

notice, as presented, be approved. Said motion was unanimously carried.

Public Library Director--
Resignation

Town Manager Kendzior announced that he has received a letter of resignation from Public Library

Director, Ms. Betty Geer, effective June 1, 1975. Alderman Welsh moved, seconded by Alderman Cohen, that a resolution be drawn thanking Ms. Betty Geer for her long years of service and expressing Town's gratitude. Mayor Lee suggested that Board consider developing certificates to be presented to residents on efforts in behalf of Town. Said motion was unanimously carried.

Government Representatives
--Meeting

Mayor Lee said that he is concerned that there appears to be a breakdown in communications

and relationships between the various governmental bodies on state and local levels. He proposed that Town host a meeting of County Commissioners, Carrboro Aldermen, State Senators and Representatives, and University representatives, and that meetings of this type be held once every six months to promote better understanding of each others' problems. Alderman Welsh asked that Board members consider possible dates for such a meeting.

There being no further business to come before the Board of Aldermen, said meeting adjourned at 9:50 p.m.



Mayor, Howard N. Lee



David B. Roberts, Town Clerk

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL HELD IN THE MUNICIPAL BUILDING, MONDAY JUNE 2, 1975 AT 7:30 P.M.

The Board of Aldermen met for a Public Hearing, followed by a regular meeting, on June 2, 1975 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

- | | |
|----------|---|
| Present: | Howard N. Lee, Mayor
Gerald A. Cohen
Thomas B. Gardner
Shirley E. Marshall
Sid S. Rancer
R. D. Smith
Alice M. Welsh |
|----------|---|

Absent: None

A quorum of the Board was present and in attendance at the meeting. Also present were Town Manager C. Kendzior, Town Clerk D. Roberts, and Town Attorney E. Denny.

PUBLIC HEARING

At the hour of 7:30 o'clock p.m., the Mayor announced that the Board of Aldermen proposed to appoint the following persons as members of Orange Water and Sewer Authority for the terms indicated:

- | | | |
|---------------|-----------------------------|---------|
| Sid S. Rancer | 15 Bradley Road | 3-years |
| | Chapel Hill, North Carolina | |

James Lamb, III	612 Greenwood Road Chapel Hill, North Carolina	2-years
John L. McKee	E-11 Kenmore Road Chapel Hill, North Carolina	1-year

The Mayor then announced that the Board of Aldermen would hear any resident of the Town of Chapel Hill or any other interested person concerning the organization of the Orange Water and Sewer Authority.

At said hearing, an explanation was made of the proposed Water and Sewer Authority, and the Mayor presented certain facts on which the proposal was based. No resident of the Town of Chapel Hill or any interested person appeared either in person or by attorney to protest against the organization of the Orange Water and Sewer Authority, and the Town Clerk announced that no protest in writing had been presented.

Thereupon Alderman Welsh introduced the following Resolution which was read:

RESOLUTION SIGNIFYING THE DETERMINATION
OF THE BOARD OF ALDERMEN OF THE TOWN OF
CHAPEL HILL TO ORGANIZE AN AUTHORITY
UNDER SECTION 162A-3.1 OF THE NORTH
CAROLINA WATER AND SEWER AUTHORITIES
ACT (ARTICLE 1 OF CHAPTER 162A OF THE
GENERAL STATUTES OF NORTH CAROLINA,
AS AMENDED).

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that:

Section 1. It is the determination of the Board of Aldermen of the Town of Chapel Hill to organize an Authority under Section 162A-3.1 of the North Carolina Water and Sewer Authorities Act (Article 1 of Chapter 162A of the General Statutes of North Carolina, as amended).

Section 2. The proposed Articles of Incorporation of such Authority are as follows:

ARTICLES OF INCORPORATION
OF THE
ORANGE WATER AND SEWER AUTHORITY

In compliance with the North Carolina Water and Sewer Authorities Act, being Article 1 of Chapter 162A of the General Statutes of North Carolina, as amended, the Board of Aldermen of the Town of Carrboro, North Carolina, the Board of Aldermen of the Town of Chapel Hill, North Carolina, and the Board of Commissioners for Orange County, North Carolina, each pursuant to a Resolution signifying its determination to organize an Authority under Section 162A-3.1 of said Act, which Authority shall be a public body and a body politic and corporate of the State of North Carolina, hereby certify that:

- (a) This Authority is organized under Section 162A-3.1 of the North Carolina Water and Sewer Authorities Act. its name shall be the "ORANGE WATER AND SEWER AUTHORITY" and the address of its principal office shall be Jones Ferry Road, Carrboro, North Carolina.
- (b) The names of the organizing political subdivisions are the TOWN OF CARRBORO, NORTH CAROLINA, the TOWN OF CHAPEL HILL, NORTH CAROLINA, AND ORANGE COUNTY, NORTH CAROLINA.
- (c) The Orange Water and Sewer Authority shall have nine (9) members, three (3) appointed by each of said organizing political subdivisions. The names and addresses of the first members of said Authority appointed by the Board of Aldermen of the Town of Carrboro are:

<u>Name</u>	<u>Address</u>
Perry F. Walser	101 Lilac Drive, Carrboro North Carolina
Donald M. Peninger	723 West Main Street, Carrboro, North Carolina
Fred C. Chamblee	94 Gary Road, Carrboro, North Carolina

and the names and addresses of the first members of said Authority appointed by the Board of Aldermen of the Town of Chapel Hill are:

Sid S. Rancer	15 Bradley Road, Chapel Hill, North Carolina
James Lamb, III	612 Greenwood Road, Chapel Hill, North Carolina
John L. McKee	E-11 Kenmore Road, Chapel Hill, North Carolina

and the names and addresses of the first members of said Authority appointed by the Board of Commissioners for Orange County are:

Flora R. Garrett	Route 4, Box 430, Hillsborough, North Carolina
Jan Martin Pinney	Route 8, Chapel Hill, North Carolina
Paul Morris	335 Burlage Circle, Chapel Hill, North Carolina

(d) The members of said Authority will be limited to such members as may be appointed from time to time by the organizing political subdivisions.

IN WITNESS WHEREOF, the Town of Carrboro, North Carolina, has caused these Articles of Incorporation to be executed by its Mayor and its corporate seal to be affixed hereto and attested by its Clerk, the Town of Chapel Hill, North Carolina, has caused these Articles of Incorporation to be executed by its Mayor and its corporate seal to be affixed hereto and attested by its Town Clerk, and Orange County, North Carolina, has caused these Articles of Incorporation to be executed by the Chairman of its Board of Commissioners and the official seal of said Board to be affixed hereto and attested by the Secretary of said Board, all as of this _____ day of _____, 1975.

Mayor of the Town of Carrboro,
North Carolina

ATTEST:

Clerk of the Town of Carrboro,
North Carolina

Mayor of the Town of Chapel Hill,
North Carolina

ATTEST:

Clerk of the Town of Chapel Hill,
North Carolina

Chairman of the Board of Commissioners
for Orange County, North Carolina

ATTEST:

Clerk of the Board of Commissioners
for Orange County, North Carolina

Section 3. The following persons are hereby appointed as Members of said Authority, each of whom shall continue in office for the term expiring the indicated number of years from the date on which the creation of the Authority becomes effective and until his successor shall be duly appointed and qualified.

- | | | |
|-----------------|---|---------|
| Sid S. Rancer | 15 Bradley Road
Chapel Hill, North Carolina | 3-years |
| James Lamb, III | 612 Greenwood Road
Chapel Hill, North Carolina | 2-years |
| John L. McKee | E-11 Kenmore Road
Chapel Hill, North Carolina | 1-year |

The successor of each member shall be appointed by the Board of Aldermen for a term of three (3) years and until a successor shall be duly appointed and qualified except that any person appointed to fill a vacancy shall serve only for the unexpired term. Any member of the Authority shall be eligible for reappointment.

Section 4. The Articles of Incorporation of the Orange Water and Sewer Authority in substantially the form set forth in Section 2 of this Resolution shall be executed on behalf of the Town of Chapel Hill by its Mayor and the corporate seal of said Town shall be affixed thereto and attested by the Clerk, and the Town Clerk is hereby authorized and directed to file with the Secretary of State of North Carolina a certified copy of this Resolution, together with proof of publication of the notice of public hearing on this Resolution, and said officers are hereby authorized, empowered and directed to do all things necessary to create the said Authority under the provisions of the North Carolina Water and Sewer Authorities Act.

Section 5. This Resolution shall take effect upon its passage.

Thereupon Alderman Gardner moved the passage of the foregoing Resolution entitled: "RESOLUTION SIGNIFYING THE DETERMINATION OF THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL TO ORGANIZE AN AUTHORITY UNDER SECTION 162A-3.1 OF THE NORTH CAROLINA WATER AND SEWER AUTHORITIES ACT (ARTICLE 1 OF CHAPTER 162A OF THE GENERAL STATUTES OF NORTH CAROLINA, AS AMENDED)", and Alderman Smith seconded the motion, and the Resolution was passed by the following vote:

- AYES: Alderman Cohen, Gardner, Marshall, Rancer, Smith and Welsh.
- NOES: None.

REGULAR MEETING

Alderman Smith moved, seconded by Alderman Gardner, that minutes of the meeting of May 26, 1975 be approved as corrected. Said motion was unanimously carried.

