable To Water And Sewer Extensions To Existing Unserved Neighborhoods*.

Adopted this 27th day of May, 1999


Dan C. VanderMeer, Chair

ATTEST:


Johi Gilgor
Clerk to the Board

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

ORANGE WATER AND SEWER AUTHORITY

**ASSESSMENT POLICY APPLICABLE TO WATER AND SEWER
EXTENSIONS TO EXISTING UNSERVED NEIGHBORHOODS**

PURPOSE: The purpose of this policy is to set forth the principles and guidelines for the extension of and the allocation of cost for the water and/or sewer mains of the Orange Water and Sewer Authority (OWASA) when such facilities are extended through the assessment process.

BACKGROUND: An integral part of the operation of OWASA is the orderly extension of water and/or sewer service from its existing facilities or the construction of new facilities. This extension of service may consist of the construction of new collectors, interceptors, mains, pump stations and other appurtenances necessary to serve a group of properties whose owners have petitioned OWASA for service and have agreed to assume the cost of the water and/or sewer extension or to serve properties without a petition from property owners that OWASA has determined are benefited by the extensions. The North Carolina General Statutes and the Sale and Purchase Agreements with Town of Chapel Hill, Town of Carrboro and The University of North Carolina at Chapel Hill enable OWASA to make such extensions and assess benefited properties the costs associated with the extensions.

POLICY: OWASA, at the discretion of the Board of Directors, may arrange for the installation of water and/or sewer mains to serve existing developed areas and assess the cost of the improvements to the benefited properties in accordance with the North Carolina General Statutes. Extension to new development will not be financed through the assessment process. If undeveloped land within an assessment area benefits from an assessment project then such land will be assessed for the improvements. Undeveloped land through or along construction of off-site line extensions may also be assessed.

Assessment projects must have prior approval of the OWASA Board of Directors and may be initiated by petition of residential property owners, County or State public health agencies, by a County or municipality, or by OWASA at its discretion. OWASA's decision to undertake an assessment project shall not be subject to prior endorsement from a majority of the property owners benefiting from said project. In determining whether or not to proceed with an assessment project, OWASA will consider the needs of all property owners who are impacted by such project. Multiple assessment project requests will be prioritized for construction by OWASA.

Extension of service shall be made in a manner to appropriately serve individual properties and to allow for the future orderly development of the water and/or sewer system to serve other properties

Water and/or sewer main extensions and appurtenant facilities installed by OWASA through the assessment process shall be financed by the owners of the benefited properties through (1) special assessments made in accordance with the provisions of the North Carolina statutes and laws; (2) prior funding of the improvements; and/or (3) other financial arrangements satisfactory to OWASA.

The cost of the assessment project, as determined by OWASA, shall be specially assessed against each of the lots or parcels determined by OWASA as benefiting from the project and set out in a Final Assessment Roll. Such allocation of cost shall be in accordance with the provisions of North

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Assessment Policy Applicable to Water and Sewer
Extensions to Existing Unserved Neighborhoods
May 27, 1999
Page 2

Carolina General Statutes 153A, Article 9, Special Assessments.

Costs recovered through assessments shall not include the engineering design and construction observation expenses in an amount up to 15% of total expenditures for a given project. Costs recovered through assessments shall not include the legal expenses in an amount up to 5% of total expenditures for a given project. Any such engineering design and observation costs in excess of 15% and/or legal costs in excess of 5% will be included in the summation of costs to be assessed.

Costs recovered through assessments shall not include off-site costs, including any easement acquisitions of intervening improvements required to connect assessment projects situated within the incorporated limits of Chapel Hill and Carrboro when the OWASA Board of Directors determines that (a) the off site improvements are assessed to intervening benefited properties; or, the cost of the off site improvements are reasonably anticipated to be recovered within the next 10 year period through fees from service connections or extensions to the proximate intervening properties; and (b) the costs of the off-site improvements that are not assessed are in reasonable relationship to the costs of the assessment project and funding is available in the approved Capital Improvements Budget for such off-site cost, or funds are reliably available from other sources such as grants, subsidies or contributions in aid of construction from private or public parties.

The exclusion of off-site costs for assessment projects situated outside of incorporated areas but within the Urban Service Areas of Chapel Hill and Carrboro shall be determined by the OWASA Board of Directors for each such project.

Exclusion of off-site costs shall not apply to assessment projects situated outside the Urban Service Area of Chapel Hill and Carrboro.

Off-site mains shall be defined as those sections of mains installed outside of the benefited project area which do not provide service directly to individual lots within the benefited area and are of a size so as to provide service to areas other than that defined by the assessment project resolution.

Upon completion of the project, property owners will be notified and a Final Assessment Roll adopted. Liens against the property will be recorded as security for the amount of the assessment.

Assessments may be paid without interest at any time before the expiration of thirty (30) days from the date that notice of confirmation of the Final Assessment Roll is published. If the assessments are not paid within this time, all installments shall bear interest at a rate set by the OWASA Board of Directors in the assessment proceedings until paid. In the event one or more payments of the assessment against a parcel of property are not made in accordance with the terms for such payment, OWASA will take action under the lien to collect the money due.

For assessment projects, the property owner connecting within sixty (60) days of the confirmation

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Assessment Policy Applicable to Water and Sewer
Extensions to Existing Unserved Neighborhoods
May 27, 1999
Page 3

of the Final Assessment Roll may enter into a contract with OWASA to pay service availability fees for connections to lines extended by an assessment project, but not service connection fees, under established terms and conditions by monthly installments over the same time period and at the same interest rate as established for the assessment project costs. The installment payment of service availability fees shall become a part of the monthly billing for service, and nonpayment shall be subject to the same policies and penalties that apply to delinquency in the payment of monthly charges for water and sewer services provided by OWASA. The unpaid balance shall be secured by a lien against the benefited property and personal security to satisfy any outstanding balance upon sale of the property. The payment of the unpaid balance shall become due upon transfer of the property.

For assessment projects, the residential property owners connecting within ninety (90) days of notice from OWASA that the construction has been completed and service is available for active service connections, the service availability fees applicable to the property will be reduced by 25%, not to exceed \$500 per benefited property.

If an assessed lot is subdivided at any time after adoption of the Final Assessment Roll, the newly created lots shall be required to pay all applicable availability fees in accordance with the Schedule of Rates and Fees in effect at the time, prior to establishing a service connection to the system(s) owned by OWASA.

REFERENCES:

- OWASA Schedule of Rates and Fees
- OWASA Water and Sewer Extension Policies

Reviewed by General Counsel

6-3-99
Date


General Counsel

Adopted by the Board:

5/27/99
Date


Clerk to the Board

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

ORANGE WATER AND SEWER AUTHORITY

POLICY ON THE EXTENSION
OF WATER SERVICE

PURPOSE: The water extension policy sets forth principles and guidelines for extension of water service and for attachment to the water mains and facilities of the Orange Water and Sewer Authority.

BACKGROUND: An integral part of the operation of the Orange Water and Sewer Authority is extension of water service from existing facilities or construction of new facilities. This extension of service may consist of 1) construction of new mains, service lines, booster stations and other appurtenances necessary to serve a property or 2) connection of a water service lateral to the main water lines of the Authority.

POLICY: The extension of water service from the system of the Orange Water and Sewer Authority shall:

1. Be in accordance with the Authority Water Extension Regulations, Authority Specifications and the Authority Schedule of Rates and Fees.
2. Reflect the principles and policies of the land use plans of respective local governmental unit.
3. Be made in a manner to appropriately serve individual customers and to allow for future orderly development of the water system to serve other customers in accordance with policies of the Orange Water and Sewer Authority.
4. Be in accordance with other policies of the Board of Directors such as policies on extending water and sewer lines or service into University Lake watershed.

The Authority shall be responsible for maintenance, operation, and control of all water distribution facilities dedicated and accepted by the Authority and may from time to time contract to provide maintenance or operation of water distribution facilities owned by others.

The Authority shall set standards for design, location, materials and construction for water system components to be served or be a part of the water utility system.

Applicants, whether as the benefiting party or acting as the developer of a subdivision, commercial or industrial property shall be responsible for:

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Water Extension Service Policy
Page 2

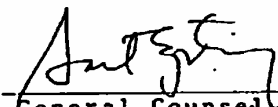
1. The cost of installing all water system components within or by their property.
2. The costs of connecting water mains between their properties and the existing water distribution system and/or improvement of existing mains, booster stations and appurtenances.
3. The initial financing of service extensions both inside and outside the property of the applicant with reimbursement to the applicant for costs in excess of their proportionate share as provided by reimbursement policies of the Authority.
4. Providing easements and rights-of-way sufficient for the construction, operation, repair and expansion of the water system, including sufficient isolation from adjoining facilities within or without the boundaries of such easement or right-of-way.

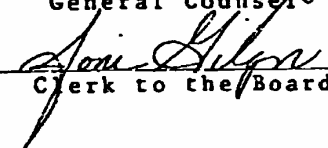
AUTHORIZATION : The Executive Director is authorized and empowered to direct on behalf of the Orange Water and Sewer Authority extension of water service as provided under this policy, to establish regulations for the implementation of this policy and without further authorization by the Board of Directors to take administrative actions for the security and control of the system of Orange Water and Sewer Authority.

The Executive Director is authorized to withhold or terminate water service for noncompliance by the party with the policies and regulations of the Authority. Where unusual circumstances exist, the Executive Director may request that the Board of Directors make the determination on extension of water service or extension of the water system.

Reviewed by General Counsel: 3/8/90
Date

Adopted by the Board: 1/25/90
Date


General Counsel


Clerk to the Board

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

ORANGE WATER AND SEWER AUTHORITY
WATER SERVICE EXTENSION REGULATIONS

I. PURPOSE

The purpose of this regulation is to set forth for the Orange Water and Sewer Authority (the Authority) the conditions regulating the extension of water service and the attachment to the mains and facilities of the Orange Water and Sewer Authority as provided under the Policy for Extension of Water Service adopted by the OWASA Board of Directors on January 25, 1990.

II. GENERAL PRINCIPLES

A. The extension of water service from the system of the Authority shall be in accordance with the policies, standards and fees established by the Orange Water and Sewer Authority.

B. Extension of service consists of:

1. the connection of a service lateral to the water main and the setting of a meter assembly.

2. construction of new water mains, tanks and booster stations to serve property.

