



**PRELIMINARY ASSESSMENT RESOLUTION
WEST CAROLINIAN CIRCLE IMPROVEMENTS**

WHEREAS, on April 17, 2013 the property owners on West Carolinian Circle filed with the Town Clerk a petition for improving said street in the following manner:

West Carolinian Circle will be brought up to standards set by the current rules and regulations governed by the Town's municipal codes covering streets and sidewalks in a development with the exception of grades and centerline radius; and

WHEREAS, the Town Clerk has certified to this Board of Commissioners that said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the street or portion of street hereinabove described; and

WHEREAS, the Board of Commissioners hereby finds that the above mentioned petition is sufficient in all respects.

NOW, THEREFORE, BE IT RESOLVED, pursuant to N.C.G.S. 160A-223 that the Board of Commissioners of the Town of Nags Head, North Carolina adopts this resolution proposing to impose special assessments as follows:

1. That the Town intends to use special assessments to finance improvements to West Carolinian Circle in the following manner:

West Carolinian Circle will be brought up to standards set by the current rules and regulations governed by the Town's municipal codes covering streets and sidewalks in a development with the exception of grades and centerline radius.

2. That 100% percent of the total cost of said improvement, exclusive of so much of the total cost as is incurred in improving street intersections, will be assessed upon the properties receiving the improvements on the following basis:

a. The total cost shall be assessed based upon the frontage of each property abutting on the project (except as omitted by state statute), at an equal rate per foot of frontage.

b. This assessment will be assessed to the property owners in ten (10) annual installments.

c. The assessed property owner has the option to pay all of their total assessment in one (1) payment without incurring interest. This payment must be paid within 30 days after the publication of the notice that the Assessment Roll has been confirmed.

d. Pursuant to N.C.G.S. 160A-227, the "Assessment Roll" will be prepared when the total cost of the project has been determined.

e. Interest shall be set at five percent (5%) per annum.

3. The owners of the assessed property shall have the option of paying the assessment either in cash or in ten (10) equal annual installments, said installments to bear interest at the rate of five (5%) percent per annum. If the owner shall elect to pay the assessment in 10 installments, the owner must give notice of that election to the Board of Commissioners within 30 days after the publication of the notice that the assessment roll has been confirmed, in accordance with Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina.

4. That a Public Hearing on all matters covered by this resolution shall be held on Wednesday, **June 5, 2013 at 9:00 a.m.** in the Board Room at the Nags Head Municipal Complex located at 5401 S Croatan Highway, Nags Head, NC 27959. Following that hearing, the Board of Commissioners may adopt a resolution directing that the project or portions thereof be undertaken.

This the 1st day of May 2013.



Robert O. Oakes, Jr., Mayor
Town of Nags Head

ATTEST:


Carolyn F. Morris, Town Clerk

The following Commissioners voted for the passage of the above resolution:

Mayor Bob Oakes, Mayor Pro Tem Doug Remaley, and Comr. Renée Cahoon
(Comr. Anna Sadler and Comr. Susie Walters were not present.).

The following Commissioners voted against the passage of the above resolution:
