



Legislation Text

File #: 2017-133, Version: 1

TITLE

LYNWOOD LAKES ESTATES SUBDIVISION & C.V. DICK SUBDIVISION FINAL ASSESSMENT ROLL RESOLUTION

SPONSOR

J. Leslie Bell, Planning & Development Director (Beth Anne Aheron)

BACKGROUND

On the 13th day of December 2007, the Guilford County Board of Commissioners adopted a resolution authorizing water and sewer improvements to be made to and along Lynwood Drive, Liberty Road, Mockingbird Road, Ledford Road, Ventura Drive, Charolais Drive, Van Noppen Road, Shiland Drive and Melissa Laine Road.

The improvements have now been completed and the County Commissioners have ascertained the total cost and the amount that should be assessed against each lot or tract of land abutting the improvements. A map and list of property owners is attached of the assessment area showing the frontage and location of each lot or tract of land on the street or streets, road or roads, in which improvements have been made. As of April 24, 2017, \$152,447.90 has been prepaid of the \$1,276,873.40 total project assessment. Subsequent to the Board of Commissioners Public Hearing held on February 23, 2017, two assessments were adjusted based on review of NC General Statutes, and actual road and project frontage along 2900 Charolais Dr. (reduced by \$4726.80 Kingsley property, Property Owner/Assessment List ID#223) and 2901 Charolais Dr. (\$4273.20 Paskalides property, Property Owner/Assessment List ID#224). A summary of the Project Cost, revised Assessment and County Revenue is attached. Also attached is a summary of the resolution, which addresses comments made following notice of the scheduled public hearing. The Board of Commissioners held a duly noticed public hearing on February 23, 2017 regarding the final assessment roll.

RESOLUTION

RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

WHEREAS, on the 13th day of December 2007, the Board of County Commissioners, after holding a public meeting, adopted a resolution; ordering the extension of water and sewer to and throughout Lynwood Lakes Estates Subdivision and C. V. Dick Subdivision; and

WHEREAS, on the 1st day of March 2012, the Board of County Commissioners adopted an Amendment to Resolution of the Making of Certain Local Improvements to modify the payment terms of the Preliminary Resolution adopted November 15, 2007 and as allowed by N.C. Gen. Stat. §§ 153A-200 and 201, with the following improvements:

Service Area Water: Beginning at a point in the intersection of Liberty Road and Lynwood Drive, said point being a connection to an existing water main in Liberty Road; thence extending within the road right-of-way of Lynwood Drive to and throughout the Lynwood Lakes Estates Subdivision and C.V. Dick Subdivision. Water lines are to be extended within the road right-of-way of Lynwood Drive, Mockingbird Road, Whiteley Place, Ledford Road, Venture Drive, Charolais Drive, Shiland Drive, Van Noppen Road and Melissa Laine Road in Lynwood Lakes Estates Subdivision and C.V. Dick Subdivision as shown in Plat Book 27, Page 69, Plat Book 27, Page 70, Plat Book 29, Page 79, Plat Book 28, Page 92, Plat Book 34, Page 28, Plat Book 29, Page 80, Plat Book 31, Page 70, Plat Book 46, Page 55, Plat Book 43, Page 84, Plat Book 23, Page 40, Plat Book 32, Page 90, Plat Book 38, Page 23, Plat Book 43, Page 84 and Plat Book 52, Page 77. Plats are as recorded in the Register of Deeds for Guilford County.

Service Area Sewer: Beginning at an existing manhole located in Lynwood Drive in Lynwood Lakes Estates Subdivision. The line will proceed to and throughout the Lynwood Lakes Estates Subdivision and C. V. Dick Subdivision. Sewer lines are to be extended within the road right-of-way of Lynwood Drive, Mockingbird Road, Whiteley Place, Ledford Road, Venture Drive, Charolais Drive, Shiland Drive, Van Noppen Road and Melissa Laine Road in Lynwood Lakes Estates Subdivision and C.V. Dick Subdivision as shown in Plat Book 27, Page 69, Plat Book 27, Page 70, Plat Book 29, Page 79, Plat Book 28, Page 92, Plat Book 34, Page 28, Plat Book 29, Page 80, Plat Book 31, Page 70, Plat Book 46, Page 55, Plat Book 43, Page 84, Plat Book 23, Page 40, Plat Book 32, Page 90, Plat Book 38, Page 23, Plat Book 43, Page 84 and Plat Book 52, Page 77. Plats are as recorded in the Register of Deeds for Guilford County.

AND WHEREAS, the improvements have now been completed, and the Board of County Commissioners has ascertained the total cost thereof and the amount that should be assessed against each lot or tract of land abutting on the water and sewer improvements on account of the water and sewer improvements and has caused to be prepared a general plan map of the water and sewer improvements, on which map is shown the frontage and location of each lot on the street or streets, road or roads, improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUILFORD:

- (1) That the property owners' share of the water and sewer improvements is hereby determined to be the amount shown therefore on said general plan map.
- (2) That the Board of County Commissioners finds as a fact that each lot or tract abutting on the water and sewer improvements has been specially benefited by the water and sewer improvements in the amount assessed against such lot or tract as shown by the preliminary assessment roll.
- (3) That the general plan map is hereby confirmed at 5:30 p.m., on the 4th day of May 2017, and is hereby made the final assessment roll for the water and sewer improvements.
- (4) That the Clerk to the Board is hereby directed to enter on the minutes of this Board and the assessment roll the date, hour, and minute of the confirmation thereof and to deliver a copy of the assessment roll to the County Tax Collector.
- (5) That, after the expiration of twenty (20) days from this date, the County Tax Collector shall cause to be published one (1) time in some newspaper published in the County a notice that any assessments contained in the assessment roll may be paid in full to the County Tax Collector without interest at any time before the expiration of the first five (5) years (abeyance period).
- (5) That, if the owners of the lots or tracts, against which the water and sewer assessments have been made, do not exercise their option to pay the same in full as hereinabove provided, then the same shall be payable with the first five (5) years being in abeyance with no interest. If a connection is made to the water and/or sewer utilities during the five (5) year abeyance period, then the property owner will be required to start making payments on the assessments.
- (5) The second five (5) years shall be payable in five equal annual installments of which such installments will bear interest at the rate of five percent (5%) interest per annum from the date beginning the sixth year from the date of confirmation of the assessment roll.
- (5) That the first of the installments with interest thereon shall become due and payable on the same day of the same month of each successive year beginning with the sixth year from date of confirmation of the assessment roll until the assessments have been paid in full.

Adopted this the 4th day of May, 2017.

Jeff Phillips, Chairman
Guilford County Board of Commissioners

ATTEST:

Robin B. Keller, Clerk to Board

BUDGET IMPACT

NO ADDITIONAL COUNTY FUNDS REQUIRED

REQUESTED ACTION

Adopt Resolution Confirming the Assessment Roll for Local Improvements in the Lynwood Lakes Estates Subdivision.