III. GLOSSARY

WATER MAINS - The water mains are the collection of pipes usually six inches in diameter or greater through which water is distributed or transported. The water mains are owned and maintained by the Authority.

WATER SERVICE LATERAL - The water service lateral is the pipe which connects from the tap on the water main to the water meter setting. In the OWASA system, the lateral is owned and maintained by the Authority.

METER SETTING - The meter setting is the assembly which houses the water meter. The setting usually consists of the meter setter, the meter and the meter box or vault. In the OWASA system, the meter setting is owned and maintained by the Authority.

BOOSTER STATION - The booster station is the water system appurtenance which pumps water from a lower elevation pressure to a higher elevation pressure. Booster stations are usually used to increase water pressures within the distribution system.

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Water Service Extension Regulations
Page 2

IV. EXTENSION OF WATER MAINS

Extension of water mains shall meet the following requirements:

A. Approval By Local Government & Agencies

Prior to installation of any facilities the applicant for service shall provide to the Authority certification and/or documentation that the proposed property to be served has been approved by the appropriate political subdivision and/or regulatory agencies having review authority.

B. Review By The Authority

All installations shall meet minimum specifications set by the Authority. The specifications shall include the size of all lines, their location, grade, materials used, manner of installation and such other specifications deemed necessary by the Authority.

C. Approval by Regulatory Agencies

Prior to approval by the Authority the construction drawings and specifications for the extension of water service must be submitted to and reviewed by the appropriate regulatory agencies. These agencies may include but are not limited to the Department of Transportation, the Division of Environmental Management, the Division of Health Services, the Division of Land Quality, and the U.S. Army Corps of Engineers.

D. Approval by the Authority

Construction shall not commence until approval has been given in writing by the Authority to specifications shown on detailed construction drawings prepared by an engineer registered in the State of North Carolina. This approval will be granted by the Authority after it has received notification of approval by the various regulatory agencies.

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Water Service Extension Regulations
Page 3

E. Construction

The standard minimum size line for the public water main is eight (8) inches in diameter. Smaller lines (such as in short loops) will be permitted only with the express approval of the Authority when smaller lines are not restrictive to necessary fire flows or do not impair the flow in the water distribution grid.

Any addition to the system must extend through or across the entire frontage of the applicant's property and with adequate provisions including easements, rights of way, etc. for laterals or extensions as required to support future development and extensions of the system.

Extension of water mains shall be performed by an independent contractor under contract to the Authority or to the applicant complying with the Authority's Standards and Specifications for Water Distributions and Wastewater Collections Systems with all work subject to inspection and approval by the Chief Engineer or his authorized agent.

If in the judgment of the Chief Engineer there is demonstrated a lack of competent supervision of a contractor, the Chief Engineer may, upon approval of the Executive Director (1) halt work until approved supervision is obtained and the work done in accordance with approved specifications or (2) provide constant construction observation by Authority personnel at the expense of the applicant.

The applicant is solely responsible for the design and construction of the project. The applicant may be required to modify, rearrange or do over any work to bring it in conformity with Authority's Standards and Specifications. Construction observation by the Authority does not imply supervision and/or acceptance of the work.

F. Rights-Of-Way

Water mains will be installed only in dedicated streets, roadways, or rights-of-way secured by encroachments or recorded easements or license. The applicant for service is responsible for providing or securing the necessary encroachments and easements required for installation of facilities. Easements necessary to serve

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Water Service Extension Regulation
Page 4

the project and allow for the orderly development and expansion of the water system shall be dedicated in behalf of the Authority.

G. Ownership and Control

All water mains constructed and connected with the facilities of the Authority under the policies stipulated herein shall be conveyed to and become the property of the Authority upon completion and acceptance. Connection to the system and acceptance by the Authority shall constitute dedication of a water main extension by the applicant but the applicant may be required to furnish to the Authority documentation of specific conveyance.

The Authority shall have exclusive control of all such lines and shall be responsible for their maintenance, repair and operation.

H. Warranty

The conveyor of an extension to the system shall guarantee the entire project against defective material and workmanship and consequential damages resulting therefrom for a period of twelve months from the date of completion of the construction. Prior to acceptance by the Authority of any fees for the connection of service, the conveyor must supply to the Authority a letter of credit in an amount equal to 5% of the total extension construction cost or such other amounts as the Authority may require.

I. System Expansion

Requirements herein do not preclude the use or extension of mains by the Authority for the expansion and orderly development of the system. The Authority shall have the right to make, or allow to be made, additional extensions of a water main beyond or laterally from the extension.

V. SERVICE CONNECTIONS

A. Service

Each lot or parcel to be served shall have a public water main extended on or immediately adjacent to such

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
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property at a location secured by a utility easement or franchise on behalf of the Authority in such a manner that the water lateral serving the property may be tied directly into the public water main.

B. Installation

Taps into the public water mains for service will be made only by Authority personnel. Installation of the water lateral line from the public water main tap to the house side of the meter, including furnishing and setting the meter, will be by the Authority. The normal location of the meter will be at the curb or property line.

Taps, lateral lines and meter settings onto water mains being extended by the applicant which are not part of the public water system and have not been accepted by the Authority will be completed by the contractor as part of the water main extension.

All meters, regardless of size, are to be purchased from the Authority.

B. Stub Out and Subsequent Connection

To avoid future cutting of street surfaces where water service is not immediately desired, the service line may be stubbed out to the property but the meter not set until service is desired and the appropriate connection fees have been paid to the Authority.

D. Codes

Customer's facilities shall be installed in accordance with the North Carolina State Plumbing Code and operated in a manner to prevent backflow and possible contamination of the water supply. In addition, the Cross Connection Control Policy of the Authority will apply as circumstances dictate.

VI. FEES

A. General

Fees and charges shall be made in accordance with the current schedule of rates and fees adopted by the Authority Board of Directors.

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Water Service Extension Regulations
Page 6

B. Availability Fees

1. Purpose

The purpose of this charge is to recover a portion of the cost associated with providing water system facility capacity. This charge is applicable to each connection to a water line regardless of who may have paid for the installation of the line to which the connection is made.

2. Applicability

Availability charges are composed of two factors: the size of the property and the demand on the system as represented by the water meter size. All lands not requiring water service and dedicated to public use such as for streets, highways, alleys, parks, playgrounds and recreation areas associated with public schools shall be excluded from the total acreage against which the fees apply as long as the properties continue in such exempt uses. Unusual and unique circumstances with minimal impact on the water facilities may be eligible for a variance based upon an evaluation by the Chief Engineer and approval by the Executive Director.

The owner of any large tract or parcel of land exceeding three acres in size and on which there is but one residential dwelling unit may, upon the approval of the Authority, by recorded plat designate a lot containing the dwelling of not less than three acres in area against which the acreage fee will apply.

C. Footage Charge

1. Purpose

The purpose of this charge is to defray, in part, the cost of installing water mains, valves, fire hydrants, etc. which are necessary to provide water service to abutting properties and which have been provided at the expense of the Authority or persons, firms or corporations other than the applicant.

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Water Service Extension Regulation
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2. Applicability

A Footage Charge for each separate connection to an existing water main shall be paid by each applicant who wishes to secure service therefrom, which charge shall be paid prior to the approval of the application for a service connection; provided, however, that in any instance where satisfactory evidence shows that an applicant for a connection has paid the cost of installation of the main to which the connection is to be made, either by installing the main at his expense and then conveying same to the Authority (or its predecessors) or by reimbursing the Authority (or its predecessors) for the cost of such main, the Footage Charge shall be waived.

3. Computation

1. The footage charge shall be computed on the basis of the footage of the property abutting the line. On lots abutting two or more streets in which lines are installed, the footage shall be based upon the longest side.

2. The minimum frontage for each metered connection shall be that for property with 50 feet frontage, regardless of actual frontage.

3. When a line passes through a tract which may be served to either side from the line, the front footage and acreage fees shall apply separately to each side.

D. Meter Installation Charge

1. Purpose

The purpose of this charge is to recover costs of extending service from the distribution system to individual properties, and including the installation of a service connection from the water main to the curb or property line and the setting of a meter within the premises, subject to satisfactory easement or license being provided by the applicant. Where a suitable stub-out for service has been made and is available, the "meter-only" charge will apply.

Orange Water and Sewer Authority
Water Service Extension Regulation
Page 8

2. Applicability

The applicable charges shall apply as set forth in the Schedule of Rates and Fees adopted by the Authority's Board of Directors.

VII. PAYMENTS

All fees and payments due the Authority should be made at the following address:

Orange Water and Sewer Authority
Customer Relations Department
400 Jones Ferry Road
P.O. Box 366
Carrboro, North Carolina 27510

VIII. INTERPRETATION AND REVISIONS

These regulations are pursuant to the Water System Extension Policy adopted by the Orange Water and Sewer Authority's Board of Directors and incorporated by reference as a part hereof.

Implementation and interpretation of the Water System Extension Regulations are the responsibility of the Executive Director and the administrative staff. The Executive director is authorized to establish and implement regulations for the extension of the water system. Such regulations are to be uniformly and equitably implemented but deviations may be approved by the Executive Director for unusual technical situations.

IX. APPEALS

The appeal of decisions or interpretations of the Executive Director regarding the implementation of the Water System Extension Policy may be made in writing to Authority. The appeal should state clearly and specifically the relief sought and reasons therefore.

X. APPENDIX

A. OWASA Schedule of Rates and Fees

B. OWASA Standard Specifications for Water Distribution and Wastewater Collection Systems

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

**Orange Water and Sewer Authority
Water Service Extension Regulation
Page 9**

C. OWASA Policy on Reimbursement for Costs of Contributed Capital Facilities

D. OWASA Policy on Assessment Costs

E. Procedures for the Approval of Water and/or Sewer Extension Projects

January 25, 1990

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

ORANGE WATER AND SEWER AUTHORITY

POLICY ON THE EXTENSION
OF SEWER SERVICE

PURPOSE: The sewer extension policy sets forth principles and guidelines for extension of sewer service and for attachment to the sewer mains and facilities of the Orange Water and Sewer Authority.

BACKGROUND: An integral part of the operation of the Orange Water and Sewer Authority is extension of sewer service from existing facilities or construction of new facilities. This extension of service may consist of 1) construction of new collectors, interceptors, mains, pump stations and other appurtenances necessary to serve a property or 2) connection of a private sewer lateral to the main sewer lines of the Authority.