Eastwood Lake--Sedimentation Mayor Lee said that he has held a meeting recently with citizens of Lake Forest concerning the problem of siltation of Eastwood Lake. Mr. Maurice Whittinghill of Lake Shore Drive distributed photographs to Board members showing the extent of siltation of the lake. Mr. Hans Krusa of Lake Shore Drive said that siltation of the lake occurs from streams at both ends of the lake, but the primary problem is from Booker Creek. He said that Mr. Patterson of Soil Conservation Service in Hillsborough has indicated that a siltation basin could be a possible solution to the problem; he requested that Town land at

corner of Kensington Drive and Lake Shore Drive be made available for the construction of such a basin. Mr. Patterson said that a geologist with the Soil Conservation Service has reviewed the watershed of Booker Creek, and estimates that about a two acre field of silt enters the lake each year. A sediment basin could arrest some of the siltation. Alderman Welsh said that the land in question is not yet owned by Town, but by the developer. Town Attorney Denny said that the developer has recorded the deed and sent it to Town, but that Board has taken no action to accept the transfer because of the back taxes owed to Town and Orange County. He said that the developer was originally required to maintain the area as open space, but later was asked to deed the area to Town; the developer was unable to do so at the time, since the area was under a blanket mortgage. Now area has been released and the deed has been recorded in Hillsborough, but during this time several years of taxes have accrued. He said that several years ago the homeowners and developer asked for assistance from Town in the question of the serious erosion created by the subdivision of Coker Hills West. Mayor Lee asked whether the residents have held any recent discussions with the developer. Mr. Krusa said no, since they were under the impression that Town owns the property. He said that Booker Creek drains a large area, extending beyond Airport Road, and the siltation is not the responsibility of any one developer. He said that the residents are trying to prevent additional siltation and need a place to put the sedimentation basin. Mayor Lee said that he has given his support to the residents for the idea and concept of such use of the land, since it is a good way to solve the problem. Alderman Welsh asked whether development of Coker Hills West is continuing. Mr. Whittinghill said that the subdivision is about half developed. Alderman Welsh asked whether the single family dwelling sedimentation control ordinance would help in this situation. Mr. Patterson said that it would help to control some of the erosion but not all, since a large area of land drains into Booker Creek. Alderman Welsh asked whether any financial assistance in this matter might be available from Soil and Water Program or from federal government. Mr. Patterson said that he is not aware of any available assistance. Alderman Welsh asked how much it would cost to create a siltation basin on this property. Mr. Whittinghill said that he has received an estimate of \$4-8,000 for construction, with additional cost for clearing the basin about once a year. Alderman Smith asked whose responsibility it will be to clear the basin. Mr. Whittinghill said that this will need to be negotiated with the developer since the lake is downstream and is the aggrieved party. Alderman Smith asked whether Town has any equipment able to do this work. Mr. Joe Rose, Public Works Director, said that such clearing would require a clamshell digger, which Town does not own; if the basin were dry enough, Town machinery could be used. Also, the problem of what to do with the silt needs to be considered. He suggested that a better approach to the problem might be to wait until the lake needs dredging, and creating the siltation basin after the dredging is done. Mayor Lee suggested that he and several Aldermen work with the residents of the area on the matter, and report back to the Board with a solid proposal. Alderman Cohen said that he would be willing to accept the deed of the property without receiving a payment of back taxes, since this seems to be a workable proposal on preventing siltation. He asked whether the area residents might be willing to provide funds for clearing out the siltation basin annually. Mr. Whittinghill said that this may be possible. He said that the lake was cleared out seven years ago, and since that time more siltation has occurred than in the previous thirty years. Alderman Gardner said that several years ago Town contracted for a study with the Corps of Engineers, and asked whether the area residents have studied the report. Mr. Whittinghill said that the residents had a private study made, but would be interested in seeing the Corps of Engineers report. Alderman Welsh said that she has talked to the developer about Town accepting the deed to land, and that he is aware Town is willing to do so. She said that there is some question whether Town is willing to take on the maintenance of the property since the developer has done a good job of caring for the property, and that she feels the back taxes on the property should be forgiven for this reason. Mayor Lee requested that Aldermen Cohen, Gardner and Welsh work with Mayor, Town Manager, and representatives of the neighborhood to work out a proposal and report back to the Board.

Zoning Ordinance Revisions--
Board of Adjustment

Mayor Lee presented a memorandum from the Board of Adjustment recommending that the Zoning Ordinance be rewritten or, if this cannot be accomplished in the near future, that the most troublesome sections be reviewed and revised. Mr. Kurt Jenne, Assistant Town Manager for Community Development and Services said that he reported to the Board last year that Town needs to make some progress on a long range development plan before the Zoning Ordinance is revised. Recently he has discussed the matter with the Director of Planning, and there appear to be a number of problems with the Zoning Ordinance. He said that the Planning Director is working with the Planning Board on these various trouble spots, revising these sections and including statements of intent and enforcement provisions. Town Attorney Denny said that he is working with a committee from the Planning Board on the various revisions.

Umstead Drive Closing
Request

Police Chief Hilliard reported that he and Ms. Irene Moffat of Chapel Hill Women's Committee for the Arts have visited the Umstead Park area, and they have determined that the available parking space on site will be sufficient for the planned event of June 7, 1975 as presented at the Board meeting of May 26, 1975.

Old Pittsboro Road Paving

Town Manager Kendzior said that the Board requested two weeks ago unengineered estimates for paving of Old Pittsboro Road between South Columbia Street and Smith Avenue. Mr. Joe Rose, Public Works Director, said that the estimated cost of paving to a width of sixteen feet without a curb and gutter is \$5,440. The existing street width is twelve feet gravel, with sixteen feet roadway including shoulders. He said that he recommends that the roadway be improved to provide a minimum of 24-foot roadway surface, which would cost an estimated \$25,000. Alderman Welsh asked whether the street could be made one-way and left at a substandard width, with entrance made at Coolidge Street. Mr. Rose said that the visibility at Coolidge Street is not as good as at Old Pittsboro Road entrance. From the standpoint of Public Works Department, the street can be made one-way, although a 24-foot width would be preferred for ease of use by Town equipment. Alderman Welsh moved, seconded by Alderman Cohen, that the matter of paving Old Pittsboro Road to 16-foot width and making it one-way be referred to Streets Committee for its consideration and recommendation back to the Board. Said motion was unanimously carried.

Sidewalk Improvements

Town Manager Kendzior presented a list of fifteen proposed sidewalk improvements for 1975-76, and the unengineered estimated cost of construction of each. The list includes, not in order of priority, Ephesus Church Road, north side from Eastgate to Kings Arms Apartments; Merritt Mill Road to Frank Porter Graham School; Rosemary Street, north side 125 feet east of Roberson Street; Rosemary Street, south side from Johnson Strowd Wart to Merritt Mill Road; Roberson Street, east side from Rosemary Street to Whitaker Street; 15-501 By-Pass, east side from Estes Drive to Ridgefield Road; Estes Drive, north side from Texaco Service Station to 15-501 By-Pass; East Franklin Street, south side from Estes Drive to Elliott Road; Airport Road, east side from North Street to Town and Country Shopping Center; Raleigh Road, north side from Country Club Road to Glen Lennox; East Franklin Street, south side from Glendale to Park Place (brick); Cameron Avenue, north side from South Columbia Street to Roberson Street (brick); Church Street, west side from Franklin Street to Rosemary Street; South Columbia Street, west side from University Baptist Church to Cameron Avenue (brick); and Airport Road, west side from North Columbia Street at Carr Street to Barclay Road. Alderman Welsh asked whether there is any money in the 1975-76 budget for sidewalks. Mr. Joe Rose, Public Works Director, said that there is not; funds for sidewalks are expected to come from Capital Improvement Program, which means that construction would not begin until 1976-77. Alderman Cohen said that the report is good, and will be helpful during CIP deliberations. Alderman Welsh said that the sidewalk from Burlage Circle to Willow Drive is now under construction.

Street Resurfacing--Bids

Town Manager Kendzior said that \$60,000 was allocated in the 1974-75 budget for street resurfacing, of which \$4,000 has already been spent to resurface North Lake Shore Drive. He said that notice to bidders appeared in the May 16, 1975 edition of the Chapel Hill Newspaper, and notice and specifications were sent to fifteen prospective bidders in Durham, Raleigh, Morrisville and Carrboro. On May 28, 1975, six bids were received. He said that the Director of Public Works and Engineering Services and the Purchasing Agent recommend accepting the low bid from William Muirhead Construction Co. at \$14.80 per ton for resurfacing of Whitehead Circle, Morgan Creek Road, Mitchell Lane, Ferrell Road, Cherokee Circle, Hillview Street, Thornwood Road, Laurel Hill Road, and Memorial Cemetery Drive. They further recommend that Curtis Road, Carr Street and Brandon Road be added to list in order to utilize Town's option to increase the contract up to 25%; the budget allows an increase of approximately 9%. Alderman Cohen asked whether the funds for resurfacing North Lake Shore Drive are used for the patching that is presently being done. Town Manager Kendzior said no; these funds were authorized last fall, when the cost of construction increased and additional funds were needed to complete the project. The present patching of the street is being done at cost to constructor. Mr. Joe Rose, Public Works Director, said that the problem that necessitates the patching of North Lake Shore Drive is caused by the fact that the street was paved so late in the year; at that time it was felt better to take the chance and pave rather than to permit the street to remain unpaved until this spring. Additional problems are caused by the fact that the paving was done in several places over existing road surface, and some breakdown of this surface has occurred, as well as inadequate tacking of the new surface to old. He said that Town is holding \$20,000 from the payment of the project until the project is reworked. Alderman Smith asked how soon William Muirhead Construction Company can start on the street resurfacing. Mr. Rose said immediately. He said that the bid is the lowest that Town has received in six years. Alderman Smith moved, seconded by Alderman Welsh, that Board accept the low bid from William Muirhead Construction Co. of \$14.80 per ton for repaving of the listed streets, with the option to allow 9% increase of contract. Alderman Cohen asked whether the 9% added repaving should be done this fiscal year. Town Manager Kendzior said that, since the price is so low, Town should pave as many streets as possible under it. Said motion was unanimously carried.

Community Development Block Grant Application

Alderman Smith moved, seconded by Alderman Marshall, that the following resolution be adopted:

RESOLUTION ON COMMUNITY DEVELOPMENT BLOCK GRANT

BE IT RESOLVED by the Board of Aldermen, Town of Chapel Hill, that the Town of Chapel Hill authorizes Mayor Howard N. Lee to file with the Department of Housing and Urban Development an application, including all understandings and assurances required therein, for a grant of \$465,000 in Community Development Block Grant funds; and

BE IT FURTHER RESOLVED that Mayor Howard N. Lee be and the same is hereby directed and designated as the authorized representative of the Town to act in connection with the application and to provide such additional information as may be required.

This the second day of June, 1975.

Alderman Welsh asked whether Town will get the money this summer. Mr. Kurt Jenne, Assistant Town Manager for Community Development and Services, said that there are thirty days left in this review period, and every attempt will be made to get the grant funded in time. Said motion was unanimously carried.

