

**A RESOLUTION IDENTIFYING THE AREAS DESCRIBED WITHIN AS BEING UNDER CONSIDERATION FOR ANNEXATION (2009-11-23/R-10)**

BE IT RESOLVED by the Council of the Town of Chapel Hill:

**SECTION 1**

That pursuant to G.S. 160A-49(i), the following described areas are identified as being under consideration for annexation by the Town of Chapel Hill, under provisions of Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

Generally, the unincorporated areas between Chapel Hill's existing corporate limits and the Town's Urban Services Boundary as identified on the 2000 Land Use Plan that was adopted by the Council on May 8, 2000.

The above-referenced areas are specifically shaded on the attached map ("Areas Under Consideration for Future Annexation –January 12<sup>th</sup>, 2008"), which shall be incorporated into this resolution by reference, in accordance with N.C. General Statute 160A-49(i).

**SECTION 2**

That pursuant to G.S. 160A-49(i), persons subject to annexation by this Resolution of Consideration are hereby notified of their rights under North Carolina General Statute Subsections 160A-49(f1) and 160A-49(f2).

Subsections 160A-49(f1) and (f2) provide as follows:

(f1) Property Subject to Present-Use Value Appraisal. – If an area described in an annexation ordinance includes agricultural land, horticultural land, or forestland that on the effective date of annexation is:

- (1) Land that is being taxed at present-use value pursuant to G.S. 105-277.4; or
- (2) Land that:
  - a. Was on the date of the resolution of intent for annexation being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but the land has not been in use for actual production for the required time under G.S. 105-277.3; and
  - b. The assessor for the county where the land subject to annexation is located has certified to the city that the land meets the requirements of this subdivision

The annexation becomes effective as to that property pursuant to subsection (f2) of this section.

(f2) Effective Date of Annexation for Certain Property. – Annexation of property subject to annexation under subsection (f1) of this section shall become effective:

- (1) Upon the effective date of the annexation ordinance, the property is considered part of the city only (i) for the purpose of establishing city boundaries for additional annexations pursuant to the Article and (ii) for the exercise of city authority pursuant to Article 19 of this Chapter.
- (2) For all other purposes, the annexation becomes effective as to each tract of such property or part thereof on the last day of the month in which that tract or part thereof becomes ineligible for classification pursuant to G.S. 105-227.4 or no longer meets the requirements of subdivision (f1)(2) of this section. Until annexation of a tract or a part of a tract becomes effective pursuant to this subdivision, the tract or part of a tract is not subject to taxation by the city under Article 12 of Chapter 105 of the General Statutes nor is the tract or part of a tract entitled to services provided by the city.

### **SECTION 3**

That a copy of this resolution shall be filed with the Town Clerk.

This the 23<sup>rd</sup> day of November 2009.