POLICY: The extension of sewer service from the system of the Orange Water and Sewer Authority shall:

1. Be in accordance with the Authority Sewer Extension Regulations, Authority Specifications and the Authority Schedule of Rates and Fees.
2. Reflect the principles and policies of the land use plans of respective local governmental unit.
3. Be made in a manner to appropriately serve individual dischargers and to allow for future orderly development of the sewer system to serve other dischargers in accordance with policies of the Orange Water and Sewer Authority.
4. Be in accordance with other policies of the Board of Directors such as policies on extending water and sewer lines or service into University Lake watershed.

The Authority shall be responsible for maintenance, operation, and control of all sewerage facilities dedicated and accepted by the Authority and may from time to time contract to provide maintenance or operation of sewerage facilities owned by others.

The Authority shall set standards for design, location, materials and construction for sewer system components to be served or be a part of the wastewater utility system.

Applicants, whether as the benefiting party or acting as the developer of a subdivision, commercial or industrial property shall be responsible for:

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Sewer Extension Service Policy
Page 2

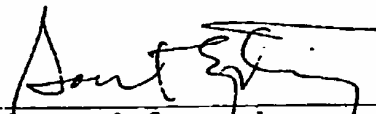
1. The cost of installing all sewer system components within or to a point which is adjacent to their property.
2. The costs of connecting sewer mains between their properties and the existing wastewater collection system and/or improvement of existing mains, pump stations and appurtenances.
3. The initial financing of service extensions both inside and outside the property of the applicant with reimbursement to the applicant for costs in excess of their proportionate share as provided by reimbursement policies of the Authority.
4. Providing easements and rights-of-way sufficient for the construction, operation, repair and expansion of the sewer system, including sufficient isolation from adjoining facilities within or without the boundaries of such easement or right-of-way.

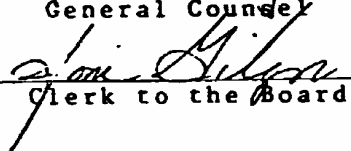
AUTHORIZATION : The Executive Director is authorized and empowered to direct on behalf of the Orange Water and Sewer Authority extension of sewer service as provided under this policy, to establish regulations for the implementation of this policy and without further authorization by the Board of Directors to take administrative actions for the security and control of the system of Orange Water and Sewer Authority.

The Executive Director is authorized to withhold or terminate sewer service for noncompliance by the party with the policies and regulations of the Authority. Where unusual circumstances exist, the Executive Director may request that the Board of Directors make the determination on extension of sewer service or extension of the sewer system.

Reviewed by General Counsel: 3/31/90
Date

Adopted by the Board: 1/25/90
Date


General Counsel


Clerk to the Board

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

ORANGE WATER AND SEWER AUTHORITY
SEWER SERVICE EXTENSION REGULATIONS

I. PURPOSE

The purpose of this regulation is to set forth the conditions and standards for the extension of sewer service and the attachment to the mains and facilities of the Orange Water and Sewer Authority as provided under the Policy for Extension of Sewer Service adopted by the OWASA Board of Directors on January 25, 1990.

II. GENERAL PRINCIPLES

A. The extension of sewer service from the system of the Authority shall be in accordance with the policies, standards and fees established by the Orange Water and Sewer Authority.

B. Extension of service consists of:

1. construction of new sewer collectors, interceptors, mains, pump stations and appurtenances to serve the property.

2. the connection of a private sewer lateral to the main sewer line.

III. GLOSSARY

SEWER LATERAL. The sewer lateral is the pipe which connects the building to the collector sewer located in the street. It is usually four inches in diameter. In the OWASA system, the sewer lateral is owned and maintained by the property owner.

SEWER COLLECTOR. The sewer collector is the pipe which receives wastewater from one or more sewer laterals. The minimum diameter of the collector sewer is eight (8) inches. The collector sewer is owned and maintained by the Authority.

SEWER MAINS. The sewer main is the pipe which receives wastewater from one or more collector sewers. The term is herein used to mean interceptors, mains and collector sewers.

SEWER INTERCEPTOR. The interceptor sewer is the pipe which receives wastewater from the sewer mains and collectors and conveys it to the wastewater treatment

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Sewer Service Extension Regulations
Page 2

plant. The interceptor sewer is owned and maintained by the Authority.

PUMP STATION. The pump station (also called lift station) is the sewer appurtenance which pumps the wastewater from a sewer main of lower elevation to a sewer main of higher elevation.

IV. EXTENSION OF SEWER MAINS

Extension of sewer mains shall meet the following requirements:

A. Approval By Local Government & Agencies

Prior to installation of any facilities the applicant for service shall provide to the Authority certification and/or documentation that the proposed property to be served has been approved by the appropriate political subdivision and/or regulatory agencies having review authority.

B. Review By The Authority

All installations shall meet minimum specifications set by the Authority. The specifications shall include the size of all lines, their location, grade, materials used, manner of installation and such other specifications deemed necessary by the Authority.

C. Approval by Regulatory Agencies

Prior to approval by the Authority the construction drawings and specifications for the extension of sewer service must be submitted to and reviewed by the appropriate regulatory agencies. These agencies may include but are not limited to the Department of Transportation, the Division of Environmental Management, the Division of Health Services, the Division of Land Resources and the U.S. Army Corps of Engineers.

D. Approval by the Authority

Construction shall not commence until approval has been given in writing by the Authority to specifications shown on detailed construction drawings prepared for the applicant by an engineer registered in the State of

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Sewer Service Extension Regulations
Page 3

North Carolina. This approval will be granted by the Authority after it has received notification of approval by the various regulatory agencies.

E. Construction

The public main shall not be less than eight (8) inches in diameter, must be laid to line and grade, with manholes at any change of line and grade of the sewer and in no case more than 400' apart, and in all other respects meet the specifications used by the Authority for construction of sewer lines.

Any addition to the system must extend to the applicant's property with adequate provisions including easements, rights-of-way, etc. for laterals or extensions as required to support future development and extension of the system.

Extension of sewer mains shall be performed by an independent contractor under contract to the Authority or to the applicant complying with the Authority's Standards and Specifications for Water Distributions and Wastewater Collections Systems with all work subject to inspection and approval by the Chief Engineer or his authorized agent.

If in the judgment of the Chief Engineer there is demonstrated lack of competent supervision of a contractor, the Chief Engineer may, upon approval of the Executive Director (1) halt work until approved supervision is obtained and the work performed in accordance with approved specifications, or (2) provide constant construction observation by Authority personnel at the expense of the applicant.

The applicant is solely responsible for the design and construction of the project. The applicant may be required to modify, rearrange or redo any work to bring it in conformity with the Authority's Standards and Specifications. Construction observation by the Authority does not imply supervision and/or acceptance of the work.

F. Rights-Of-Way

Sewer mains will be installed only in dedicated streets, roadways, or rights-of-way secured by encroachments or recorded easements or license. Applicant for

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Sewer Service Extension Regulations
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service is responsible for providing or securing the necessary encroachments and easements required for the project. Easements necessary to serve the project and allow for the orderly development and expansion of the sewer system shall be dedicated in behalf of the Authority.

G. Ownership and Control

All sewer mains constructed and connected to the facilities of the Authority under the policies stipulated herein shall be conveyed to and become the property of the Authority upon completion and acceptance. Connection to the system and acceptance by the Authority shall constitute dedication of a sewer main extension by the applicant but the applicant may be required to furnish to the Authority documentation of specific conveyance.

The Authority shall have exclusive control of all such lines and shall be responsible for their maintenance, repair and operation.

H. Warranty

The conveyor of an extension to the system shall guarantee the entire project against defective material and workmanship and consequential damages resulting therefrom for a period of twelve months from the date of completion and acceptance of the project, including such incidental damages as may arise from such claims. At the completion of the construction and prior to acceptance of any fees for connection of service, the conveyor must supply to the Authority a letter of credit in behalf of the Authority in an amount equal to 5% of the total extension construction cost or such other amount as the Authority may require.

I. System Expansion

Requirements herein do not preclude the use and extension of mains by the Authority for the expansion and orderly development of the sewer system. The Authority shall have the right to make, or allow to be made, additional extensions of a sewer main beyond or laterally from the extension.

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Sewer Service Extension Regulations
Page 5

V. SERVICE CONNECTIONS

A. Service

Each lot or parcel to be served shall have a public sewer extended on or immediately adjacent to such property at a location secured by a utility easement or franchise in behalf of the Authority in such a manner that the private lateral serving the property may be tied directly into the public sewer.

B. Installation

Installation of the line from the house to the main sewer line, including furnishing and setting cleanouts, will be the responsibility of the property owner. The normal location for the first cleanout in the private lateral upstream of the main will be at the curb, property line or edge of right-of-way. Taps into the sewer mains in service will be made only by Authority personnel.

C. Stub Out and Subsequent Connection

To avoid future cutting of street surface where sewer service is not immediately desired, the service line may be stubbed out to the property.

D. Codes

All private laterals shall be installed in accordance with applicable North Carolina or Local plumbing codes and regulations.

VI. FEES

A. General

Fees and charges shall be made in accordance with the current schedule of rates and fees adopted by the Authority Board of Directors.

B. Availability Fees

1. Purpose

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Sewer Service Extension Regulations
Page 6

The purpose of this charge is to recover a portion of the cost associated with providing wastewater system facility capacity. This charge is applicable to each connection to a sewer line regardless of who may have paid for the installation of the line to which the connection is made.

2. Applicability

Availability charges are composed of two factors: the size of the property and the demand on the system as represented by water meter size. All lands not requiring sewer service and dedicated to public use such as for streets, highways, alleys, parks, playgrounds and recreation areas associated with public schools shall be excluded from the total acreage against which the fees apply as long as the properties continue in such exempt uses. Unusual and unique circumstances with minimal impact on the sewer facilities may be eligible for a variance based upon an evaluation by the Chief Engineer and approval by the Executive Director.

The owner of any large tract or parcel of land exceeding three acres in size and on which there is but one residential dwelling unit may, upon the approval of the Authority, by recorded plat designate a lot containing the dwelling of not less than three acres in area against which the acreage fee will apply.

C. Footage Charge

1. Purpose

The purpose of this charge is to defray, in part, the cost of installing sewer mains, manholes, etc. which are necessary to provide sewer service to abutting properties and which have been provided at the expense of the Authority or persons, firms or corporations other than the applicant.