Parking Restrictions--Ordinances

Alderman Cohen moved, seconded by Alderman Welsh, that the following ordinance creating Tow Zones be

adopted:

TOW ZONES

BE IT ORDAINED by the Board of Aldermen, Town of Chapel Hill that §21-21.1, "Tow Zones", of the Code of Ordinances, Town of Chapel Hill, be amended to delete the following lines:

STREET	SIDE	FROM	TO
Crest Street	North	Full Length	
Smith Avenue	Either	Full Length	
Cotton Street	Either	Full Length	
Brooks Street	Either	Full Length	

and to add the following lines in appropriate order:

Crest Street (during hours of no parking)	South	Full Length	
Smith Avenue	North	Full Length	
Smith Avenue	South	Full length	
"During hours of no parking)			
Westwood Drive (During hours of no parking)	Outside of loop	Columbia St., North entrance	W. University Dr.
Brooks Street	South	Full Length	
Brooks Street	North	Chapel St.	Church St.
Cotton Street	West	Full Length	
Cotton Street	East	Brooks St.	McDade St.

II

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the second day of June, 1975.

Said motion was unanimously carried. Alderman Smith moved, seconded by Alderman Marshall, that the following ordinance creating one-way streets be adopted:

ONE WAY STREETS

BE IT ORDAINED by the Board of Aldermen, Town of Chapel Hill that §21-10, "One-way streets", of the Code of Ordinances, Town of Chapel Hill, be amended to add the following paragraphs:

- (g) Traffic on Chapel Street shall move only in a southerly direction.
- (h) Traffic on Cotton Street, from McDade to Brooks Street shall move only in a northerly direction.
- (i) Traffic on Brooks Street from Cotton Street to Chapel Street shall move only in an easterly direction.

II

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the second day of June, 1975.

Said motion was unanimously carried. Alderman Marshall moved, seconded Alderman Cohen, that the following ordinance creating Loading Zones be adopted:

LOADING ZONE

BE IT ORDAINED by the Board of Aldermen, Town of Chapel Hill, that §21-35, "Loading and Unloading of Delivery Vehicles" of the Code of Ordinances, Town of Chapel Hill, be amended to add a new sub-section (1) to read as follows:

- (1) The space along the curb on the south side of West Franklin Street, beginning at a point 20 feet west of the western curb line of Kenan Street and ending at the point 120 ft. west of the western curb line of Kenan Street shall be reserved as a loading zone for loading and unloading merchandise from 8 A.M. to 1 P.M. seven days a week.

II

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the second day of June, 1975.

Said motion was unanimously carried. Alderman Smith moved, seconded by Alderman Cohen, that the following ordinance creating no parking zones be adopted:

NO PARKING

BE IT ORDAINED by the Board of Aldermen, Town of Chapel Hill that §21-27.1 "No parking during certain hours" be amended to add the following lines in proper order under sub-section a), 8 A.M. - 5 P.M.

STREET	SIDE	FROM	TO
Crest Street	South	Full length	
Westwood Drive	Outside of Loop	Columbia St North entrance	W. University Drive

and to add under sub-section b), 8 A.M. - NOON, the following line:

Smith Avenue	South	Full length	
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II

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the second day of June, 1975.

Said motion was unanimously carried. Alderman Cohen moved, seconded by Alderman Welsh, that the following ordinance creating no parking zones be adopted:

NO PARKING

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill, that §21-27, "No parking as to particular streets," be amended to delete the following lines:

STREET	SIDE	FROM	TO
Crest Street	North	Full length	
Smith Avenue	Either	Full length	
Cotton Street	Either	Full length	
Brooks Street	Either	Full length	

and further amended to add the following lines:

Brooks Street	South	Full length	
Brooks Street	North	Chapel St.	Church St.
Smith Avenue	North	Full length	
Cotton Street	West	Full length	
Cotton Street	East	Brooks St.	McDade St.

II

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the second day of June, 1975.

Said motion was unanimously carried.

Annexation--Ordinances

Town Attorney Denny said that Section I of the ordinances defines the area, describes it and sets the effective annexation date; Section II makes the necessary findings; Section III lists the provision of services and method of financing these; Section V is a statutory requisite; Section VI sets the time at which taxation of the area is to begin; Section VII states that the annexation notice is to be filed with appropriate offices; and Section VIII states that the annexation notice shall be published in the newspaper. Mayor Lee presented the annexation ordinance for the area including Countryside, a portion of North Lake Forest Estates, Greene Hills, Argonne Hills and property abutting Eastwood Road on the north from the intersection of Shady Lawn Drive to Piney Mountain Road. Alderman Gardner moved, seconded by Alderman Welsh, that Countryside and Argonne Hills be deleted from this ordinance. Alderman Gardner said that he does not feel that the annexation of these two areas is urgent and it is not to the best interest of Town or Countryside residents to annex now. He said that annexing Countryside would put a burden on Town to provide the necessary services. He said that the residents of Countryside are not opposed to annexation, but wish that it be delayed until a later time. Alderman Cohen offered a substitute motion, seconded by Alderman Marshall, that the annexation ordinance be adopted as presented. Alderman Welsh said that she agrees with Alderman Gardner. She said that the density of Countryside is low, and it is difficult to develop a subdivision after it is annexed; for this reason the area should be brought into Town at a later date. Alderman Smith asked whether the ordinance can be easily amended by removing some of the boundary description. Town Attorney Denny said that if some areas were deleted the annexation report would need to be amended and a new version of the ordinance drawn for Board's consideration at the next regular meeting. Said substitute motion was defeated by a vote of two to four, with Alderman Cohen and Marshall supporting. Said original motion passed by a vote of four to two, with Aldermen Cohen and Marshall opposing. Mayor Lee directed Town Attorney to amend the annexation ordinance as indicated. Mayor Lee presented the annexation ordinance for the area including Booker Creek, Foxcroft Apartments, along U.S. 15-501, Blue Cross-Blue Shield, and the Chapel Hill Cemetery. Alderman Smith moved, seconded by Alderman Cohen, that the following annexation ordinance be adopted:

AREA 2

AN ORDINANCE TO EXTEND THE CORPORATE
LIMITS OF THE TOWN OF CHAPEL HILL
UNDER AUTHORITY GRANTED BY ARTICLE 4A,
SECTIONS 45 through 56 of CHAPTER 160A
OF THE GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, on the 24th day of March, 1975, the Board of Aldermen adopted a Resolution of Intent to consider the annexation of the area herein-after described simultaneously with other areas not adjacent hereto, but adjoining and contiguous with the municipal boundaries of the Town of Chapel Hill, and

WHEREAS, said Resolution of Intent set the time and place of a public hearing thereon at 7:30 p.m. on the 28th day of April, 1975 in the courtroom of the Town Hall in the Town of Chapel Hill, described the area under consideration, and provided that the annexation report required by the provisions of Section 47 of Chapter 160A of the General Statutes of North Carolina be available at the office of the Town Clerk at least 14-days prior to the date of the public hearing, and

WHEREAS, notice of said public hearing was duly given by publication in a newspaper having general circulation in the Town of Chapel Hill once a week for at least four (4) successive weeks prior to the date of the hearing, and

WHEREAS, publication was duly made in the Chapel Hill Weekly on April 6, April 13, April 20, and April 27, 1975, and

WHEREAS, on March 24, 1975, which is fourteen (14) days before the date of the public hearing the Board of Aldermen received and approved the report provided for in GS §160-47, and made same available to the public at the offices of the Town Clerk, and in addition thereto copies of said report were prepared for public distribution, and

WHEREAS, a public hearing was duly held at 7:30 p.m. on the 28th day of April, 1975 in the Town Hall of the Town of Chapel Hill at which said hearing a representative of the Town of Chapel Hill first made an explanation of said report, following of which all persons, resident or owning property in the territory described in notice of public hearing, and all other residents of the municipality in attendance were given an opportunity to be heard, and at which time the nature and character of the area was discussed, the large tracts then individual ownership, if any, the population residing in each particular portion of the area, and the services to be provided in the area by the Town in the event of its annexation, and

WHEREAS, the Board of Aldermen has taken into full consideration the statements presented at the public hearing held on the 28th day of April, 1975 on the question of annexation, and

WHEREAS, an amended annexation report subsequent to said public hearing has been prepared, and

WHEREAS, said annexation report, as amended, was duly adopted by the Board of Aldermen of the Town of Chapel Hill on the 26th day of May, 1975, and

WHEREAS, the Board of Aldermen has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the Town of Chapel Hill, and

WHEREAS, all of the prerequisites to the adoption of this Ordinance described in Article 4A, Sections 45-56 of Chapter 160 of the General Statutes of North Carolina have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

That from and after the effective date of this annexation Ordinance, which will be the 20th day of June, 1975, the following described territories shall be annexed and become part of the Town of Chapel Hill, and the corporate limits of the Town of Chapel Hill shall on said date be extended to and include said territory more particularly described by metes and bounds as follows:

Area 2. Booker Creek, Foxcroft Apartments, along U. S. 15-501, Blue Cross-Blue Shield, University Heights, and the Chapel Hill Cemetery.

