



TOWN OF CHAPEL HILL

February 2, 2005

To Whom it may Concern:

We, Gordon R. Sutherland, and Scott W. Simmons, hereby certify that on February 1, 2005, in compliance with North Carolina General Statute 160A-49, a notice of proposed annexation and public hearing for the Larkspur Annexation Area, also including notice of the public informational meeting, was mailed by first-class mail, postage pre-paid, to all owners of real property in the Larkspur Annexation Area. The list of owners and addresses was prepared from Orange County tax records.

The notice declared the Town's intent to annex the Larkspur Area as identified in the Chapel Hill Town Council's resolution 2005-01-10/R-4, adopted January 10, 2005, and to hold a public hearing at 7:00 p.m. on March 21, 2005, on the subject of annexing the Larkspur Area.

The form of the notice, with enclosures, is attached. Each notice included a legible map, a one-page summary of the service report, and the Resolution of Intent to Annex (2005-01-10/R-4). For all property owners listed in Orange County tax records as owning more than one lot or tract, at least one notice was mailed.

In accordance with G.S. 160A-49 as amended, this certification is to be submitted to the Town Council as part of the records of the annexation proceedings.

Certified:

Gordon Sutherland
Principal Planner

Scott W. Simmons
Graphics Specialist

Attachments: Copy of notice mailed to property owners in Larkspur Annexation Area
List of property owners in Larkspur Annexation Area



TOWN OF CHAPEL HILL

January 31, 2005

Dear Property Owner:

The Town Council of Chapel Hill is considering annexing the Larkspur area, northwest of the current Town limits. Please see attached location map.

NOTICE OF PROPOSED ANNEXATION AND PUBLIC HEARING AND PUBLIC INFORMATIONAL MEETING

On Monday, **March 21, 2005**, the Town Council will hold a **public hearing** regarding annexation of this area. The hearing will begin at 7:00 p.m. in the Council Chambers of the Town Hall, 306 N. Columbia Street, Chapel Hill.

Also, on Tuesday, **March 3, 2005**, Town staff will hold a **public informational meeting** regarding annexation of this area. The meeting will begin at 4:00 p.m. in the downstairs Meeting Room at the Public Library, 100 Library Drive, Chapel Hill.

As an owner of real property in proposed annexation area, you are invited to attend both the public information meeting and the public hearing. At the information meeting you will have the opportunity to ask questions and receive answers regarding the proposed action. At the public hearing you will also have the opportunity to speak and to ask questions concerning the proposed action.

Property owners are hereby notified of their rights to request the extension of water and sewer services to their property under North Carolina General Statute Subsection 160A-47. Property owners of agricultural land, horticultural land, or forestland within the area are also hereby notified of their rights to a delayed effective date of annexation under North Carolina General Statute Subsection 160A-49(f1) and (f2). Please see attached copy of these statutes.

The Town has prepared a report with plans for extending municipal services to the area if it is annexed. These services include police and fire protection, refuse collection, public street maintenance, water and sewer, library, parks and recreation, and public transportation. This report is available in the Town Clerk's office from January 31, 2005.

A summary of the service plan for the Larkspur Annexation Area is enclosed for your information. You are welcome to read the complete report at the Town Clerk's Office in the Town Hall, at the Chapel Hill Public Library, or online at www.townofchapelhill.org/planning. The service plan covers each of the various Town services and discusses the timing and financing of such services.

If you have questions concerning the public hearing or the proposed annexation, please either call

306 N. Columbia Street, Chapel Hill, NC 27516 (919) 968-2700

manager@town.ci.chapel-hill.nc.us

FAX (919) 967-8406

GTE Exchange (919) 682-8636

the Planning Department at 968-2728, or e-mail project planner Gordon Sutherland at gsutherland@townofchapelhill.org. You can also write to the Town Manager, W. Calvin Horton, at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read "R. S. Waldon". The signature is written in a cursive style with a large, sweeping initial "R".