2. Applicability

A Footage Charge for each separate connection to an existing sewer main shall be paid by each applicant who wishes to secure service therefrom, which charge shall be paid prior to the approval of the application for a

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

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service connection; provided, however, that in any instance where satisfactory evidence shows that an applicant for a connection has paid the cost of installation of the main to which the connection is to be made, either by installing the main at his expense and then conveying same to the Authority (or its predecessors) or by reimbursing the Authority (or its predecessors) for the cost of such main, the Footage Charge shall be waived.

3. Computation

1. The footage charge shall be computed on the basis of the footage of the property abutting the line. On lots abutting two or more streets in which lines are installed, the footage shall be based upon the longest side.

2. The minimum frontage for each connection shall be that for property with 50 feet frontage, regardless of actual frontage.

3. When a line passes through a tract which may be served to either side from the line, the front footage and acreage fees shall apply separately to each side.

D. Private Lateral Tap Charge

1. Purpose

The purpose of this charge is to recover costs of making the tap into the sewer main or mains and providing a connection point for the lateral connection. Where properties have been provided a stub out to the property line, edge of easement or right of way no tap fee will apply. Charges will be made for the cutting of a tap into an existing sewer main or manhole. These charges include all labor and materials to complete the physical tap, but do not include cost for excavating, backfilling or pavement repairs necessary to expose the main or manhole. Obtaining and paying for the street cut permit from units of local government or obtaining encroachment approval from the Department of Transportation are the responsibility of the applicant.

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Sewer Service Extension Regulations
Page 8

2. Applicability

The applicable charges shall apply as set forth in the Schedule of Rates and Fees adopted by the Authority's Board of Directors.

VII. PAYMENTS

All fees and payments due the Authority shall be made at the following address:

Orange Water and Sewer Authority
Customer Relations Department
400 Jones Ferry Road
P.O. Box 366
Carrboro, N.C. 27510

VIII. INTERPRETATION AND REVISIONS

These regulations are pursuant to the Sewer System Extension Policy adopted by the Orange Water and Sewer Authority's Board of Directors and incorporated by reference as a part hereof.

Implementation and interpretation of the Sewer System Extension Regulations are the responsibility of the Executive Director and the administrative staff. The Executive Director is authorized to establish and implement regulations for the extension of the sewer system. Such regulations are to be uniformly and equitably implemented but deviations may be approved by the Executive Director for unusual technical situations.

IX. APPEALS

The appeal of decisions or interpretations of the Executive Director regarding the implementation of the Sewer System Extension Policy may be made in writing to the Board of Directors of the Orange Water and Sewer Authority. The appeal should state clearly and specifically the relief sought and reasons therefore.

Water and Sewer Extension Policies of the Orange Water and Sewer Authority

Orange Water and Sewer Authority
Sewer Service Extension Service Agreement
Page 9

X. REFERENCES

- A. OWASA Schedule of Rates and Fees**
- B. OWASA Standard Specifications for Water Distribution and Wastewater Collection Systems**
- C. Procedure for Approval of Water and/or Sewer Extension Projects**
- D. OWASA Policy on Reimbursement for costs of Contributed Capital Facilities**
- E. OWASA Policy on Assessment of Costs**

Forms for Petitioning for Extension of Water or Sewer Lines

STATE OF NORTH CAROLINA
COUNTY OF _____

PETITION FOR EXTENSION OF WATER SERVICE

WE THE UNDERSIGNED, being owners of real property located within
 _____ subdivision, adjacent to _____
 (Street/Road) within the Town of _____,
 _____ County, North Carolina, hereby petition the Orange Water and Sewer Authority for extension
 of public water supply lines and facilities in such manner as to enable our aforesaid real
 property to be served by the public water supply system owned and operated by the Authority.
 In support of this Petition we offer the following statements and information:

1. A plat of the aforesaid subdivision is recorded in Plat Book _____, at Page _____, _____ County Registry. The property is also shown on _____ Country Tax Map(s) _____.

2. Several of the undersigned owners have experienced difficulties in obtaining sufficient water suitable for domestic use through private wells.

3. Other information: _____

4. This Petition is presented and made upon the express understanding and agreement that one hundred percent (100%) of the cost of the extension improvements will be assessed against the real property benefited by the extension in accordance with the provisions of Chapters 162A and 153A of the North Carolina General Statutes, and each of the undersigned hereby contracts and agrees with the Authority to pay that portion of such costs assessed against his benefited property.

IN WITNESS WHEREOF, we have signed this Petition on the date indicated below opposite our names.

NAME	ADDRESS	DATE

Forms for Petitioning for Extension of Water or Sewer Lines

STATE OF NORTH CAROLINA

COUNTY OF _____

PETITION FOR EXTENSION OF SEWER SERVICE

WE THE UNDERSIGNED, being owners of real property located within the Town of _____, _____ County, North Carolina, hereby petition the Orange Water and Sewer Authority for extension of public sewer collection lines and facilities in such manner as to enable the improvements to our real property to be served by the public sewer collection system owned and operated by the Authority. In support of this Petition, we offer the following statements and information:

1. A plat of the above-referenced property is recorded as the _____ Subdivision in Plat Book _____, at Page _____, _____ County Registry or otherwise described as individual parcels as follows: _____. The property is also shown on _____ County Tax Map(s) _____.

2. The above property is presently developed and has unsatisfactory on-site systems or soils that have been determined unsuitable for on-site system installation and renovation.

3. Other Information: _____

4. This Petition is presented with our understanding and agreement that the cost of the extension improvements, if constructed, will be assessed against the real property benefitted by the extension in accordance with the provisions of Chapters 162A and 153A of the North Carolina General Statutes and the OWASA Policy Statement on Assessment Projects for Extension of Water and Sewer Lines.

IN WITNESS WHEREOF, we have signed this Petition on the date indicated below, opposite our names.

NAME	ADDRESS	DATE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Statement of the Impact of Annexation on the Orange New Hope Volunteer Fire Department and Statement of the Impact of Annexation on Fire Protection and Fire Insurance Rates in Annexation Area

**STATEMENT OF THE IMPACT OF ANNEXATION ON THE ORANGE NEW HOPE
VOLUNTEER FIRE DEPARTMENT AND A STATEMENT OF THE IMPACT OF
ANNEXATION ON FIRE PROTECTION AND FIRE INSURANCE RATES IN THE
NORTHEAST ANNEXATION AREAS "A" AND "B"**

The following information is provided to satisfy the impact information requirements of GS 160A-47(4), which requires a statement of the impact of annexation on the Orange New Hope Volunteer Fire Department and a statement of the impact of annexation on fire protection and fire insurance rates in the annexation areas.

Part I

1. The Orange New Hope Volunteer Fire Department serves the New Hope Fire District which is a rural fire protection district.
2. The current fire tax levy is 6.5 cents per \$100 of assessed valuation.
3. The current (7/31/04) total assessed value of the Orange New Hope Fire District is \$488,121,097.
4. The current fiscal year anticipated fire tax revenue is \$317,278.
5. The total present area of the Orange New Hope Fire District is approximately 17.8 square miles. The area of the proposed annexation is 0.5 square miles. The reduction in area of the fire district due to annexation would be 2.8%.
 - a. Area "A" is 0.18 square miles and if annexed will reduce the New Hope Fire District by 1.0%.
 - b. Area "B" is 0.32 square miles and if annexed will reduce the New Hope Fire District by 1.8%.
6. The reduction in population of the fire district would be 850 persons if both areas are annexed.
 - a. The annexation of Area "A" will reduce the population of the fire district by 485 persons.
 - b. The annexation of Area "B" will reduce the population of the fire district by 365 persons
7. The annual reduction in fire district revenues due to annexation would be 17.56% if both areas are annexed.
 - a. The annexation of Area "A" will reduce fire district revenues by approximately 12.08%
 - b. The annexation of Area "B" will reduce fire district revenues by approximately 5.48%
8. The capital assets of the Orange New Hope Volunteer Fire Department including buildings, trucks, and equipment total \$2,252,466 as of August 17, 2004.

TOWN OF CARRBORO

NE Area Annexation Report, July 31, 2004

APPENDIX G

Statement of the Impact of Annexation on the Orange New Hope Volunteer Fire Department and Statement of the Impact of Annexation on Fire Protection and Fire Insurance Rates in Annexation Area

9. Capital liabilities as of August 17, 2004:

<u>Loan # 1 (9071498189-99589)</u>		
Apparatus & Equipment (Loan Amount) 1997 Ford Truck, 1999 Manufactured Pumper, 1999 Manufactured Utility Truck	Loan amount: \$276,285.39 First Payment on: 9/15/2004	Payments of \$14,000 due each Quarter
Mortgagee	Central Carolina Bank	
Term of Loan (Years)	6 years at 4.25%	
Years Remaining in Term	6 year	
Annual Payment <u>Loan # 1</u>	Date	Amount
	3/15/06 to 6/15/06	\$28,000.00
	6/15/07	\$56,000.00
	6/15/08	\$56,000.00
	6/15/09	\$56,000.00
	6/15/10	\$31,725.43
Last payment due on 12/15/2005 before the 01/31/06 annexation effective date.	12/15/2005	\$14,000
Annual Payment Due Date	See above	
<u>Loan #2 (9071498189-01753)</u>		
Apparatus (Loan Amount) 2002 International 4900 Truck	Loan amount: \$146,292.55 First Payment on: 7/1/2004	Payments of \$5,839.47 due each Quarter
Mortgagee	Central Carolina Bank	
Term of Loan (Years)	15 years at 4.88%	
Years Remaining in Term	7 (thru 6/21/12)	
Annual Payment Loan #2	Date	Amount
	4/1/06 to 6/30/06	\$5,839.47
	6/21/07	\$23,357.88
	6/21/08	\$23,357.88
	6/21/09	\$23,357.88
	6/21/10	\$23,357.88
	6/21/11	\$23,357.88
Last payment due on 1/1/2006 before the 01/31/06 annexation effective date.	1/1/2006	\$5,839.47

Statement of the Impact of Annexation on the Orange New Hope Volunteer Fire Department and Statement of the Impact of Annexation on Fire Protection and Fire Insurance Rates in Annexation Area

PRORATED ANNUAL PAYMENTS			
Date	Area "A" at 12.08%	Area "B" at 5.48%	Area "A"&"B" at 17.56%
6/30/06	\$4,086.81	\$1,854.25	\$5,839.47
6/30/07	\$9,584.08	\$4,348.45	\$13,932.52
6/30/08	\$9,584.08	\$4,348.45	\$13,932.52
6/30/09	\$9,584.08	\$4,348.45	\$13,932.52
6/30/10	\$6,652.43	\$3018.31	\$9,670.74
6/30/11	\$2,820.94	\$1,279.91	\$4,100.84
6/30/12	\$1,467.65	\$665.90	\$2,133.54
Lump Sum	\$43,780.08	\$19,863.71	\$63,643.71

10. The Orange New Hope Volunteer Fire Department employs three (3) full-time employees who have been employed full-time for more than 2 years.
11. No full-time employees of the Orange New Hope Volunteer Fire Department will be terminated as a result of the town annexation.