BEGINNING at a point in the Northern boundary of Lot 1, Block A, Tax Map 41D proceeding thence 710 feet East to the West line of 41D-A-8; proceeding thence North 395 feet to the Northeast corner of 41D-A-10; proceeding thence East approximately 1450 feet across Weaver Dairy

Road to a point one foot East of the eastern right-of-way of Weaver Dairy Road; proceeding thence South with said right-of-way approximately 1600 feet to the North line of 28-33; proceeding thence West across Weaver Dairy Road with said North line approximately 390, 280, and 610 feet; proceeding thence South with the West line of 28-33 and 27-A-5A approximately 1200 feet across Old Oxford Road; proceeding Southeast with the Northeast line of 27-A-7 approximately 500 feet; proceeding thence South with the West line of 27-A-3 approximately 1325 feet to a point one foot North of the Northern right-of-way line of U. S. 15-501 running thence parallel to said right-of-way line approximately 3125 feet to the Western line of 27-B-2A; proceeding thence North with said line approximately 400 feet; proceeding thence West with the Southern line of 26-17 approximately 100 feet; thence following the boundaries of that portion of 26-17 which constitutes Pinegate Apartments approximately 675 and 300 feet North, approximately 800 feet Northeast in a concave arc, approximately 400 feet East to the Western ROW line of Eastowne Road approximately 110 feet East to a point 1 foot East of the Eastern ROW line of said road; proceeding thence Southward, parallel to said ROW line, approximately 1050 feet to a point one foot North of the Northern ROW line of U.S. 15-501; proceeding thence East parallel to said ROW approximately 975 feet to the SW corner of lot 27B-D-4; proceeding thence South across the ROW of U.S. 15-501 to the NW corner of lot 27B-A-2; proceeding thence South with the Western line of said lot 95 feet to the SW corner and East with the Southern line 217 feet to a point one foot West of the western ROW line of Lakeview Drive West; proceeding thence South parallel to said ROW approximately 1325 feet to the Northern ROW line of the Old Chapel Hill Road; proceeding thence South 61 feet across said road to a point 1 foot South of the Southern ROW line of the Old Chapel Hill Road; proceeding thence west parallel to said ROW approximately 2550 feet to the NE corner of lot 27A-C-5; proceeding thence South with the Eastern line of said Lot 231 feet to the SW corner and West 225 feet with the South lines of lots 27A-C-5 and 4; proceeding thence North 82 feet with the Eastern line of Lot 27A-C-17A; proceeding thence West 208 feet with the South line of lots 27A-C-1 through 3 to the Eastern ROW line of Henderson Street; proceeding thence West across said ROW to the NE corner of Lot 27A-B-4; proceeding thence West with the Northern line of said Lot 269 feet to the NW corner; proceeding thence South 434 feet with the Eastern line of Lot 27E-1 to the Northern ROW line of Legion Road; proceeding thence South across said road to a point one foot South of the junction of its Southern ROW line with the extended Western line of lot 27-A-I-3; proceeding thence West parallel to said ROW line approximately 1300 feet; running then North across Legion Road and with the West line of 27-E-1 approximately 860 feet to a point one foot South of the Southern right-of-way of U. S. 15-501; running West parallel to said right-of-way approximately 760 feet to the Northeast corner of 27-E-4; running with the East, South, and West lines of said lot 291, 5, 242 feet to a point one foot South of the Southern right-of-way line of U. S. 15-501; running then parallel to said right-of-way approximately 1400 feet West to the present Eastern corporate limits of the Town of Chapel Hill; and proceeding generally North with said corporate limits approximately 7000 feet to the point of BEGINNING.

SECTION II

The Board of Aldermen hereby specifically find and declare that the above described territory meets the requirements of G. S. §160A-48 as follows:

Area 2 extends east from the existing Town limits near Eastwood Lake to Weaver Dairy Road and along U. S. 15-501 to approximately the Durham County line. It includes the Booker Creek Subdivision and three large apartment complexes: Foxcroft (248 units), Booker Creek Townhouse Apartments (118 units) and Pinegate Apartments (288 units proposed). In addition there is office and commercial development along U. S. 15-501, including the Blue Cross-Blue Shield Building. The new Chapel Hill Cemetery is also included in this area.

1. Area 2 is contiguous to the Town's boundaries, as defined in G. S. 160A-53(1), at the time of the beginning of the annexation proceeding. (G. S. 160A-48(b)(1))
2. The aggregate external boundary of the area is estimated at 35,400 feet of which 8,400 feet are adjacent to or contiguous with the existing municipal boundary. Therefore, 23.7 percent of the area's external boundary is adjacent or contiguous with the present Town boundary which exceeds the required one-eighth (12.5%). (G. S. 160A-48(b)(2))
3. No part of Area 2 is included within the boundary of another incorporated municipality. (G. S. 160A-48(b)(3))
4. This area is developed for urban purposes as defined in G. S. 160A-48(c)(1). It contains an estimated 399 acres with 513 dwelling units, resulting in an estimated population of 1729 persons and a density of 4.33 persons per acre. This density substantially exceeds the criterion of 2 persons per acre. (G. S. 160A-48(c)(1))
5. The boundaries of Area 2 have been drawn such that, wherever practical, natural topographic features have been used. Where a street is used as a boundary, land on both sides of the street is included and the outside boundary extends no more than 200 feet beyond the right-of-way of the street. (G. S. 160A-48(e))

SECTION III

It is the purpose and intent of the Town of Chapel Hill to provide services to an area being annexed on substantially the same basis and in the same manner as such services are provided within the rest of the Town prior to annexation. Plans for providing such services to Area 2 are outlined below as required by G. S. 160A-47(3).

1. Street Lighting. The University of North Carolina supplies electricity and street lighting, under contract, for the Town of Chapel Hill. Immediately following the adoption of the annexation ordinance, an order for street lighting will be placed with the University by the Town with the request that the lights be installed as soon as possible. Area 2 is developed with underground power lines and, therefore, lights will be installed with metal poles and underground wiring. These lights will be placed in accordance with the existing Town policy for street lighting which is one (1) street light at each intersection, and in the middle of long blocks, or curving roadways, and at points in curving streets where necessary.
2. Garbage Collection. Garbage collection will be on twice a week schedule and will commence on the date the annexation ordinance becomes effective. Existing collection routes will be rearranged or extended. As in other parts of the Town, trash, limbs, and leaves will be picked up at the curb on a non-scheduled basis. This will provide garbage and trash collection on the same basis as exist in the rest of the Town, and in accordance with Town practice and policy.
3. Sewer Service. Most of this area is served with sewer at the present time and is connected to and is part of the sewer system of the Town of Chapel Hill. Charges for services therefor and maintenance thereof will be the same as for other residents of the Town of Chapel Hill. A few lots along U. S. 15-501 are not presently served with sewer, however an outfall line is available. Collector lines to provide service can and will be installed when required, under the same policy as sewer

is extended in all areas of the Town, upon petition of the residents or when a specific area has need therefor. Collector sewers are assessed against the property owners as provided in the Town Charter. Sewer service also is not presently available to the four residences along Weaver Dairy Road. However, these residences are adequately served by septic tanks and an outfall will be extended when the degree of development warrants it. There are comparable situations presently within the Town limits.

4. Public Water. Public water is available in most of the area, and is provided by the University of North Carolina and as is all public water within the Town of Chapel Hill. The Town of Chapel Hill does not own or maintain a water system. Only a few residences in this area do not have public water. If requested, the University will extend service to these homes; however, the property owners will be assessed the cost.
5. Street Maintenance. Street maintenance in this area except streets which are a permanent part of the State Highway System, will be undertaken by the Town immediately, and street maintenance and cleaning in this area will be performed on the same basis as that in the rest of the Town. Paving and improving streets in this area will be in accordance with existing Town policies with paving, curbing and guttering installed by the Town upon petition with a portion of the costs thereof assessed against the property owner. Street signs will be erected in the area of the same style and type as exist elsewhere within the Town.
6. Storm Drainage. No additional storm drainage is required in this area.
7. Fire Protection. Fire protection will be provided immediately in the area upon the effective date of annexation. Some fire hydrants are already installed in the area. Installation of additional fire hydrants will be ordered immediately after the adoption of the annexation ordinance. They will be installed in the required locations so as to place each residential structure within 1000 feet thereof as is the policy throughout the rest of the Town. Immediate service is possible from existing municipal fire stations. The Fire Department has the capability of transporting water to those residences not presently served with public water.
8. Police Protection. Police protection in the area will be the same as in other areas of the Town effective immediately upon annexation. Police protection in the Town in the residential areas is on a regular patrol basis. Patrol of the area will be provided through rearrangement or extension of existing police patrol routes.
9. Transportation. Existing Bus route B will be extended to serve this area. This will involve the purchase of one additional bus.
10. Recreation. Recreational facilities and services of the Town of Chapel Hill will be immediately available to this area upon annexation and upon the same basis as provided to other residents.
11. Other Municipal Services. All other municipal services including library, inspection, administrative, etc. will be immediately available upon annexation.

Method of Financing Services

The annual operating expenses for this area are estimated to be \$98,333. This figure includes a portion of the annual operating cost of an additional garbage truck operated by 4 men and a portion of the cost of one additional police patrol (4 men and one vehicle) which would be needed to serve all areas proposed for annexation.

The total cost for capital improvements for this area is estimated to be \$134,580. This figure includes a portion of the cost of one garbage truck and a portion of the cost of additional street maintenance equipment. (The purchase cost of the additional police car was included in the cost of the patrol, above). This figure also includes the initial cost of street signs and one additional bus. The additional equipment (signs, vehicles) will be provided during the first year after annexation. Street improvements will be evaluated and provided on a 5 year program basis.

All costs will be provided from the General Fund.

SECTION V

That from and after the effective date of this annexation, the territory annexed and its citizens and properties will be subject to all debts, laws, ordinances, and regulations in force in the Town of Chapel Hill, and it shall be entitled to the same privileges and benefits as other parts of the Town.

SECTION VI

That the newly annexed territory described herein shall be subject to town taxes levied for the fiscal year beginning July 1, 1975 and annually thereafter.

SECTION VII

That the Mayor of the Town of Chapel Hill shall cause an accurate map of the annexed territory described in Section I hereof, together with the duly certified copy of this Ordinance, to be recorded in the Office of the Register of Deeds of Orange County, and in the Office of the Secretary of State.

SECTION VIII

That notice of date of adoption of this Ordinance shall be published once (1) in the Chapel Hill Newspaper.

This the second day of June, 1975.