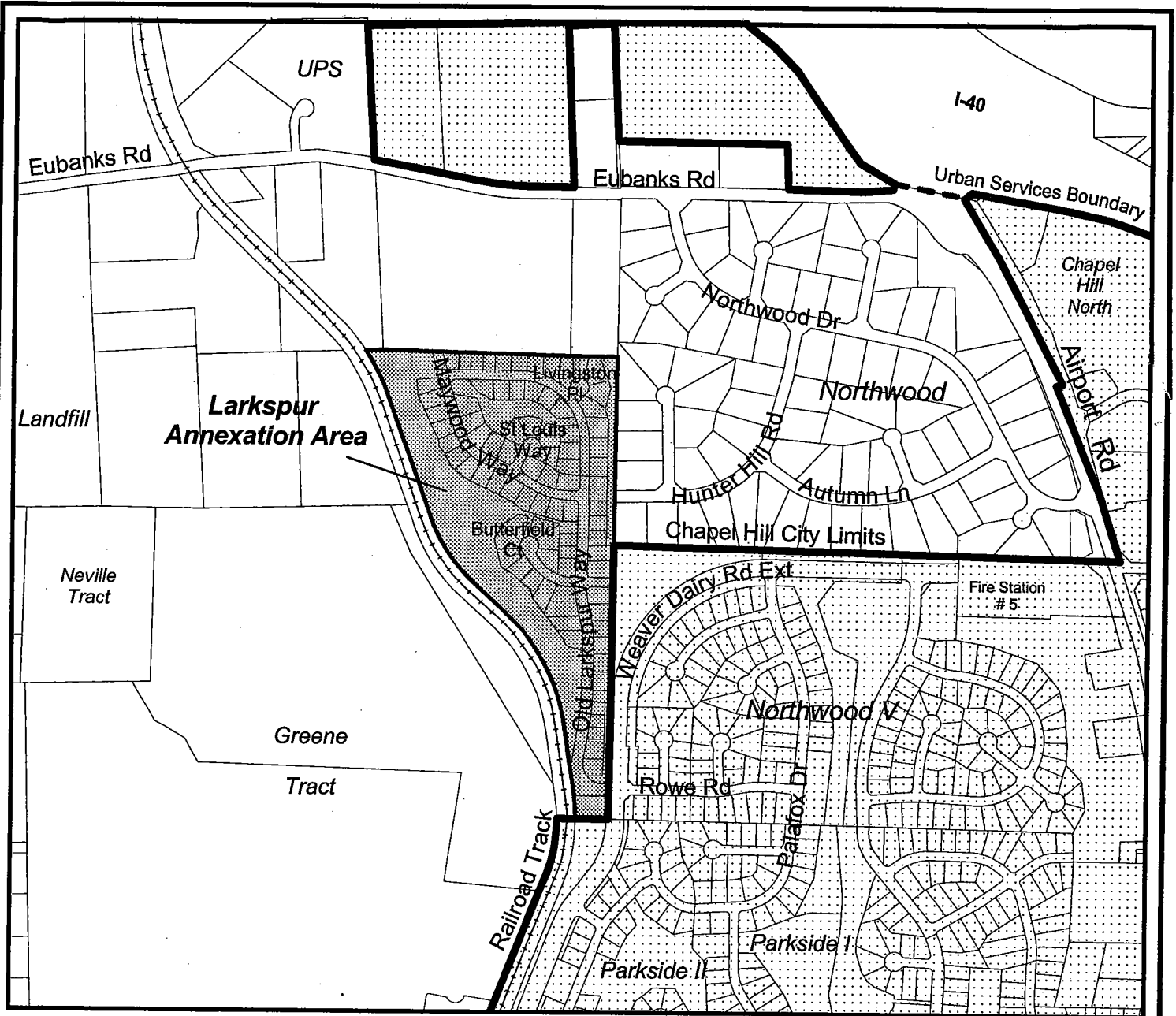
Roger S. Waldon
Planning Director

Enclosures:

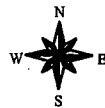
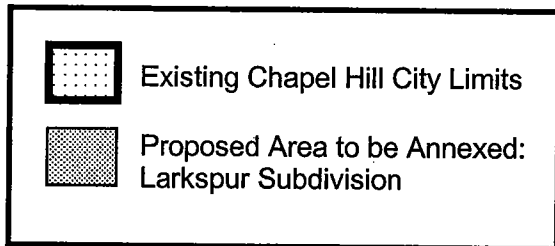
- Summary of Service Report
- Map of the Proposed Larkspur Annexation Area
- Resolution of Intent to Annex
- North Carolina General Statute Subsections 160A-47 (3) (b), 160A-49(f1) and (f2).