Part II

1. The area to be annexed will be served by the Town's Fire Department personnel and equipment and is also proposed to continue to be served, through a contract for first responder service, by the Orange New Hope Volunteer Fire Department.
2. Fire service to the NE Annexation Areas (Areas "A" and "B") will be provided by Town Hall Fire Station at 301 West Main Street. The part of the NE Annexation Areas to be annexed nearest to the existing municipal boundaries is within 3.6 road miles of an existing municipal fire station. The furthest part of the area to be annexed is within 5.6 road miles of an existing municipal fire station.
 - a. The part of Area "A" to be annexed nearest to the existing municipal boundaries is within 3.6 road miles of an existing municipal fire station. The furthest part of the area to be annexed is within 4.4 road miles of an existing municipal fire station.
 - b. The part of Area "B" to be annexed nearest to the existing municipal boundaries is within 5.4 road miles of an existing municipal fire station. The furthest part of the area to be annexed is within 5.6 road miles of an existing municipal fire station.
3. The part of the NE Annexation Area (Areas "A" and "B") to be annexed nearest to the existing municipal boundaries is within 5.6 road miles of the New Hope rural fire department. The furthest part of the area to be annexed is within 4.4 road miles of the New Hope rural fire department.

Statement of the Impact of Annexation on the Orange New Hope Volunteer Fire Department and Statement of the Impact of Annexation on Fire Protection and Fire Insurance Rates in Annexation Area

- a. The part of Area "A" to be annexed nearest to the existing municipal boundaries is within 5.6 road miles of the New Hope rural fire department. The furthest part of the area to be annexed is within 5.1 road miles of the New Hope rural fire department.
 - b. The part of Area "B" to be annexed nearest to the existing municipal boundaries is within 6.2 road miles of the New Hope rural fire department. The furthest part of the area to be annexed is within 4.4 road miles of the New Hope rural fire department.
4. 100% of the population of NE Annexation Area (Areas "A" and "B") to be annexed is within 5.6 road miles of an existing municipal fire station.
 - a. 100% of the population of Area "A" to be annexed is within 4.6 road miles of an existing municipal fire station.
 - b. 100% of the population of Area "B" to be annexed is within 5.6 road miles of an existing municipal fire station.
5. 100% of the population of NE Annexation Area (Areas "A" and "B") to be annexed is within 6.9 road miles of the Orange New Hope rural fire department.
 - a. 100% of the population of Area "A" to be annexed is within 6.1 road miles of the Orange New Hope rural fire department.
 - b. 100% of the population of Area "B" to be annexed is within 6.6 road miles of the Orange New Hope rural fire department
6. The average time delay between dispatch and "turnout" (apparatus departing the station) for the municipal fire department is 45 seconds.
7. The average time delay between dispatch and "turnout" for the rural fire department is 45 seconds.
8. Water supply in the area to be annexed will be provided by:
 - 2 Orange New Hope Fire Department Pumpers
 - 2 Orange New Hope Fire Department Tankers
 - 2 Municipal Fire Department Pumpers
 - 0 Municipal Fire Department Tankers
 - 1 Municipal Fire Department Aerial Apparatus
9. The average number of Orange New Hope Volunteer Fire Department personnel responding during the day (8:00 a.m. until 6:00 p.m.) is 6 and during the night (6:01 p.m. until 7:59 a.m.) is fifteen (15).
10. The average number of municipal fire department personnel for response day and night is seven (7).

Statement of the Impact of Annexation on the Orange New Hope Volunteer Fire Department and Statement of the Impact of Annexation on Fire Protection and Fire Insurance Rates in Annexation Area

11. **Orange New Hope Fire Department** apparatus available for response in the area to be annexed is:

	<u>PUMPERS</u>	
<u>YEAR</u>	<u>PUMP CAPACITY</u>	<u>TANK CAPACITY</u>
1991 E-One	1250 GPM	1000 gal
1991 E-One	1250 GPM	1000 gal
1999 LaFrance	1500GPM	1000 gal
2002 Marion	1500GPM	1500 gal.

	<u>TANKERS</u>	
<u>YEAR</u>	<u>PUMP CAPACITY</u>	<u>TANK CAPACITY</u>
1982 Grumman	1000 GPM	1000 gal

	<u>OTHER APPARATUS</u>	
<u>YEAR</u>	<u>TYPE</u>	<u>TANK CAPACITY</u>
1997	Brush Truck	Woods and Grass Fires
1999	Utility Truck	Support and Air
2000	Ford Expedition	Support
2001	Ford F150 Truck	Support

12. **Carrboro Municipal Fire Department** apparatus available for response in the area to be annexed is:

	<u>PUMPERS</u>	
<u>YEAR AND MODEL</u>	<u>PUMP CAPACITY</u>	<u>TANK CAPACITY</u>
1998 HME Ferrara	1500 GPM	1000 gal.
1993 Freightliner, E-One	1250 GPM	1250 gal.
1990 E-One (75' Aerial)	1500 GPM	500 gal.
1977 Howe Grumman	1000 GPM	500 gal.

Statement of the Impact of Annexation on the Orange New Hope Volunteer Fire Department and Statement of the Impact of Annexation on Fire Protection and Fire Insurance Rates in Annexation Area

	<u>TANKERS</u>	
<u>YEAR</u>	<u>PUMP CAPACITY</u>	<u>TANK CAPACITY</u>
(none)		

	<u>OTHER APPARATUS</u>	
<u>YEAR</u>	<u>TYPE</u>	<u>APPLICATION</u>
1989 Chevrolet (1 Ton)	Support	
1998 Ford Expedition	Command	Chief's Vehicle
2000 Ford Explorer	Command	Deputy Chief's Vehicle
2001 Ford Explorer	Fire Prevention	Fire Marshal's Vehicle

Statement of the Impact of Annexation on the Orange New Hope Volunteer Fire Department and Statement of the Impact of Annexation on Fire Protection and Fire Insurance Rates in Annexation Area

PART III

STATEMENT OF THE IMPACT ON FIRE INSURANCE RATES IN THE AREA TO BE ANNEXED.

1. According to the Insurance Services Office of North Carolina, the current fire insurance classification of the Orange New Hope rural fire district is 9.
2. According to the Insurance Services Office of North Carolina, the current fire insurance classification of the Town of Carrboro is 4.

The table that follows shows the relationship which insurance premiums bear to the insurance classification for two types of properties, i.e., homeowner's coverage and the basis rate for nonsprinklered masonry mercantile properties.

INSURANCE RATES
HOMEOWNERS 3 (H03) COVERAGE

\$100,000 Coverage
\$250 Deductible

The following table shows annual premiums according to the N.C. Rate Bureau and the North Carolina Department of Insurance.

Rating Territory 53	
Orange New Hope Fire District	Town of Carrboro
Class 9	Class 4

Annual Premium			
Masonry	Frame	Masonry	Frame
\$562	\$649	\$411	\$433

NON-SPRINKLERED MASONRY MERCANTILE (class three construction, high susceptibility) Basis Rate Per \$100 Coverage			
\$1.40	building	\$0.67	building
\$3.26	contents	\$2.02	contents

NORTH CAROLINA
ORANGE COUNTY

AGREEMENT ESTABLISHING AN ANNEXATION BOUNDARY
AGREEMENT AND ADJUSTING THE
EXTRATERRITORIAL PLANNING JURISDICTION (ETJ) LINE
BY AND BETWEEN THE
TOWN OF CARRBORO AND THE TOWN OF CHAPEL HILL

WHEREAS, the Town of Chapel Hill and the Town of Carrboro, (the "participating cities"), duly incorporated municipalities under the laws of the State of North Carolina, desire to eliminate uncertainty among residents and property owners in unincorporated areas adjacent to the participating cities and also to improve planning by public and private interests in such areas; and

WHEREAS, Chapter 160A, Article 4A, Part 6 of the North Carolina General Statutes (hereinafter referred to as the "Act") authorizes cities to enter into binding agreements concerning future annexation in order to enhance orderly planning by such cities as well as residents and property owners in areas adjacent to such cities;

WHEREAS, Section 9.1(b) of the Charter of the Town of Carrboro and Chapter V, Article 2, Section 5.17 of the Charter of the Town of Chapel Hill allows the relocation of the division line between the extraterritorial jurisdiction of the Town of Carrboro and the Town of Chapel Hill by mutual written agreement of said municipalities;

NOW, THEREFORE, THE PARTICIPATING CITIES AGREE AS FOLLOWS:

1. This Agreement is executed pursuant to the authority of the Act and the charter provisions referenced above.
2. Subject to termination provisions of this Agreement, annexation provisions of this Agreement shall be valid for twenty (20) years after its effective date and may thereafter be renewed.
3. A. The Town of Chapel Hill may not annex the following areas:
 1. The area situated in the Chapel Hill Township, Orange County, North Carolina, that is generally west of a line more particularly described as follows:

BEGINNING at the intersection of the centerline of U.S. Highway 15-501 and the Chatham County Line and heading north along the centerline of U.S. 15-501 to its intersection with the centerline of Smith Level Road; thence heading north along the centerline of Smith Level Road to a point perpendicular to the southwest corner of Lot 9

Chapel Hill-Carrboro Annexation Boundary Agreement June 30, 1995

*Chapel Hill/Carrboro Annexation Agreement (con't)**Page #2*

(Tax Map 122, Block B); thence proceeding east to the edge of the Smith Level Road right-of-way; thence proceeding along the southern boundary of Lots 9, 9A, 11 and 11A (Tax Map 122, Block B) to the southeast corner of Lot 11A, thence proceeding north along the eastern boundary of Lots 11A and 12A (Tax Map 122, Block B) to the northeast corner of Lot 12A that also intersects with the southern boundary of Lot 15A (Tax map 122, Block B); thence proceeding with the northern boundary of said Lot 12A bearing South 86-24-00 West a distance of 22.51' to a New Iron Pipe (NIP); thence proceeding N 08-58-15 W for 243.59' to a NIP, said point lying in the center of an un-named creek; thence following the meanderings of said creek as it bisects Lots 15A, 14C, 15F and 16 (Tax Map 122, Block B) the following bearings and distances: N 20-16-04 E for 146.83' to a NIP; N 39-27-24 E for 127.81' to a NIP; N 09-55-05 E for 82.29' to a NIP; N 43-33-30 E for 124.05' to a NIP; N 15-02-54 E for 226.54' to a NIP; N 01-07-14 W for 120.97' to a NIP; N16-04-10 E for 81.12' to a NIP; thence leaving said meandering creek and proceeding N 19-29-44 E for 70.55' to an Existing Iron Pipe, said point being N 66-04-19 W 292.80' of a "Control Corner" (Axel), Cobble Ridge, Phase A, Plat Book 61 Page 5; said Existing Iron Pipe is the southwesternmost corner of Lot 15 (Tax Map 122, Block B); thence proceeding northeastward along the western boundary of said Lot 15 to its northwest corner on the southern r/w of Culbreth Rd.; thence proceeding across said r/w 60' +/- to the southwesternmost corner of Lot 15H (Tax Map 122, Block B); thence proceeding northeastward 400' +/- along the northern boundary of said Lot 15H to a corner; thence proceeding northward 1040' +/- along the western boundary of said Lot 15H and Lot 20 (Tax Map 122, Block B) to a corner of said Lot 20; thence proceeding northward along the eastern boundary of Lots 19 and 19A and the western boundary of Lot 21 (Tax Map 122, Block B) approximately 830' to the northwest corner of said Lot 21 and the centerline of Morgan Creek and the existing Chapel Hill corporate limits; thence proceeding northwest along the centerline of Morgan Creek and the existing Chapel Hill corporate limits to the Smith Level Road right-of-way and the existing Carrboro corporate limits.

2. The area situated in the Chapel Hill Township, Orange County, North Carolina, that is generally west of a line more particularly described as follows:

BEGINNING at the intersection of the Carrboro corporate limits (as of June 1, 1995) and the centerline of the Southern Railway Company's track at a point northeast of the southeast corner of Lot 11A (Tax Map 30) which is owned by the Town of Carrboro; and

Chapel Hill-Carrboro Annexation Boundary Agreement June 30, 1995

Chapel Hill/Carrboro Annexation Agreement (con't)
Page #3

running thence northward along the centerline of said railroad track to its intersection with Bolin Creek and the Chapel Hill corporate limits (as of June 1, 1995) along the western boundary of the Ironwoods Subdivision; thence, proceeding northward along the Chapel Hill corporate limits to the intersection of said corporate limits with the centerline of the Southern Railway Company's track; thence proceeding northward along the centerline of said railroad track to the northern extraterritorial jurisdiction border as identified in the Orange County-Chapel Hill-Carrboro Joint Planning Area Land Use Map adopted August 19, 1986 (revised October 13, 1986) and incorporated as an exhibit to the Joint Planning Agreement made and entered into on November 2, 1987 by and between the County of Orange, the Town of Chapel Hill and the Town of Carrboro (hereinafter the "Joint Planning Area Land Use Map").

3. The area to the west of the Carrboro/Chapel Hill Joint Planning Boundary including, but not limited to, Carrboro Transition Area I and Carrboro Transition Area II and excluding the Rural Buffer as identified in the Joint Planning Area Land Use Map.
3. B. The Town of Carrboro may not annex the following areas:
 1. The area generally to the east of the boundary described in paragraph 3.A.1 above.
 2. The area generally to the east of the boundary described in paragraph 3.A.2 above.
 3. The area to the east of the Carrboro/Chapel Hill Joint Planning Boundary including, but not limited to, the Chapel Hill Transition Area and excluding the Rural Buffer and the Joint Courtesy Review Area as identified in the Joint Planning Agreement.
3. C. The Towns of Carrboro and Chapel Hill mutually agree that the Extraterritorial Planning Jurisdiction (ETJ) boundary line between Carrboro and Chapel Hill is hereby adjusted to correspond with the annexation boundary line as described by Sections 3.A.1 and 3.B.1.
4. For the purposes of identifying and defining the boundaries as indicated in sections 3.A.2, 3.A.3, 3.B.2, and 3.B.3. above, the Joint Planning Agreement Land Use Map, as incorporated into the Joint Planning Agreement on November 2, 1987, is hereby incorporated into this Agreement. A true and accurate copy of that map is attached to this Agreement (see Map V). The Agreement does not modify the terms of the annexation agreement portion of the Joint Planning Agreement.

Chapel Hill-Carrboro Annexation Boundary Agreement June 30, 1995

Chapel Hill/Carrboro Annexation Agreement (con't)
Page #4

5. Modification or termination of the Joint Planning Agreement or the Joint Planning Agreement Land Use Map after the effective date of this Agreement will not modify or terminate the boundaries identified in paragraphs 3.A. and 3.B. above. Modification or termination of the boundaries identified in paragraphs 3.A. and 3.B. above may only occur by the terms of this Agreement.
6. This Agreement is hereby effective as of 11:59 PM on June 30, 1995, or the date of adoption of the approving ordinance by the last participating city to do so, whichever is later.
7. At least sixty (60) days before the adoption of any annexation ordinance, the participating city which is proposing any annexation in the area(s) subject to this Agreement shall give written notice to the other participating city of the proposed annexation. Such notice shall describe the area to be annexed by a legible map, clearly and accurately showing the boundaries of the area to be annexed in relation to this Agreement; roads, streams and any other prominent geographical features. Such notice shall not be effective for more than 180 days.
8. This Agreement may be modified or terminated by a subsequent agreement entered into by the participating cities. Any subsequent agreement shall be approved by ordinance after public hearings, notice of which has been provided in accordance with G.S. 160A-31(c).
9. This Agreement shall not be binding beyond three miles of the primary corporate limits of a participating city, unless approved by the board of county commissioners with jurisdiction over the area. An area where this Agreement is not binding because of failure to the board of county commissioners to approve it shall become subject to this Agreement if subsequent annexation brings it within three miles. The approval of a board of county commissioners shall be evidenced by a resolution adopted after a public hearing as provided in G.S. 160A-58.24(c) and (e).
10. This Agreement may be terminated unilaterally by a participating town or a participating town may withdraw from this Agreement, by repealing the ordinance which approved this Agreement and providing five years' written notice to the other participating town. Upon the expiration of the five-year notice period, this Agreement shall terminate.
11. From and after the effective date of this Agreement, neither Carrboro or Chapel Hill may adopt an annexation ordinance as to all or any portion of an area in violation of this Agreement.
12. Nothing in the Act nor this Agreement shall be construed to authorize the annexation of any area which is not otherwise subject to annexation under applicable law.

Chapel Hill-Carrboro Annexation Boundary Agreement June 30, 1995

Chapel Hill/Carrboro Annexation Agreement (con't)
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13. Any participating city which shall believe that a violation of the Act or this Agreement has occurred, shall have available to it all remedies and relief authorized by the Act in addition to such remedies or relief as are authorized by other applicable law.
14. This agreement includes Maps I-V that are attached hereto.

IN WITNESS WHEREOF, the mayors of the participating cities execute this Agreement, in duplicate, to become effective as provided in paragraph 6 above. This the _____ day of _____, 1995.

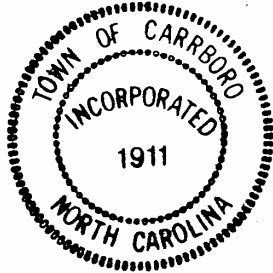
TOWN OF CARRBORO

NE Area Annexation Report, July 31, 2004

APPENDIX H

Chapel Hill-Carrboro Annexation Boundary Agreement June 30, 1995

Chapel Hill/Carrboro Annexation Agreement (con't)
Page #6



ATTEST:

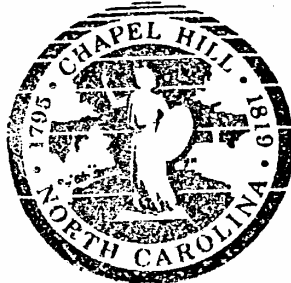
Sarah C. Williamson
Town Clerk

APPROVED AS TO FORM:

Michael B. Brough /w/m d
Town Attorney

TOWN OF CARRBORO

By: [Signature]
Mayor



ATTEST:

[Signature]
Town Clerk

APPROVED AS TO FORM:

Ralph D. Karpino
Town Attorney

TOWN OF CHAPEL HILL

BY: Kenneth S. Brown
Mayor

Chapel Hill/Carrboro Annexation Agreement (con't)
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MAPS

- I. MAP OF TOTAL PROPOSED BOUNDARY
- II. MAP OF SOUTHERN BOUNDARY
- III. MAP OF SOUTHERN BOUNDARY (CULBRETH ROAD AREA)
- IV. MAP OF NORTHERN BOUNDARY
- V. JOINT PLANNING AGREEMENT LAND USE MAP