Mayor, Town of Chapel Hill

ATTEST:

Town Clerk

Said motion was unanimously carried. Mayor Lee presented the annexation ordinance for the area including Briarcliff Subdivision and land south to Little Creek. Alderman Smith moved, seconded by Alderman Gardner, that the following annexation ordinance be adopted:

AREA 3

AN ORDINANCE TO EXTEND THE CORPORATE
LIMITS OF THE TOWN OF CHAPEL HILL
UNDER AUTHORITY GRANTED BY ARTICLE 4A,
SECTIONS 45 through 56 of CHAPTER 160A
OF THE GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, on the 24th day of March, 1975, the Board of Aldermen adopted a Resolution of Intent to consider the annexation of the area herein-after described simultaneously with other areas not adjacent hereto, but adjoining and contiguous with the municipal boundaries of the Town of Chapel Hill, and

WHEREAS, said Resolution of Intent set the time and place of a public hearing thereon at 7:30 p.m. on the 28th day of April, 1975 in the courtroom of the Town Hall in the Town of Chapel Hill, described the area under consideration, and provided that the annexation report required by the provisions of Section 47 of Chapter 160A of the General Statutes of North Carolina be available at the office of the Town Clerk at least 14-days prior to the date of the public hearing, and

WHEREAS, notice of said public hearing was duly given by publication in a newspaper having general circulation in the Town of Chapel Hill once a week for at least four (4) successive weeks prior to the date of the hearing, and

WHEREAS, publication was duly made in the Chapel Hill Newspaper on April 6, April 13, April 20, and April 27, 1975, and

WHEREAS, on March 24, 1975, which is fourteen (14) days before the date of the public hearing the Board of Aldermen received and approved the report provided for in GS §160-A-47, and made same available to the public at the offices of the Town Clerk, and in addition thereto copies of said report were prepared for public distribution, and

WHEREAS, a public hearing was duly held at 7:30 p.m. on the 28th day of April, 1975 in the Town Hall of the Town of Chapel Hill at which said hearing a representative of the Town of Chapel Hill first made an explanation of said report, following of which all persons, resident or owning property in the territory described in notice of public hearing, and all other residents of the municipality in attendance were given an opportunity to be heard, and at which time the nature and character of the area was discussed, the large tracts then individual ownership, if any, the population residing in each particular portion of the area, and the services to be provided in the area by the Town in the event of its annexation, and

WHEREAS, the Board of Aldermen has taken into full consideration the statements presented at the public hearing held on the 28th day of April, 1975 on the question of annexation, and

WHEREAS, an amended annexation report subsequent to said public hearing has been prepared, and

WHEREAS, said annexation report, as amended, was duly adopted by the Board of Aldermen of the Town of Chapel Hill on the 26th day of May, 1975, and

WHEREAS, the Board of Aldermen has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the Town of Chapel Hill, and

WHEREAS, all of the prerequisites to the adoption of this Ordinance described in Article 4A, Sections 45-56 of Chapter 160A of the General Statutes of North Carolina have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

That from and after the effective date of this annexation Ordinance, which will be the 20th day of June, 1975, the following described territories shall be annexed and become part of the Town of Chapel Hill, and the corporate limits of the Town of Chapel Hill shall on said date be extended to and include said territory more particularly described by metes and bounds as follows:

Area 3. Briarcliff Subdivision and land south to Little Creek.

BEGINNING at a point in the existing Chapel Hill Corporate limits, the Northwestern corner of Lot 6A, Tax Map 52, and proceeding North with said limits across Lot 52-7 to the Southern line of Lot 52-10, approximately 360 feet; proceeding thence with said Southern line approximately 555 feet Eastward to the Southeastern corner of Lot 52-10; proceeding thence North with the Eastern line of Lot 52-10 approximately 1200 feet to the Northwestern corner of Lot 52-2; proceeding thence Eastward with the Northern line of Lot 52-2 approximately 1475 feet and South with the Eastern line of said lot approximately 430 feet to the Southeastern corner of Lot 52-2; proceeding thence Eastward 25 feet with the Northern line of Lot 52D-B-6 to the Northeastern corner of said lot; proceeding thence Eastward across Emory Drive and with the Northern line of Lot 52D-C-10 222 feet; proceeding thence North 74 feet and East 146 feet with the Western and Northern lines of Lot 52D-C-18 to the Northeastern corner of said lot; proceeding thence across Churchill Drive and 149 feet Eastward with the Northern line of Lot 52D-D-9 to the Northeastern corner of Lot 52-5; proceeding thence South with the Eastern line of Lot 52-5 2250 feet to the Southeastern corner of said lot; and proceeding thence Westward with the Northern line of Lot 52-6A approximately 125, 520, 200, 315, 495, 400, 320 and 540 feet to the point of BEGINNING.

SECTION II

The Board of Aldermen hereby specifically find and declare that the above described territory meets the requirements of G. S. §160A-48 as follows:

Area 3 extends south from the present Town limits near Wildwood Drive to just beyond Little Creek. The only development in this area is residential consisting of a portion of the Briarcliff subdivision.

1. The Briarcliff area is contiguous to the Town's boundaries, as defined in G. S. 160A-53(1), at the time of the beginning of the annexation proceeding. (G. S. 160A-48(b)(1))
2. The aggregate external boundary of the area is estimated at 10,000 feet of which 4,800 feet are adjacent to or contiguous with the existing municipal boundary. Therefore, 48.0 percent of the area's external boundary is adjacent to or contiguous with the present Town boundary which exceeds the required one-eighth (12.5%). (G. S. 160A-48(b)(2))
3. No part of Area 3 is included within the boundary of another incorporated municipality. (G. S. 160A-48(b)(3))
4. Area 3 is developed for urban purposes as defined in G. S. 160A-48(c)(1). It contains an estimated 87 acres with 55 dwelling units, resulting in an estimated population of 185 persons and a density of 2.12 persons per acre. This density exceeds the criterion of 2 persons per acre. (G. S. 160A-48(c)(1))
5. The boundaries of Area 3 have been drawn such that, wherever practical, natural topographic features have been used. Where a street is used as a boundary, land on both sides of the street is included and the outside boundary extends no more than 200 feet beyond the right-of-way of the street. (G. S. 160A-48(e))

SECTION III

It is the purpose and intent of the Town of Chapel Hill to provide services to an area being annexed on substantially the same basis and in the same manner as such services are provided within the rest of the Town prior to annexation. Plans for providing such services to the Briarcliff area are outlined below as required by G. S. 160A-47(3).

1. Street Lighting. The University of North Carolina supplies electricity and street lighting, under contract, for the Town of Chapel Hill. Immediately following the adoption of the annexation ordinance, an order for street lighting will be placed with the University by the Town with the request that the lights be installed as soon as possible. Area 3 is developed with underground power lines and, therefore, lights will be installed with metal poles and underground wiring. These lights will be placed in accordance with the existing Town policy for street lighting which is one (1) street light at each intersection, and in the middle of long blocks, or curving roadways, and at points in curving streets where necessary.
2. Garbage Collection. Garbage collection will be on twice a week schedule and will commence on the date the annexation ordinance becomes effective. Existing collection routes will be rearranged or extended. As in other parts of the Town, trash, limbs, and leaves will be picked up at the curb on a non-scheduled basis. This will provide garbage and trash collection on the same basis as exist in the rest of the Town, and in accordance with Town practice and policy.
3. Sewer Service. This area is completely served with sewer at the present time and is connected to and is a part of the sewer system of the Town of Chapel Hill. Charges for services therefor and maintenance thereof will be the same as for other residents of the Town of Chapel Hill.
4. Public Water. Public water is available in the entire area, and is provided by the University of North Carolina as is all public water within the Town of Chapel Hill. The Town does not own or maintain a water system.
5. Street Maintenance. Street maintenance in this area except streets which are a permanent part of the State Highway System, will be undertaken by the Town immediately, and street maintenance and cleaning in this area will be performed on the same basis as that in the rest of the Town. All streets are paved with curb and gutter. However, the pavement for all streets is in a very deteriorated condition and will require major upgrading. Street name signs will be erected in the area of the same style and type as exist elsewhere in Chapel Hill.
6. Storm Drainage. This area also requires improved storm drainage. This area will be evaluated and improved on a basis comparable to the Town's 5-year program for improved storm drainage.
7. Fire Protection. Fire protection will be provided immediately in the area upon the effective date of annexation. No additional fire hydrants are needed in this area; however, the Town will assume the monthly assessment from University Utilities for upkeep of the existing hydrants. Immediate fire service is possible from existing municipal fire stations.

- 8. Police Protection. Police protection in the area will be the same as in other areas of the Town effective immediately upon annexation. Police protection in the Town in the residential areas is on a regular patrol basis. Patrol of the area will be provided through rearrangement or extension of existing police patrol routes.
- 9. Transportation. It is not feasible to provide bus service directly to Area 3 at the present time. However, this situation is not uncommon in other low density, single family areas currently within the Town limits. Residents of this area have access to bus transportation on Route G which passes along Leclair Street.
- 10. Recreation. Recreational facilities and services of the Town of Chapel Hill will be immediately available to this area upon annexation and upon the same basis as provided to other residents.
- 11. Other Municipal Services. All other municipal services including library, inspection, administrative, etc. will be immediately available upon annexation.

Method of Financing Services

Annual operating expenses for this area are estimated to be \$11,601. This figure includes a portion of the annual operating cost of an additional garbage truck operated by 4 men and the cost of one additional police patrol (4 men and one vehicle) which will be needed to serve all areas proposed for annexation.

The total cost of capital improvements for this area is estimated to be \$99,270. This figure includes a portion of the cost of an additional garbage truck and a portion of the cost of additional street maintenance equipment. It also includes the initial cost of street signs. These costs will be incurred during the first year after annexation. Street improvements and storm drainage improvements (also included in the above figure) will be provided on a 5 year program basis.

All costs will be provided from the General Fund.

SECTION V

That from and after the effective date of this annexation, the territory annexed and its citizens and properties will be subject to all debts, laws, ordinances, and regulations in force in the Town of Chapel Hill, and it shall be entitled to the same privileges and benefits as other parts of the Town.

SECTION VI

That the newly annexed territory described herein shall be subject to town taxes levied for the fiscal year beginning July 1, 1975 and annually thereafter.

SECTION VII

That the Mayor of the Town of Chapel Hill shall cause an accurate map of the annexed territory described in Section I hereof, together with the duly certified copy of this Ordinance, to be recorded in the Office of the Register of Deeds of Orange County, and in the Office of the Secretary of State.

SECTION VIII

That notice of date of adoption of this Ordinance shall be published once (1) in the Chapel Hill Newspaper.

This the second day of June, 1975.

