

**STAFF REPORT**

Town Council, June 27, 2016

**Wake County Board of Education Annexation 16-A-11 (PL16-110)**

Consider sufficiency of annexation petition and adoption of resolution to set public hearing.

From: Jeff G. Ulma, Planning Director  
Prepared by: Wayne Nicholas, Planning Manager  
Approved by: Mike Bajorek, Interim Town Manager  
Approved by: Russ Overton, Assistant Town Manager

**Speaker:** Wayne Nicholas

**Executive Summary:** Consideration of adopting a certificate of sufficiency and resolution calling for a public hearing on owner-initiated annexation 16-A-11 located at 120 & 130 Winding Pine Trail (1,000 feet W of Green Level Church Road and Winding Pine Trail intersection). Associated Case(s):

**Proposed Council Action:** Leave blank for Town Clerk

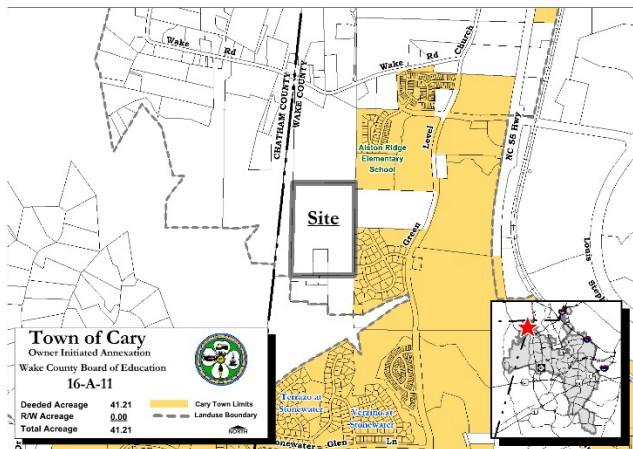
**Annexation Petition Number:** 16-A-11

**Petition Date:** 4/28/2016

**OWNER(S) AND PARCEL INFORMATION**

Property Owner(s)	Property Location	County Parcel Number (10-digit)	Real Estate ID	Deeded Acreage
Wake County Board of Education 5651 Dillard Drive Cary, NC 27518	120 & 130 Winding Pine Trail	0726861425, 0726850785	0079790, 0079791	41.21
<b>Total Acres</b>				41.21

**VICINITY MAP:**



**ZONING & PROPOSED USE:**

**Current Zoning:** R-40

**Acreage:** 41.21 plus 0.00 adjacent right of way = 41.21 total deeded acres

**Contiguous to Primary Corporate Limits:** Yes, 15% (excluding satellite town limits)

**Existing Use:** Vacant

**Proposed Use:** Public School

**Active Associated Case(s):**

**UTILITIES:**

**Water:** Adjacent to site

**Sewer:** 100 feet E

**DISTRICTS & TAX VALUE:**

**Fire District:** Morrisville Fire District

**Voting District:** A

**Tax Value:** \$5,647,351 (exempt property)

**6/27/2016 MEETING:**

**Town Council – Certificate of Sufficiency and Resolution Ordering Public Hearing**

**STAFF RECOMMENDATION:**

Forward to public hearing on **7/25/2016**

**Action:**

**The documents that council will consider for adoption at this meeting are attached. The annexation ordinance that council will consider at a future meeting is included below.**

**DRAFT**

**16-A-11**

**Wake County Board of Education**

**AN ORDINANCE ANNEXING LANDS CONTIGUOUS TO THE MUNICIPAL BOUNDARIES OF THE TOWN OF CARY**

WHEREAS, on 4/28/2016, the Town Council has been petitioned under G.S. 160A-31 to annex the area described below:

**Wake County Board of Education;**

Wake County Parcel Identification Number **076861425, 0726850785**; Wake County Real ID

Number **0079790, 0079791**;

including **41.21** acres, plus **0.00** acres of adjacent right-of-way; and

WHEREAS, the above described are contiguous to existing Town limits; and

WHEREAS, on **6/27/2016**, the Town Clerk of the Town of Cary certified the sufficiency of said Petition, the same being duly made after investigation; and

WHEREAS, on **6/27/2016**, the Town Council of the Town of Cary ordered a public hearing on the question of said annexation and Notice of a Public Hearing was published as required by law; and

WHEREAS, the matter came for public hearing before the Town Council of the Town of Cary on 7/25/2016, at which time all persons opposed and all persons in favor of said annexation were allowed to be heard; and

WHEREAS, the Petition above mentioned meets all the requirements of G.S. 160A-31.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cary, North Carolina that:

Section 1. The area described in the petition and depicted on the map (which is on file in the Planning Department), is hereby annexed to and made a part of the Town of Cary, effective on with a condition that the property owner connect to the Town of Cary sewer/water line based upon the Town's policy(ies) in place on the effective date of this ordinance.

#### **LEGAL DESCRIPTION**

Wake County Parcel Identification Number **076861425, 0726850785**

Section 2. That from and after the effective date of this ordinance, the territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Cary, and shall be entitled to the same privileges and benefits as other parts of the municipality. Said annexed territory shall be subjected to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Cary shall cause an accurate map of the newly annexed territory together with a copy of this ordinance, duly certified, to be recorded in the Office of the Register of Deeds of Wake County and in the Office of the Secretary of State of North Carolina.

Section 4. Pursuant to G.S. 160A-22, the Town Clerk is directed to update the Official Town Map by drawing in the territory annexed, or setting out the boundaries in a written description, or showing the current Town boundaries by a combination of these techniques. Such a map shall also be delivered to the Wake County Board of Elections as required by G.S. 163-288.1.

Section 5. Pursuant to G.S. 160A-23, the boundaries of Electoral District A are hereby revised to account for and include the territory annexed, and the Official Town Map of Electoral Wards is hereby amended to include the annexed territory in the said Electoral District.