TOWN OF CARRBORO

NE Area Annexation Report, July 31, 2004

APPENDIX H

Chapel Hill-Carrboro Annexation Boundary Agreement June 30, 1995

MAP I

PROPOSED E.T.J./
ANNEXATION AGREEMENT
BOUNDARY BETWEEN
CARRBORO AND CHAPEL HILL

TOTAL PROPOSED BOUNDARY

5/24/95

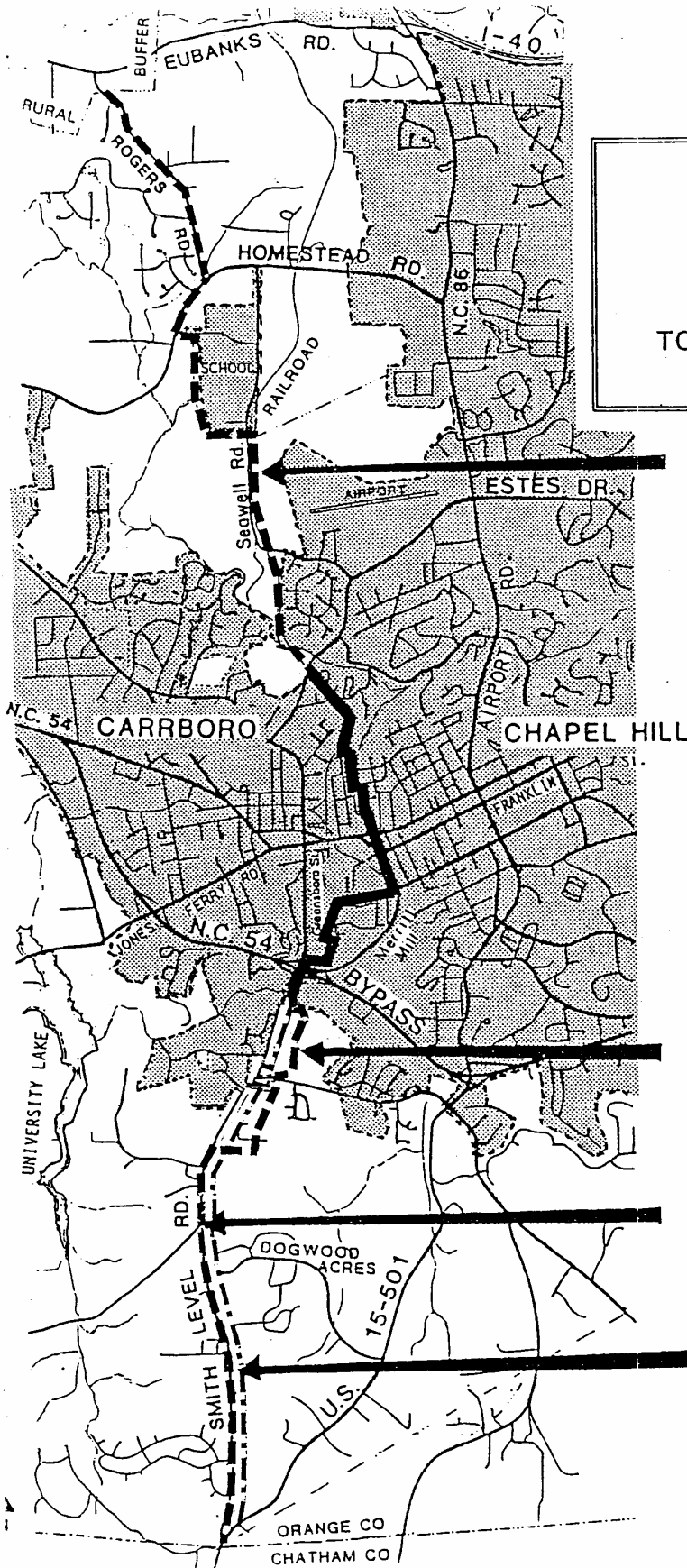
NO CHANGE TO THE NORTHERN LINE:
E.T.J./ANNEXATION BOUNDARY
TO FOLLOW EXISTING E.T.J. AND
JOINT PLANNING AREA BOUNDARIES.

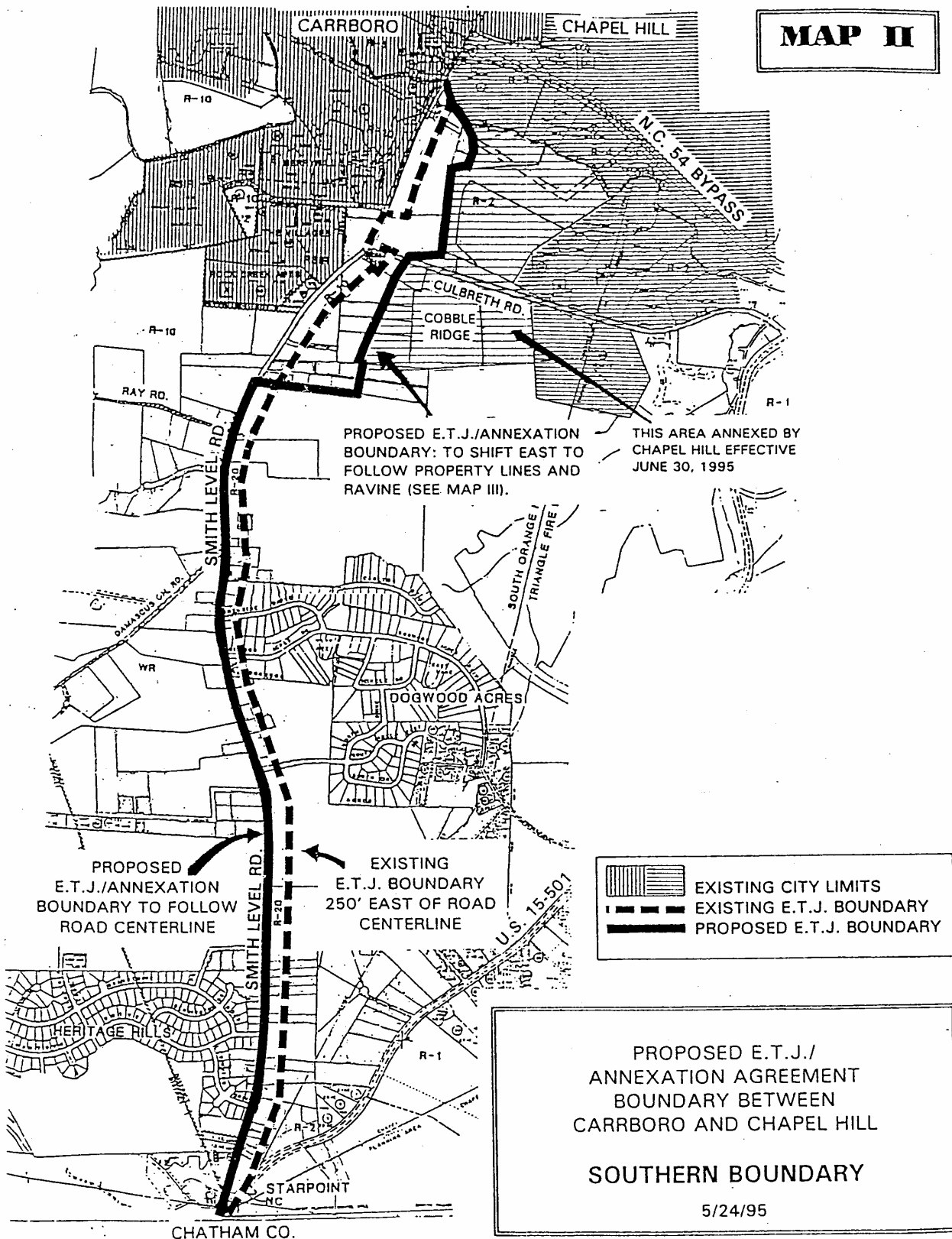
PROPOSED E.T.J./ANNEXATION
BOUNDARY: TO SHIFT EAST TO
FOLLOW PROPERTY LINES AND
RAVINE (SEE MAP III).

PROPOSED E.T.J./ANNEXATION
BOUNDARY: CENTERLINE OF
SMITH LEVEL ROAD TO U.S.
15-501

EXISTING E.T.J. BOUNDARY:
250' EAST OF THE CENTERLINE
OF SMITH LEVEL ROAD.

— EXISTING CITY LIMITS LINE
- - - EXISTING E.T.J. BOUNDARY
- - - PROPOSED E.T.J. BOUNDARY





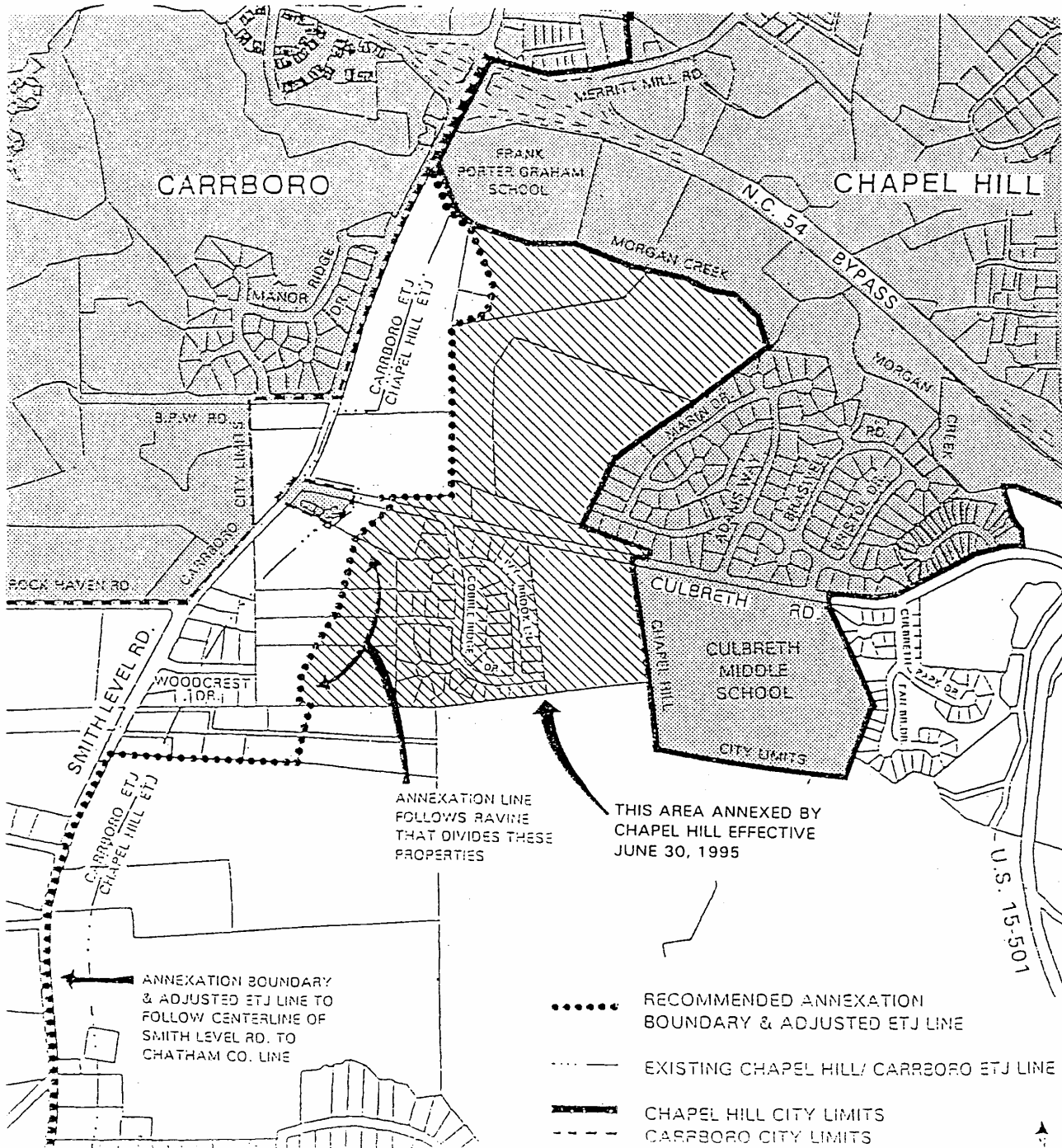
Chapel Hill/Carrboro
Annexation Boundary Work Group

