

Item Title: Joint Resolution Adopting NC Geodetic Survey's Preliminary Resurvey of the Common Boundary (Corner) Between Chatham County, Harnett County, and Wake County and Commitment to Pursue Joint Enabling Legislation to Modify the Chatham County and Wake County Boundary as Described in the 1961 Survey

Specific Action Requested:

That the Board of Commissioners approves a joint resolution adopting NC Geodetic Survey's preliminary resurvey of the common boundary (corner) between Chatham County, Harnett County, and Wake County and commitment to pursue joint enabling legislation to modify the Chatham County and Wake County Boundary as described in the 1961 Survey.

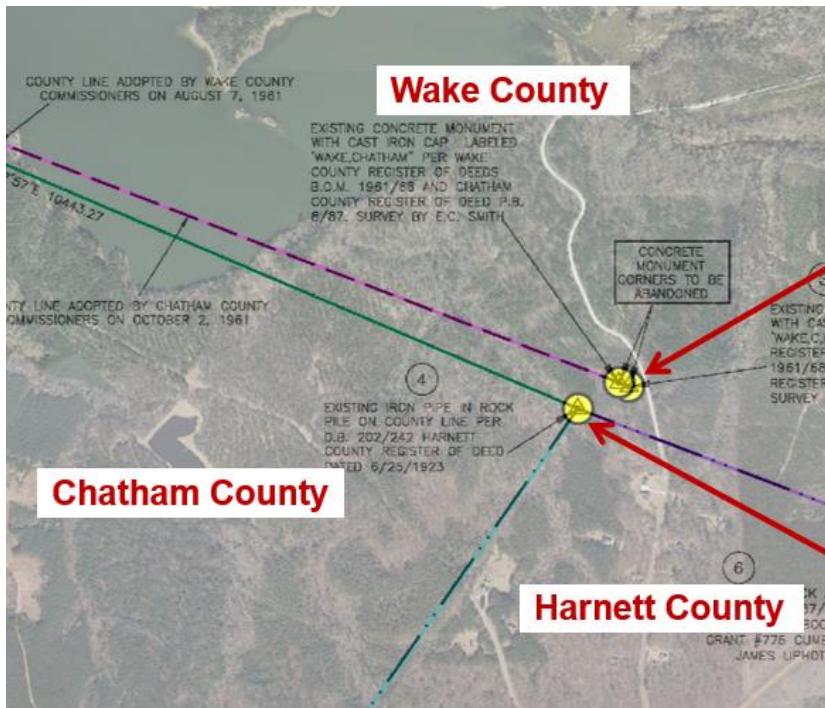
Item Summary:

Over the past several decades, Chatham County has been working in partnership with its neighboring counties to resolve uncertainties in the County's boundary line. Uncertainty with the location of county boundary lines is not uncommon in North Carolina. Today's technology can locate boundary lines much more precisely and uncover discrepancies in those boundaries. These discrepancies can create issues when it comes to tax assessment, property value, deed recordation, zoning, building permitting, public safety, board of elections, and the school system. The County's most recent effort to resolve uncertainty came in 2004 when staff worked collaboratively with Orange County to resolve and establish the joint boundary (Plat Book 2004, Pages 425 & 426).

At the November 20th, 2017 Board of Commissioners work session, staff introduced the current issue with the Chatham and Wake County Boundary Line and the Chatham/Harnett/Wake County corner. At the meeting, staff was directed to work collaboratively with both counties to resolve the issue.

This issue has been prompted by differences between the boundary line that Chatham County uses versus the lines that Harnett and Wake County use. In some instances, the boundary lines used between the three counties vary as much as several hundred feet. This has resulted in confusion over the delivery of services and tax assessment to the properties along the boundary line.

Given the uncertainties, Chatham, Harnett, and Wake County staff requested the NC Geodetic Survey office to conduct historical research and field work to determine the accurate location of the shared boundary lines for Chatham, Harnett, and Wake Counties. During their work they discovered errors in the 1961 Chatham County and Wake County survey whereby the actual Chatham/Harnett/Wake corner is approximately 500' southwest of the corner established in the 1961 Chatham/Wake survey. This error is the cause of today's uncertainties along the Chatham/Harnett/Wake boundary lines.