Mayor, Town of Chapel Hill

ATTEST:

Town Clerk

Said motion was unanimously carried. Mayor Lee presented the annexation ordinance for the area including Northside along Nunn Street Extension, McDougald Street and portions of Roberson Street, Nunn Street, Edwards Alley and Mitchell Lane. Alderman Smith moved seconded by Alderman Gardner, that the following annexation ordinance be adopted:

AREA 4

AN ORDINANCE TO EXTEND THE CORPORATE
LIMITS OF THE TOWN OF CHAPEL HILL
UNDER AUTHORITY GRANTED BY ARTICLE 4A,
SECTIONS 45 through 56 of CHAPTER 160A
OF THE GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, on the 24th day of March, 1975, the Board of Aldermen adopted a Resolution of Intent to consider the annexation of the area hereinafter described simultaneously with other areas not adjacent hereto, but adjoining and contiguous with the municipal boundaries of the Town of Chapel Hill, and

WHEREAS, said Resolution of Intent set the time and place of a public hearing thereon at 7:30 p.m. on the 28th day of April, 1975 in the courtroom of the Town Hall in the Town of Chapel Hill, described the area under consideration, and provided that the annexation report required by the provisions of Section 47 of Chapter 160A of the General Statutes of North Carolina be available at the office of the Town Clerk at least 14-days prior to the date of the public hearing, and

WHEREAS, notice of said public hearing was duly given by publication in a newspaper having general circulation in the Town of Chapel Hill once a week for at least four (4) successive weeks prior to the date of the hearing, and

WHEREAS, publication was duly made in the Chapel Hill Newspaper on April 6, April 13, April 20, and April 27, 1975, and

WHEREAS, on March 24, 1975, which is fourteen (14) days before the date of the public hearing the Board of Aldermen received and approved the report provided for in GS §160-A-47, and made same available to the public at the offices of the Town Clerk, and in addition thereto copies of said report were prepared for public distribution, and

WHEREAS, a public hearing was duly held at 7:30 p.m. on the 28th day of April, 1975 in the Town Hall of the Town of Chapel Hill at which said hearing a representative of the Town of Chapel Hill first made an explanation of said report, following of which all persons, resident or owning property in the territory described in notice of public hearing, and all other residents of the municipality in attendance were given an opportunity to be heard, and at which time the nature and character of the area was discussed, the large tracts then individual ownership, if any, the population residing in each particular portion of the area, and the services to be provided in the area by the Town in the event of its annexation, and

WHEREAS, the Board of Aldermen has taken into full consideration the statements presented at the public hearing held on the 28th day of April, 1975 on the question of annexation, and

WHEREAS, an amended annexation report subsequent to said public hearing has been prepared, and

WHEREAS, said annexation report, as amended, was duly adopted by the Board of Aldermen of the Town of Chapel Hill on the 26th day of May, 1975, and

WHEREAS, the Board of Aldermen has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the Town of Chapel Hill, and

WHEREAS, all of the prerequisites to the adoption of this Ordinance described in Article 4A, Sections 45-56 of Chapter 160A of the General Statutes of North Carolina have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

That from and after the effective date of this annexation Ordinance, which will be the 20th day of June, 1975, the following described territories shall be annexed and become part of the Town of Chapel Hill, and the corporate limits of the Town of Chapel Hill shall on said date be extended to and include said territory more particularly described by metes and bounds as follows:

Area 4. Northside along Nunn Street Extension, McDougald Street and portions of Roberson Street, Nunn Street, Edwards Alley and Mitchel Lane.

BEGINNING at a point at the center of the University Railroad right-of-way where it intersects the extended north line of Lot 9, Tax Map 30, and proceeding East with said North line approximately 500 feet to the Northeast corner of Lot 30-9 and 200 feet South with the East line of said lot; proceeding then East 441 feet along the North lines of lots 94-B-1, 2, and 13A; proceeding thence generally South following the present Chapel Hill Corporate Limits line along the East boundaries of 94-B-13A, 13, 14, 9, and through lot 25, a total of approximately 4600 feet to the northern boundary of 84-B-1; running thence South approximately 115 feet into 84-B-2 and Eastward approximately 270 feet through 84-B-2, across Edwards Alley, through 84-J-1 and into 84-J-2; running thence South through 84-J-2 and along the Eastern line of 84-J-4 and 4A to the Northwestern corner of lot 84-J-4C, approximately 225 feet; running thence with the North and East lines of said lot 112 and 95 feet to the Northern line of 84-J-7A, through 84-J-7A approximately 100 feet to the Southern line of said lot and West approximately 60 feet with said line to the Eastern right-of-way of Mitchel Lane; proceeding thence with said right-of-way North 120 feet; then crossing Mitchel Lane and running West with the North lines of 84-J-6 and 7 120 feet to the Eastern right-of-way of Edwards Alley; then crossing Edwards Alley to the Northeast corner of 84-B-6 and running with the Northern line of said lot West 130 feet to the Eastern line of 84-B-11; with the Eastern lines of 84-B-11 and 12 approximately 100 feet North to the Southeastern corner of 84-B-13; then running West with the Southern lines of 84-B-13 and 14 192 feet to the Eastern right-of-way of Nunn Street; then crossing said right-of-way and proceeding West along the Northern line of 84-A-8 to the Northwestern corner of said lot, approximately 170 feet; running then with the Western lines of 84-A-8 and 7 approximately 130 feet to the Southwestern corner of 84-A-7; running thence along the Northern lines of 84-A-5 through 1 approximately 225 feet to the Eastern right-of-way of Roberson Street; running thence across said right-of-way and the right-of-way of McDougald Street to the Southeastern corner of 94-B-26; running thence North with the Western line of 94-B-26 and its extension through 94-B-27 and the University Railroad right-of-way approximately 720 feet to the center line of the University Railroad right-of-way; and running thence with the said center line approximately 1000 feet to the point of BEGINNING.

SECTION II

The Board of Aldermen hereby specifically find and declare that the above described territory meets the requirements of G. S. §160A-48 as follows:

Area 4 (a portion of Northside) is a small section of county land between the corporate limits of Carrboro and Chapel Hill. Tanbaark and Lloyd Branches bisect the area and severely impede access. This portion of Northside is an old neighborhood which contains only eleven homes. However, some residents are presently keeping swine in their backyards which would constitute a violation of Section 4-5 of the Chapel Hill Municipal Code, if this area is annexed.

1. The Northside Area is contiguous to the Town's boundaries, as defined in G. S. 160A-53(1), at the time of the beginning of the annexation proceeding. (G. S. 160A-48(b)(1))
2. The aggregate external boundary of the area is estimated at 6,200 feet of which 5,200 feet are adjacent to or contiguous with the existing municipal boundary. Therefore, 83.8 percent of the area's external boundary is adjacent to or contiguous with the present Town boundary which considerably exceeds the required one-eighth (12.5%). (G. S. 160A-48(b)(2))
3. No part of Area 4 is included within the boundary of another incorporated municipality. (G. S. 160A-48(b)(3))
4. Area 4 is developed for urban purposes as defined in G. S. 160A-48(c)(2). It contains an estimated 23.7 acres with 11 dwelling units, resulting in an estimated population of 31 persons and a density of 1.31 persons per acre. Of the total acreage, an estimated 66 percent (15.66 acres) is subdivided into lots and tracts of 5 acres or less. This figure exceeds the required 60 percent. In addition 80.5 percent of the total number of lots and tracts are one acre or less which also exceeds the required 60 percent.
5. In addition to its development for urban purposes, Area 4 qualifies for annexation under G. S. 160A-48(d)(2). An estimated 83.8 percent of its external boundary is adjacent to the present Chapel Hill boundary. This figure exceeds the required 60%.
6. The boundaries of Area 4 have been drawn such that, wherever practical, natural topographic features have been used. Where a street is used as a boundary, land on both sides of the street is included and the outside boundary extends no more than 200 feet beyond the right-of-way of the street. (G. S. 160A-48(e))

SECTION III

It is the purpose and intent of the Town of Chapel Hill to provide services to an area being annexed on substantially the same basis and in the same manner as such services are provided within the rest of the Town prior to annexation. Plans for providing such services to the Northside area are outlined below as required by G. S. 160A-47(3).

1. Street Lighting. The University of North Carolina supplies electricity and street lighting, under contract, for the Town of Chapel Hill. Immediately following the adoption of the annexation ordinance, an order for street lighting will be placed with the University by the Town with the request that the lights be installed as soon as possible. These lights will be the same as in most other areas of the Town of Chapel Hill, and will be in accordance with the existing Town policy for street lighting which is one (1) street light at each intersection, and in the middle of long blocks, or curving roadways, and at points in curving streets where necessary.

2. Garbage Collection. Garbage collection will be on twice a week schedule and will commence on the date the annexation ordinance becomes effective. Existing collection routes will be rearranged or extended. As in other parts of the Town, trash, limbs, and leaves will be picked up at the curb on a non-scheduled basis. This will provide garbage and trash collection on the same basis as exist in the rest of the Town, and in accordance with Town practice and policy.

3. Sewer Service. There is a major sewer outfall presently available to this area. Collector lines to provide service can and will be installed when required, under the same policy as sewer is extended in all areas of the Town, upon petition of the residents or when specific area has need therefor. Collector sewers are assessed against the property owners as provided in the Town Charter.

4. Public Water. Public water is available in part of the area, and is provided by the University of North Carolina as is all public water within the Town of Chapel Hill. The Town of Chapel Hill does not own or maintain a water system. A few residences are served by well water. If requested, the University will extend service to these homes; however the property owners will be assessed the cost.

5. Street Maintenance. Street maintenance in this area except streets which are a permanent part of the State Highway System, will be undertaken by the Town immediately, and street maintenance and cleaning in this area will be performed on the same basis as that in the rest of the Town. All streets in the area are dirt, at present. The position of the cartage way in the power line easement serving the three houses to the north is in need of grading and gravel. The portion outside the power line easement providing access to Village Drive is graded and gravelled. Paving and improving the streets will be in accordance with existing Town policies with paving, curbing, and guttering installed by the Town upon petition and a portion of the costs thereof assessed against the property owner. Street signs will be erected in the area of the same style and type as exist elsewhere within the Town.

6. Storm Drainage. This area requires no additional storm drainage.

7. Fire Protection. Fire protection will be provided immediately in the area upon the effective date of annexation. Where water is available, installation of fire hydrants will be ordered immediately after the adoption of the annexation ordinance. They will be installed in the required locations so as to place each residential structure within 1000 feet thereof as is the policy throughout the rest of the Town. Until water is available to the remainder of the area, the Fire Department can transport water to those residences not within 1000 feet of a hydrant. This involves, at most, 4 houses.

8. Police Protection. Police protection in the area will be the same as in other areas of the Town effective immediately upon annexation. Police protection in the Town in the residential areas is on a regular patrol basis. Patrol of the area will be provided through rearrangement or extension of existing police patrol routes.

- 9. Transportation. It is not feasible to provide bus service directly to all of Area 4 at the present time. However, this situation is not uncommon in other low density, single family areas currently within the Town limits. Residents of this area have access to bus transportation on Route N which passes close by the neighborhood.
- 10. Recreation. Recreation facilities and services of the Town of Chapel Hill will be immediately available to this area upon annexation and upon the same basis as other residents.
- 11. Other Municipal Services. All other municipal services including library, inspection, administrative, etc. will be immediately available upon annexation.