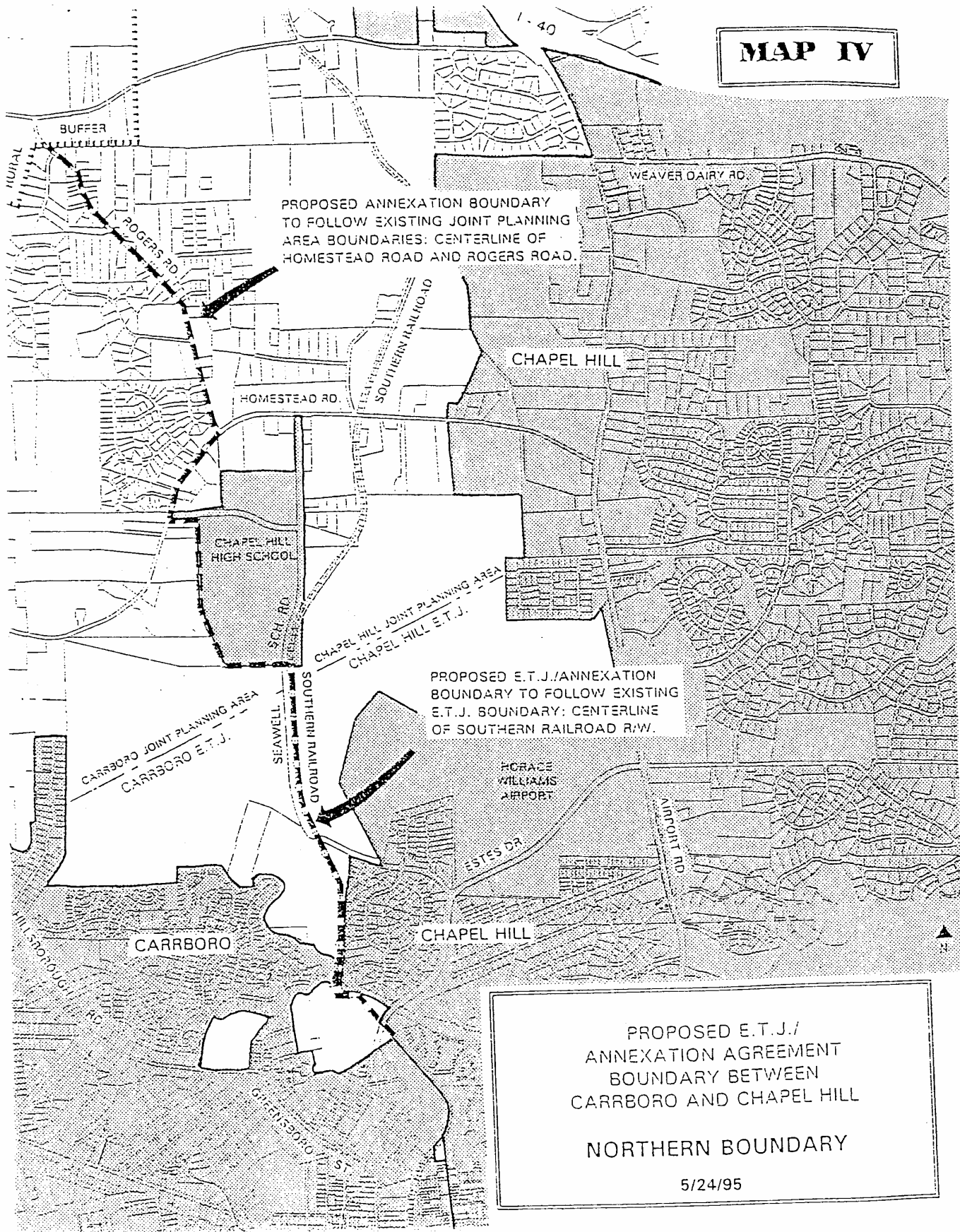
MAP III

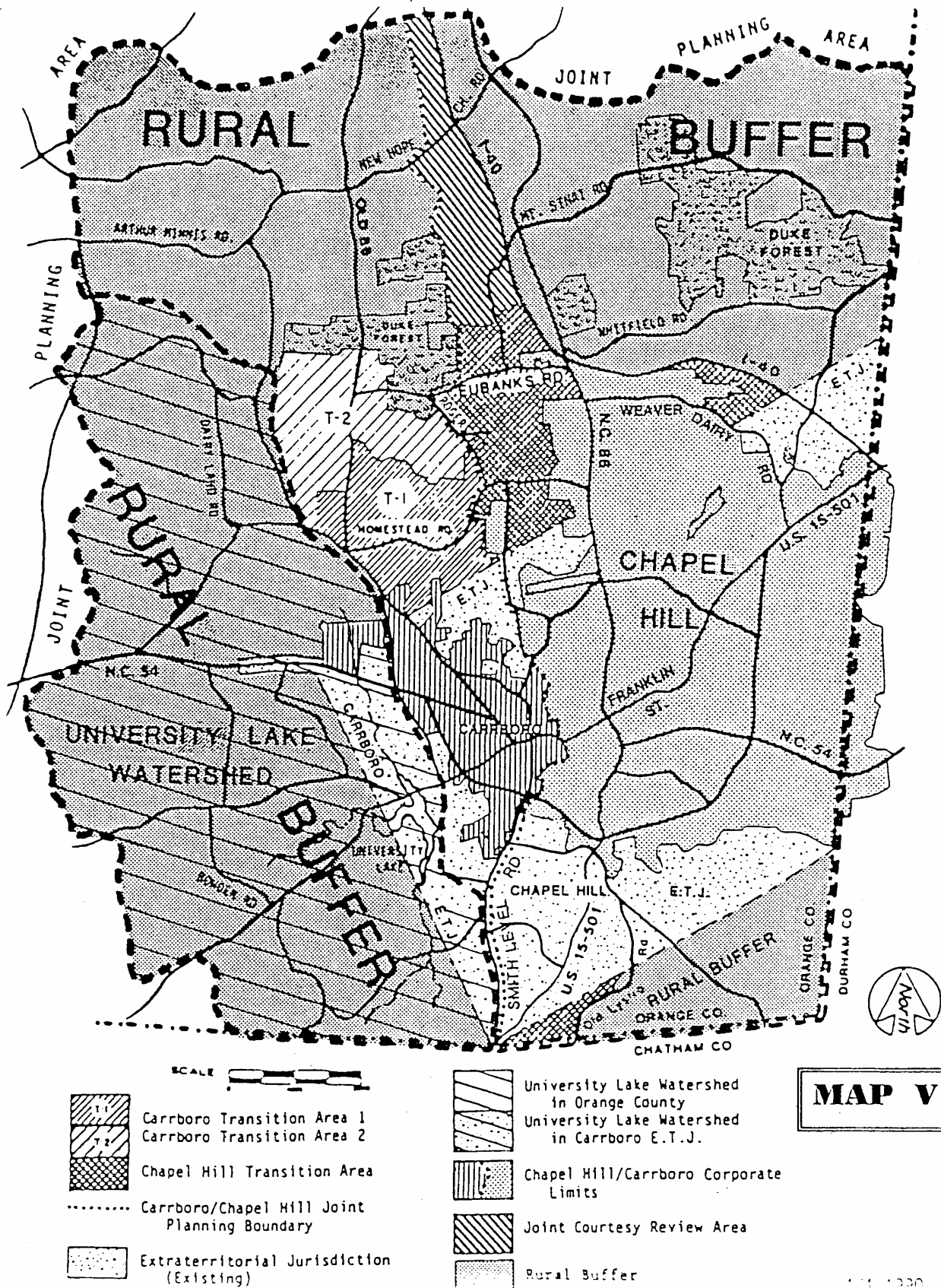
5/24/95

Recommended Annexation Boundary
and Adjustment of the Existing
Extraterritorial Planning Jurisdiction (ETJ) Line

March 6, 1995







ATTACHMENT B

The following resolution was introduced by Alderman Jay Bryan and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION ESTABLISHING PRINCIPLES
OF PROTECTION FOR ENTRANCEWAYS**

Resolution No. 59/94-95

WHEREAS, Chapel Hill and Carrboro have mutually entered into an agreement on establishing an annexation boundary line between the two Towns pursuant to Article 4A, Part 6 of G.S. Chapter 160A; and

WHEREAS, Chapel Hill and Carrboro recognize the value of protection of entranceways to preserve the community's character and beauty;

WHEREAS, Smith Level Road south of Ray Road serves as the boundary line for the University Lake Watershed and is important to the general health and welfare of the community and should remain in its present configuration.

**NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO
RESOLVES:**

Section 1. Each jurisdiction shall in the exercise of its land use, zoning, and police powers, adopt plans, policies and/or ordinances that will protect the visual character of Smith Level Road as a significant entranceway into the community, especially its views, vistas, and forested and open areas, without being required to get the approval of the other entity.

Section 2. Each jurisdiction agrees that Smith Level Road, because it is important to the general health and welfare of the community, should remain a two-lane road between Rock Haven Road and Starpoint in order to help protect its entranceway character and to serve as the boundary line for the University Lake Watershed. The jurisdictions will cooperate with each other in protecting this entranceway.

Section 3. This resolution shall become effective upon adoption.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this 20th day of June, 1995

Ayes: Michael Nelson, Randy Marshall, Hank Anderson, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None