SUMMARY OF SERVICE REPORT FOR ANNEXATION AREA - LARKSPUR, JANUARY 24, 2005

- The Council of the Town of Chapel Hill has adopted a Resolution of Intent to annex an area located northwest of the present Town limits that includes the Larkspur subdivision.
- The Town staff has prepared a report with the Town's plans for extending and financing police, fire, street maintenance, sanitation, water, sewer and other major municipal services to the area, if it is annexed.
- The proposed annexation area meets the standards in North Carolina State law to be eligible for annexation by the Town of Chapel Hill.
- 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 or real property located within the area to be annexed as shown in Orange County tax records.
- Town staff will hold a Public Information Meeting on the proposed annexation on Thursday, March 3, 2005 4:00 P.M. to 6:00 P.M. in the large meeting room at the Public Library, 100 Library Drive, Chapel Hill NC 27514.
- The Council will hold a Public Hearing on the proposed annexation and annexation report on extending and financing services at 7:00 p.m. on Monday, March 21, 2005 in the Council Chamber of the Town Hall, 306 North Columbia Street, Chapel Hill, NC 27516.
- If the Council decides to annex the area, the annexation may be made effective between 70 and 400 days from the date of passage of the ordinance. Various Town services would be provided and become available to the annexed area and its residents and property owners on the effective date. An effective date of June 30, 2005 is recommended. The Council would 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 Appendix A in the Service Report.
- For more information, please call the Planning Department at (919) 968-2728; write the Planning Department at 306 N. Columbia Street, Chapel Hill, NC 27516; or visit the Planning Department on the third 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, and at the Chapel Hill Public Library at 100 Library Drive. The report will also be available on the Town's website (www.townofchapelhill.org).



Proposed Larkspur Annexation Area



400 0 400 Feet

Map prepared by
Chapel Hill Planning

Public Information Meeting: March 03, 2005
Public Hearing: March 21, 2005

A RESOLUTION STATING THE INTENT OF THE TOWN OF CHAPEL HILL TO CONSIDER ANNEXING THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION (2005-01-10/R-4)

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

SECTION 1

That it is the intent of the Town Council of the Town of Chapel Hill to consider annexing the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

Larkspur Area. The Larkspur subdivision and the abutting right-of-way of the State University Railroad spur of the Norfolk Southern Corporation located in Chapel Hill Township, Orange County, North Carolina. The boundaries of the area under consideration for annexation are shown on the attached map, incorporated as a part of this Resolution.

SECTION 2

That a public information meeting will be held in the Meeting Room of the Public Library, 100 Library Drive, Chapel Hill, N.C. 27514 at 4:00 p.m., on the 3rd day of March, 2005. That a public hearing on the question of annexing the above-described territory will be held in the Council Chambers of the Town Hall, 306 N. Columbia Street, Chapel Hill, N.C. 27516 at 7:00 p.m., on the 21st day of March, 2005, 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 Chapel Hill, will be given an opportunity to be heard.

SECTION 3

That a report of plans for extending services to the above-described territory be made available for public inspection at the office of the Town Clerk for at least thirty (30) days before the date of said public information meeting.

SECTION 4

That 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 be identified, be posted in the office of the Town Clerk at least thirty (30) days before the date of said public information meeting.

SECTION 5

That notice of said public hearing shall be given by publication and first class mail, as required by North Carolina General Statute 160A-49.

This the 10th day of January, 2005.

**Rights under North Carolina General Statute
Subsections 160 A-47 (3)(b), 160 A-49 (f1) &(f2)**

Subsection 160 A-47 (request for the extension of water and sewer service) provides as follows:

A municipality exercising authority under this Part shall make plans for the extension of services to the area proposed to be annexed and shall, prior to the public hearing provided for in G.S. 160A-49, prepare a report setting forth such plans to provide services to such area. The report shall include:

- (3) A statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation. Specifically, such plans shall:
 - (b) Provide for extension of major trunk water mains and sewer outfall lines into the are to be annexed so that when such lines are constructed, property owners in the are to be annexed will be able to secure public water and sewer service, according to the policies in effect in such municipality for extending water and sewer lines to individual lots or subdivisions. If requested by the owner of an occupied dwelling unit or an operating commercial or industrial property in writing on a form provided by the municipality, which form acknowledges that such extension or extensions will be made according to the current financial policies of the municipality for making such extensions, and if such form is received by the city clerk no later than five days after the public hearing, provide for the extension of water and sewer lines to the property or to a point on a public street or road right-of-way adjacent to the property according to the financial policies in effect in such municipality for extending water and sewer lines. If any such requests are timely made, the municipality shall at the time of adoption of the annexation ordinance amend its report and plan for services to reflect and accommodate such requests, if an amendment is necessary. In areas where the municipality is required to extend sewer service according to its policies, but the installation of sewer is not economically feasible due to the unique topography of the area, the municipality shall provide septic system maintenance and repair service until such time as sewer service is provided to properties similarly situated.

Subsection 160 A-49 (f1)&(f2) (delayed effective date of annexation for property owners of agricultural land, horticultural land, or forestland within the area) provides as follows:

(f) Effect of Annexation Ordinance - Except as provided in subsection (f1) of this section, from and after the effective date of the annexation ordinance, the territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in such municipality.....