Corner Agreed by Wake & Chatham (1961)

Original Corner Recently Discovered by NCGS (500' from current corner)

NC Geodetic Survey has prepared a new preliminary survey indicating the correct location of the Chatham/Wake/Harnett corner. To establish this as the correct boundary corner for the three counties, and correct the Chatham/Wake County boundary line, state legislation must be enacted in accordance with N.C.G.S. 153A-17. State legislation is required to correct a mutually established boundary, as this was in 1961. The attached resolution, to be jointly adopted by all three counties, provides support for legislation to make this correction in the 2018 NC General Assembly short session.

After legislation is enacted, Chatham and Harnett Counties will work toward locating its official boundary in accordance with N.C.G.S. 153A-18. This second step does not require legislative action by the NC General Assembly and can be enacted locally upon agreement between the two counties. It is anticipated that this second step will be initiated in late summer of this year and brought to the Board of Commissioners in the form of a separate resolution.

Staff from each county has worked collaboratively on identifying all the parcels impacted to correct the boundary line issue. Staff conducted two community meetings (December 5, 2017 and March 27, 2018) where property owners could learn more about the issue. Property owners were also sent letters detailing the impact on their property. For example, where the boundary line splits a parcel, the property will now become split assessed between the two counties. This is in accordance with state law. In other cases, the property will move entirely from one county to the other. Two of the more common concerns from property owners are: 1) will future development be restricted in some way on a parcel that is split between the two counties? and 2) will a split parcel affect the current agricultural tax deferment (which allows property owners who are farming their land to have a reduced tax value until the property transitions to a non-agricultural use)? The answer to both questions is no impact at all. The following tables summarize the property impacts.

Chatham / Wake County Boundary

<i>Properties Affected</i>	<i>Parcel Count</i>	<i>Details</i>
Land Only	10	Split Assessment = 10
Dwellings	0	None
Total	10	

Chatham / Harnett County Boundary

<i>Properties Affected</i>	<i>Parcel Count</i>	<i>Details</i>
Land Only	18	Split Assessment = 18
Dwellings	2	Move Chatham to Harnett = 2
Total	20	

Chatham County Staff has discussed this issue with the Chatham County Public School System and their records indicate zero school age children would be impacted by this boundary change.

The Chatham County Tax Department has done a preliminary analysis on the net loss/gain of property tax revenue resulting from the proposed relocation of the Chatham/Harnett/Wake boundary lines. Although much more detailed analysis must be accomplished between the counties to determine new assessments, the estimate is a net loss of \$500,000 in assessments for Chatham County.

The attached resolution has already been approved by the Harnett and Wake County Board of Commissioners during their respective April 2018 meetings. Upon agreement by the Chatham County BOC, staff will work collaboratively to draft the legislation for the 2018 NC General Assembly short session, which begins in May. All proposed corrections to the county boundary line will become effective on January 1, 2019.

Several months prior to the effective date of January 1, 2019, each County will apply zoning to the properties or portions thereof that are being transferred into the county. Property owners will be notified during this process. Additionally, each County will record with their Register of Deeds a document that identifies all impacted parcels resulting from this corrective action of the county boundary line.

Attachments:

1. Joint Resolution

**JOINT RESOLUTION ADOPTING NORTH CAROLINA GEODETIC SURVEY'S
PRELIMINARY RESURVEY OF THE COMMON BOUNDARY (CORNER) BETWEEN
WAKE COUNTY, HARNETT COUNTY AND CHATHAM COUNTY AND
COMMITMENT TO PURSUE JOINT ENABLING LEGISLATION TO MODIFY THE
WAKE COUNTY AND CHATHAM COUNTY BOUNDARY AS DESCRIBED IN A 1961
SURVEY**

WHEREAS, N.C.G.S. § 153A-17 provides that the boundaries of each county shall remain as presently established, until changed in accordance with law; and

WHEREAS, N.C.G.S. § 153A-18 also provides that if two or more counties are uncertain as to the exact boundary between them, they may cause the boundary to be surveyed, marked and mapped; and

WHEREAS, Wake County and Chatham County located the boundary line between them in 1961 in accordance with procedures which governed at the time set forth in N.C.G.S. § 153-11 and by dual action of their Board of Commissioners detailed in Deed Book 1476, Page 332-338, Wake County Registry and the E.C. Smith survey recorded in Book of Maps 1961, Page 68, Wake County Registry; and