Method of Financing Services

The annual operating expenses for this area are estimated to be \$3,692. This figure includes a portion of the annual operating cost of an additional garbage truck operated by 4 men and a portion of the cost of one additional police patrol (4 men and one vehicle).

The total cost of capital improvements for this area is estimated to be \$35,615. This figure includes a portion of the cost of an additional garbage truck and a portion of the cost of additional street maintenance equipment. (The cost of an additional police vehicle was included in the cost of the patrol, above). It also includes the initial cost of providing street signs. These costs will be incurred during the first year after annexation. Street improvements (also included in the figure above) will be evaluated and provided on a 5 year program basis.

All costs will be provided from the General Fund.

SECTION V

That from and after the effective date of this annexation, the territory annexed and its citizens and properties will be subject to all debts, laws, ordinances, and regulations in force in the Town of Chapel Hill, and it shall be entitled to the same privileges and benefits as other parts of the Town.

SECTION VI

That the newly annexed territory described herein shall be subject to town taxes levied for the fiscal year beginning July 1, 1975 and annually thereafter.

SECTION VII

That the Mayor of the Town of Chapel Hill shall cause an accurate map of the annexed territory described in Section I hereof, together with the duly certified copy of this Ordinance, to be recorded in the Office of the Register of Deeds of Orange County, and in the Office of the Secretary of State.

SECTION VIII

That notice of date of adoption of this Ordinance shall be published once (1) in the Chapel Hill Newspaper.

This the second day of June, 1975.

Mayor, Town of Chapel Hill

ATTEST:

Town Clerk

Said motion was unanimously carried. Mayor Lee presented the annexation ordinance for the area including the area presently outside the corporate limits along Umstead Drive to Estes Drive Extension. Alderman Cohen moved, seconded by Alderman Gardner, that the following annexation ordinance be adopted:

AREA 5

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL UNDER AUTHORITY GRANTED BY ARTICLE 4A, SECTIONS 45 through 56 of CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, on the 24th day of March, 1975, the Board of Aldermen adopted a Resolution of Intent to consider the annexation of the area hereinafter described simultaneously with other areas not adjacent hereto, but adjoining and contiguous with the municipal boundaries of the Town of Chapel Hill, and

WHEREAS, said Resolution of Intent set the time and place of a public hearing thereon at 7:30 p.m. on the 28th day of April, 1975 in the courtroom of the Town Hall in the Town of Chapel Hill, described the area under consideration, and provided that the annexation report required by the provisions of Section 47 of Chapter 160A of the General Statutes of North Carolina be available at the office of the Town Clerk at least 14-days prior to the date of the public hearing, and

WHEREAS, notice of said public hearing was duly given by publication in a newspaper having general circulation in the Town of Chapel Hill once a week for at least four (4) successive weeks prior to the date of the hearing, and

WHEREAS, publication was duly made in the Chapel Hill Newspaper on April 6, April 13, April 20, and April 27, 1975, and

WHEREAS, on March 24, 1975, which is fourteen (14) days before the date of the public hearing the Board of Aldermen received and approved the report provided for in GS §160-A-47, and made same available to the public at the offices of the Town Clerk, and in addition thereto copies of said report were prepared for public distribution, and

WHEREAS, a public hearing was duly held at 7:30 p.m. on the 28th day of April, 1975 in the Town Hall of the Town of Chapel Hill at which said hearing a representative of the Town of Chapel Hill first made an explanation of said report, following of which all persons, resident or owning property in the territory described in notice of public hearing, and all other residents of the municipality in attendance were given an opportunity to be heard, and at which time the nature and character of the area was discussed, the large tracts then individual ownership, if any, the population residing in each particular portion of the area, and the services to be provided in the area by the Town in the event of its annexation, and

WHEREAS, the Board of Aldermen has taken into full consideration the statements presented at the public hearing held on the 28th day of April, 1975 on the question of annexation, and

WHEREAS, an amended annexation report subsequent to said public hearing has been prepared, and

WHEREAS, said annexation report, as amended, was duly adopted by the Board of Aldermen of the Town of Chapel Hill on the 26th day of May, 1975, and

WHEREAS, the Board of Aldermen has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the Town of Chapel Hill, and

WHEREAS, all of the prerequisites to the adoption of this Ordinance described in Article 4A, Sections 45-56 of Chapter 160A of the General Statutes of North Carolina have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

That from and after the effective date of this annexation Ordinance, which will be the 20th day of June, 1975, the following described territories shall be annexed and become part of the Town of Chapel Hill, and the corporate limits of the Town of Chapel Hill shall on said date be extended to and include said territory more particularly described by metes and bounds as follows:

Area 5. Includes the area presently outside the corporate limits along Umstead Drive to Estes Drive Extension.

BEGINNING at the Southern most point of Lot 5, Tax Map 30, one foot West of the Western right-of-way line of Estes Drive Extension and proceeding thence parallel to said right-of-way North approximately 2700 feet to the intersection of 29-1 with Estes Drive extension; proceeding thence across Estes Drive extension and South with the present Chapel Hill corporate limit line approximately 2580 feet through 30-5, along the Western line of 30-6A, and across Umstead Drive to Bolin Creek; proceeding Southeast with Bolin Creek in the corporate limits approximately 1050 feet to its junction with the Tanyard Branch and Southeast corner of 30-8A; proceeding thence West with the Southern line of 30-8A approximately 620 feet to the Southeastern corner of 30-6; proceeding thence with the line of said lot approximately 345 feet West, 240 feet North, 920 West, and 125 feet North to the Northwestern corner of Lot 30-6B; and with the Northern line and extended Northern line of said lot approximately 600 feet across Estes Drive extension to the point of BEGINNING.

SECTION II

The Board of Aldermen hereby specifically find and declare that the above described territory meets the requirements of G. S. §160A-48 as follows:

1. The Estes/Umstead area is contiguous to the Town's boundaries, as defined in G. S. 160A-53(1), at the time of the beginning of the annexation proceeding. (G. S. 160A-48(b)(1))
2. The aggregate external boundary of the area is estimated at 8400 feet of which 6000 feet adjoin and are contiguous with the present municipal boundary. The percentage of this external boundary which adjoins or is contiguous with the present municipal boundary is therefore approximately 71 percent which considerably exceeds the required one-eighth (12.5%). (G. S. 160A-48(b)(2))
3. No part of the Estes/Umstead area is included within the boundary of another incorporated municipality. (G. S. 160A-48(b)(3))
4. Area 5 qualifies for annexation under G. S. 160A-48 (d)(2). An estimated 71.4 percent of its external boundary is adjacent to the present Chapel Hill boundary. This figure exceeds the required 60%.
5. The boundaries of Area 5 have been drawn such that, wherever practical, natural topographic features have been used. Where a street is used as a boundary, land on both sides of the street is included and the outside boundary extends no more than 200 feet beyond the right-of-way of the street. (G. S. 160A-48(e))

SECTION III

It is the purpose and intent of the Town of Chapel Hill to provide services to an area being annexed on substantially the same basis and in the same manner as such services are provided within the rest of the Town prior to annexation. Plans for providing such services to Area 5 are outlined below as required by G. S. 160A-47(3).

1. Street Lighting. The University of North Carolina supplies electricity and street lighting, under contract, for the Town of Chapel Hill. Immediately following the adoption of the annexation ordinance, an order for street lighting will be placed with the University by the Town with the request that the lights be installed as soon as possible. These lights will be the same as in most other areas of the Town of Chapel Hill, and will be in accordance with the existing Town policy for street lighting which is one (1) street light at each intersection, and in the middle of long blocks, or curving roadways, and at points in curving streets where necessary.
2. Garbage Collection. Garbage collection will be on twice a week schedule and will commence on the date the annexation ordinance becomes effective. Existing collection routes will be rearranged or extended. As in other parts of the Town, trash, limbs, and leaves will be picked up at the curb on a non-scheduled basis. This will provide garbage and trash collection on the same basis as exists in the rest of the Town, and in accordance with Town practice and policy.
3. Sewer Service. This area is presently served by a major sewer outfall and no extension of this outfall is necessary.
4. Public Water. Public water is available in the entire area, and is provided by the University of North Carolina, as is all public water within the Town of Chapel Hill. The Town does not own or maintain a water system.
5. Street Maintenance. At present both Umstead Drive and Estes Drive are included in the State Highway System and therefore will be maintained by the State. If, in the future, Umstead Drive is removed from the Thoroughfare Plan, the Town will assume maintenance.
6. Storm Drainage. No additional storm drainage is needed in this area.
7. Fire Protection. Fire protection will be provided immediately in the area upon the effective date of annexation. With water available, installation of fire hydrants will be ordered immediately after the adoption of the annexation ordinance. They will be installed in the required locations so as to place each residential structure within 1000 feet thereof as is the policy throughout the rest of the Town. Immediate service is possible from existing municipal fire stations.
8. Police Protection. Police protection in the area will be the same as in other areas of the Town effective immediately upon annexation. Police protection in the Town in the residential areas is on a regular patrol basis. Patrol of the area will be provided through rearrangement or extension of existing police patrol routes.
9. Transportation. Bus service is available to residents of this area from the existing N Route.
10. Recreation. Recreation facilities and services of the Town of Chapel Hill will be immediately available to this area upon annexation and upon the same basis as provided to other residents.

- 11. Other Municipal Services. All other municipal services including library, inspection, administrative, etc. will be immediately available upon annexation.

Method of Financing Services

No appropriations are needed to finance the construction of water or sewer facilities or for the paving and maintaining of streets. All other services can be performed with existing personnel, equipment and facilities and the annual costs can be provided from the General Fund.

SECTION V

That from and after the effective date of this annexation, the territory annexed and its citizens and properties will be subject to all debts, laws, ordinances, and regulations in force in the Town of Chapel Hill, and it shall be entitled to the same privileges and benefits as other parts of the Town.

SECTION VI

That the newly annexed territory described herein shall be subject to town taxes levied for the fiscal year beginning July 1, 1975 and annually thereafter.

SECTION VII

That the Mayor of the Town of Chapel Hill shall cause an accurate map of the annexed territory described in Section I hereof, together with the duly certified copy of this Ordinance, to be recorded in the Office of the Register of Deeds of Orange County, and in the Office of the Secretary of State.