(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 town 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 town only (i) for the purpose of establishing town boundaries for additional annexations pursuant to this Article and (ii) for the exercise of town 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 town 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 town.

**LARKSPUR ANNEXATION
NOTIFICATION MAILING
1-11-05
PAGE 1 OF 2**

7.18D..many lots
CAZCO INC
180 PROVIDENCE RD STE 1-B
CHAPEL HILL, NC 27514

7.18D..2
DEHART JONATHAN P & KAREN M
102 LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..48
HODULIK PAUL & KIMBERLY
209 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..18
KIM JUNGSANG & SOYEON NAM
300 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..52
LEWIS CARMEN & LEA C WATSON
201 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..5 LOTS
ORANGE COMMUNITY HOUSING
LAND TRUST
P O BOX 307
CARRBORO, NC 27510

7.18D..56
REDDY ASHOK & MONISHA
108 BUTTERFIELD CT
CHAPEL HILL, NC 27516

7.18D..2 LOTS
SHAIN MICHAEL S & HELENE S
124 WINDSOR CIR
CHAPEL HILL, NC 27516

7.18D..11
STEPHENSON LARRY D
& SHARON W STEPHENSON
120 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..15
BOYD JOHN M JR & BRITA K
204 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..16
CHUTE JOHN & AMY
206 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..53
DENNIS ROBERT G
102 BUTTERFIELD CT
CHAPEL HILL, NC 27516

7.18D..86
HSU YING & ALBERT M CHANG
102 MAYWOOD WAY
CHAPEL HILL, NC 27516

7.18D..7
KUMAR RAM & GEETA K SWAMY
112 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..66
LIU HSI HO & FUNG TZU H
100 MAYWOOD CT
CHAPEL HILL, NC 27516

7.18D..5 LOTS
ORANGE COMMUNITY HOUSING
AND LAND TRUST
104C JONES FERRY RD
CARRBORO, NC 27510

7.18D..13
RODRIGUEZ RAFAEL & DEANNA
200 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..64
SHANNON ANDREW M JR
& PAMELA A
119 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..63
TONG WUI MAN & PHILLIP TAN
121 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..55
BRACK MICHAEL J & JESSICA R
106 BUTTERFIELD CT
CHAPEL HILL, NC 27516

7.18D..54
DAGATI DORIAN LEIGH
104 BUTTERFIELD CT
CHAPEL HILL, NC 27516

7.18D..69
HERRING RONALD D
& DEMETRA A VLACHOS
180 PROVIDENCE RD STE 1-B
CHAPEL HILL, NC 27516

7.18D..47
HUH YEON ETAL & CHAN
103 MAYWOOD WAY
CHAPEL HILL, NC 27516

7.18D..1E, ETC
LARKSPUR HOMEOWNERS
ASSOC INC
180 PROVIDENCE RD STE 1-B
CHAPEL HILL, NC 27514

7.18D..17
MELTON JOHN WESLEY JR
& CHINTANA B
208 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..12
PISTOR STEPHEN K & MARIA C
122 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..57
SCHWARTZ JOSEPH E
& HEATHER D
111 BUTTERFIELD CT
CHAPEL HILL, NC 27516

7.18D..61
STAVAS MAUREEN
103 BUTTERFIELD CT
CHAPEL HILL, NC 27516

7.18D..70
TSUI DAVID & CHARLIE TSUI
306 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

**LARKSPUR ANNEXATION
NOTIFICATION MAILING
1-11-05
PAGE 2 OF 2**

7.18D..80
WALDO GARY & ARLENE HUGHES
303 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..59
WU JUSTIN JA LI & LINDA T
107 BUTTERFIELD CT
CHAPEL HILL, NC 27516

7.18D..9
ZHUANG YUAN & XIAOHONG HUANG
116 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..49, ETC
ZINN DESIGN BUILD LLC
180 PROVIDENCE RD STE 1-B
CHAPEL HILL, NC 27514

7.18D..60
BENNETT PAUL SCOTT
& CYNTHIA C
105 BUTTERFIELD CT
CHAPEL HILL, NC 27516

7.18D..8
WAINIO RYAN & ELIZABETH
114 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516

7.18D..62
SIMMS FAMILY
123 OLD LARKSPUR WAY
CHAPEL HILL, NC 27416

7.18D..46
O'BRIEN FAMILY
105 MAYWOOD WAY
CHAPEL HILL, NC 27516

7.18D..69
HERRING RONALD D
& DEMETRA A VLACHOS
304 OLD LARKSPUR WAY
CHAPEL HILL, NC 27516