WHEREAS, in recent years, confusion over the situs of specific parcels of land in Wake County and Harnett County has arisen; said confusion being heightened by the ever increasing residential and commercial development in proximity to this boundary line, which affects tax assessments, deed recordation, zoning and regulatory inspections, public safety, elections and school assignment in the respective counties; and

WHEREAS, through recent survey work completed by North Carolina Geodetic Survey in association with locating the boundary between Wake County and Harnett County, errors have been discovered in the 1961 Wake County and Chatham County survey which must be resolved with corrective legislation in accordance with N.C.G.S. § 153A-17; and

WHEREAS, the preliminary survey recently completed by North Carolina Geodetic Survey is attached hereto as *Exhibit A* which indicates the actual Wake/Chatham/Harnett corner is approximately 500.72 feet southwest of the corner established in the 1961 Wake County and Chatham County survey; and

WHEREAS, the Wake County and Chatham County boundary is an integral part of locating the Wake County and Harnett County boundary as all three counties share a common corner; and

WHEREAS, Harnett County did not ratify the 1961 Wake County and Chatham County survey and as such, has been using a corner reference that differs from that used by Wake County and Chatham County; and

WHEREAS, Wake County, Chatham County, and Harnett County staff have held joint meetings to develop a strategy for correcting the mutual corner boundary between the three counties and have determined that a boundary correction in the Wake County and Chatham County line is a pre-requisite to locating the Wake County and Harnett County boundary line; and

WHEREAS, the property owners that will be affected by the location of the common corner between Wake County, Chatham County, and Harnett County and resultant modification to the 1961 Wake County and Chatham County boundary line have been notified; and

WHEREAS, the Wake County Board of Commissioners, Chatham County Board of Commissioners and Harnett County Board of Commissioners, with the assistance of the North Carolina Geodetic Survey desire to establish the accurate location of the corner between the three counties and also correct the common boundary line between Wake County and Chatham County; and

WHEREAS, the Wake County Board of Commissioners, Chatham County Board of Commissioners and Harnett County Board of Commissioners hereby request that North Carolina Geodetic Survey prepare an official survey for adoption and ratification by the North Carolina General Assembly during the 2018 short session consistent with the purpose laid out in this Joint Resolution; and

WHEREAS, following the establishment of the mutual corner between the three counties and correction in the boundary line between Wake County and Chatham County, Harnett County and Chatham County will jointly authorize, by separate resolution, North Carolina Geodetic Survey to prepare an official survey for the purpose of locating the official boundary between them in accordance with § 153A-18; and

WHEREAS, following the establishment of the mutual corner between the three counties and correction in the boundary line between Wake County and Chatham County, Wake County and Harnett County will jointly authorize, by separate resolution, North Carolina Geodetic Survey to prepare an official survey for the purpose of locating the official boundary between them in accordance with § 153A-18.

NOW THEREFORE, BE IT RESOLVED BY THE WAKE COUNTY BOARD OF COMMISSIONERS, CHATHAM COUNTY BOARD OF COMMISSIONERS AND THE HARNETT COUNTY BOARD OF COMMISSIONERS that the survey completed by the North Carolina Geodetic Survey attached hereto as *Exhibit A* is hereby adopted for the purpose of establishing the common boundary (corner) between Wake County, Chatham County and Harnett County and for correcting errors in the 1961 Wake County and Chatham County boundary survey.

BE IT FURTHER RESOLVED that staff is directed to pursue joint legislation from the North Carolina General Assembly for ratification of the common boundary (corner) between Wake County, Chatham County and Harnett County and modification of the 1961 boundary line between Wake County and Chatham County in accordance with N.C.G.S. Section 153A-17 with survey assistance from North Carolina Geodetic Survey.

That this JOINT RESOLUTION shall become effective upon its adoption.

WAKE COUNTY

Adopted this ____ day of April 2018.

Jessica N. Holmes, Chair
Board of Commissioners

ATTEST: _____

Denise Hogan
Clerk to the Board

CHATHAM COUNTY

Adopted this ____ day of May 2018.

Diana Hales, Chair
Board of Commissioners

ATTEST: _____

Lindsay Ray
Clerk to the Board

HARNETT COUNTY

Adopted this ____ day of April 2018.

_____, Chair
Board of Commissioners

ATTEST: _____

Clerk to the Board

EXHIBIT A