SECTION VIII

That notice of date of adoption of this Ordinance shall be published once (1) in the Chapel Hill Newspaper.

This the second day of June, 1975.

Mayor, Town of Chapel Hill

ATTEST:

Town Clerk

Said motion was unanimously carried. Mayor Lee presented the annexation ordinance for the area including the University Physical Plant and Estes Drive Extension. Alderman Smith moved, seconded by Alderman Marshall, that the following annexation ordinance be adopted:

AREA 6

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL UNDER AUTHORITY GRANTED BY ARTICLE 4A, SECTIONS 45 through 56 of CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, on the 24th day of March, 1975, the Board of Aldermen adopted a Resolution of Intent to consider the annexation of the area herein-after described simultaneously with other areas not adjacent hereto, but adjoining and contiguous with the municipal boundaries of the Town of Chapel Hill, and

WHEREAS, said Resolution of Intent set the time and place of a public hearing thereon at 7:30 p.m. on the 28th day of April, 1975 in the courtroom of the Town Hall in the Town of Chapel Hill, described the area under consideration, and provided that the annexation report required by the provisions of Section 47 of Chapter 160A of the General Statutes of North Carolina be available at the office of the Town Clerk at least 14-days prior to the date of the public hearing, and

WHEREAS, notice of said public hearing was duly given by publication in a newspaper having general circulation in the Town of Chapel Hill once a week for at least four (4) successive weeks prior to the date of the hearing, and

WHEREAS, publication was duly made in the Chapel Hill Newspaper on April 6, April 13, April 20, and April 27, 1975, and

WHEREAS, on March 24, 1975, which is fourteen (14) days before the date of the public hearing the Board of Aldermen received and approved the report provided for in GS §160-A-47, and made same available to the public at the offices of the Town Clerk, and in addition thereto copies of said report were prepared for public distribution, and

WHEREAS, a public hearing was duly held at 7:30 p.m. on the 28th day of April, 1975 in the Town Hall of the Town of Chapel Hill at which said hearing a representative of the Town of Chapel Hill first made an explanation of said report, following of which all persons, resident or owning property in the territory described in notice of public hearing, and all other residents of the municipality in attendance were given an opportunity to be heard, and at which time the nature and character of the area was discussed, the large tracts then individual ownership, if any, the population residing in each particular portion of the area, and the services to be provided in the area by the Town in the event of its annexation, and

WHEREAS, the Board of Aldermen has taken into full consideration the statements presented at the public hearing held on the 28th day of April, 1975 on the question of annexation, and

WHEREAS, an amended annexation report subsequent to said public hearing has been prepared, and

WHEREAS, said annexation report, as amended, was duly adopted by the Board of Aldermen of the Town of Chapel Hill on the 26th day of May, 1975, and

WHEREAS, the Board of Aldermen has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the Town of Chapel Hill, and

WHEREAS, all of the prerequisites to the adoption of this Ordinance described in Article 4A, Sections 45-56 of Chapter 160A of the General Statutes of North Carolina have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

That from and after the effective date of this annexation Ordinance, which will be the 20th day of June, 1975, the following described territories shall be annexed and become part of the Town of Chapel Hill, and the corporate limits of the Town of Chapel Hill shall on said date be extended to and include said territory more particularly described by metes and bounds as follows:

BEGINNING at the SE corner of the intersection of the rights of way of Ward Street and Estes Drive Extension and proceeding thence North across Estes Drive Extension to a point 1 foot North of the junction of the Southernmost point of Lot 29-1 and the N ROW line of Estes Drive Extension; proceeding thence East parallel to said ROW

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approximately 3825 feet to a point 1 foot East of the ROW line of N.C. #86; proceeding thence South parallel to said ROW approximately 1560 feet to the present Chapel Hill corporate limits, and the extended Southern line of Lot No. 29-1; running thence West with the extended Southern line of Lot No. 29-1 approximately 375, 225, 1435, 550, and 1900 feet to the point of BEGINNING.

SECTION II

The Board of Aldermen hereby specifically find and declare that the above described territory meets the requirements of G. S. §160A-48 as follows:

Area 6 extends north from the existing municipal limits near Barclay Road to one foot north of the Estes Drive Extension right-of-way. This entire area is owned by the University of North Carolina and contains the University Physical Plant and General Storeroom Facilities.

1. Area 6 is contiguous to the Town's boundaries, as defined in G. S. 160A-53(1), at the time of the beginning of the annexation proceeding.
2. The total aggregate external boundary of the area is estimated at 10,200 feet of which 4,000 feet are adjacent to and contiguous with the present municipal boundary. The percentage of the external boundary which is adjacent to or contiguous with the present Town boundary is, therefore, 39.2 percent which exceeds the required one-eighth (12.5%). (G. S. 160A-48(b)(2))
3. No part of Area 6 is included within the boundary of another incorporated municipality. (G. S. 160A-48(b)(3))
4. Area 6 is developed for urban purposes as defined in G. S. 160A-48(c)(3). Since 100 percent of this area is owned by the University of North Carolina and contains its Physical Plant and General Storeroom Facilities, the area is herein classified as being developed entirely for institutional or governmental purposes. Therefore, this area exceeds the requirement that 60 percent of the total number of lots and tracts in an area at the time of annexation be used for residential, commercial, industrial, institutional or governmental purposes.
5. The boundaries of Area 6 have been drawn such that, wherever practical, natural topographic features have been used. Where a street is used as a boundary, land on both sides of the street is included within the municipality, and the outside boundary extends no more than 200 feet beyond the right-of-way of the street. (G. S. 160A-48(e))

SECTION III

It is the purpose and intent of the Town of Chapel Hill to provide services to an area being annexed on substantially the same basis and in the same manner as such services are provided within the rest of the Town prior to annexation. However, because of the unique character of this area, very few services are required. There are no dwelling units in this area.

1. Garbage Collection. Garbage collection for this area will be handled on the same basis as other University owned property presently within the Town limits.

- 2. Street Maintenance. All streets in this area are a permanent part of the State Highway System or are University owned and maintained roads.
- 3. Public Water. Public water is available in the area, and is provided by the University of North Carolina as is all public water within the Town of Chapel Hill. The Town of Chapel Hill does not own or maintain a water system.
- 4. Fire Protection. Fire protection will be provided immediately in the area upon the effective date of annexation. No additional men or equipment are required and fire hydrants are already installed in the area.
- 5. Police Protection. Police protection in the area will be the same as in other University owned areas of the Town effective immediately upon annexation. Protection of the area will be provided through rearrangement or extension of existing police protective services with no additional personnel or equipment required.
- 6. Transportation. Bus transportation is already being provided to this area.

Method of Financing Services

No appropriations are needed to finance the construction of water or sewer facilities or for the paving and maintaining of streets. All other services can be performed with existing personnel, equipment and facilities should any services be required. Also any annual costs that may be incurred can be provided from the General Fund.

SECTION V

That from and after the effective date of this annexation, the territory annexed and its citizens and properties will be subject to all debts, laws, ordinances, and regulations in force in the Town of Chapel Hill, and it shall be entitled to the same privileges and benefits as other parts of the Town.

SECTION VI

That the newly annexed territory described herein shall be subject to town taxes levied for the fiscal year beginning July 1, 1975 and annually thereafter.

SECTION VII

That the Mayor of the Town of Chapel Hill shall cause an accurate map of the annexed territory described in Section I hereof, together with the duly certified copy of this Ordinance, to be recorded in the Office of the Register of Deeds of Orange County, and in the Office of the Secretary of State.

SECTION VIII

That notice of date of adoption of this Ordinance shall be published once (1) in the Chapel Hill Newspaper.

This the second day of June, 1975.

Mayor, Town of Chapel Hill

ATTEST:

Town Clerk

Said motion was unanimously carried.

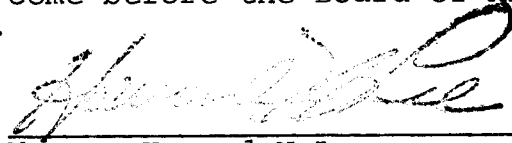
HB 473 and HB 254

Town Manager Kendzior said that a communication has been received from the League of Municipalities requesting that Board oppose HB 473 which provides for a 50% reduction in the property tax of business inventories, and HB 254 which provides for exclusion of personal household items from property tax. Alderman Cohen said that he has reservations about taxing personal household items, since local governments spend a lot of money evaluating property and keeping records and receiving small revenue in return. Mayor Lee said that he agrees with Alderman Cohen. He said that many items listed as luxury items are often considered necessities by residents, such as washing machines and TV sets. He said that he opposes HB 473. Alderman Welsh agreed with Mayor Lee. Alderman Marshall agreed with Mayor Lee. Alderman Cohen moved, seconded by Alderman Welsh, that Town administration write a letter to State representatives indicating that Board opposes HB 473. Said motion was unanimously carried.

New Horizons Bicentennial Committee--Meeting

Mayor Lee announced that New Horizons Bicentennial Committee meeting will be held on Tuesday, June 17, 1975 at 4:00 p.m. in the committee meeting room.

There being no further business to come before the Board of Aldermen, said meeting adjourned at 8:55 p.m.



Mayor, Howard N Lee



Town Clerk, David B. Roberts

MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL HELD IN THE OLD TOWN HALL, MONDAY, JUNE 9, 1975 AT 7:30 P.M.

The Board of Aldermen met for a Public Hearing, followed by a regular meeting on June 9, 1975 in the Old Town Hall. The roll was reported as follows:

Present: R. D. Smith, Mayor pro tem
Gerald A. Cohen
Thomas B. Gardner
Shirley E. Marshall
Sid S. Rancer
Alice M. Welsh

Absent: Howard N. Lee, Mayor

A quorum of the Board was present and in attendance at the meeting. Also present were Town Manager C. Kendzior, Town Clerk D. Roberts, and Town Attorney E. Denny.

PUBLIC HEARING

Budget Hearing for 1975-76

Mayor pro tem Smith said that the Public Hearing is called to consider the proposed Town Budget for 1975-76. He explained the procedure to be followed at the hearing. Town Manager Kendzior said that the recommended budget for fiscal year 1975-76 reflects a number of policy issues which have faced the Town over the past year. The budget document is a means by which these issues can be brought into focus in a comprehensive manner and by which the Board of Aldermen can set a definite direction for the provision of public services in the community during the new year. A great deal of effort has been made to describe and define clearly the public service programs which are