

**RESOLUTION OF AMENDMENT AND CONFIRMATION OF REASSESSMENT FOR
BANKS POINTE SUBDIVISION**

WHEREAS, by Resolution adopted by the Wake County Board of Commissioners on March 19, 2018, the assessment associated with subdivision road improvements for Banks Pointe Subdivision was confirmed and a lien was placed on all lots listed on the final assessment roll in accordance with Article 9 of Chapter 153A, Section 205, of the North Carolina General Statutes; and

WHEREAS, following confirmation of assessment, an error was discovered in the project costs resulting in an overassessment on the respective Banks Pointe lots; and

WHEREAS, pursuant to N.C.G.S. 153A-198, a reassessment is necessary to correct the total amount of the assessment and to issue refunds and credits to the Banks Pointe lot owners made subject to this special assessment.

NOW, THEREFORE, BE IT RESOLVED by the Wake County Board of Commissioners:

1. That the Banks Pointe subdivision roads, Phases 1, 2, and 3 (Chelsea Drive, Sorrell Brothers Court, Bankshire Lane, Cotten Road, Banks Stone Drive, Bankscrest Drive, and Bankswood Drive), have been repaired and improved in accordance with the standards of the North Carolina Department of Transportation and have been accepted into the state-maintained highway system.
2. That the Wake County Board of Commissioners (“Board”) makes assessment of 100% of the total cost of the improvements described herein against the lots and parcels abutting the improvements at an equal rate per lot. A table and map depicting all lots and parcels abutting the improvements subject to said assessment is attached hereto as *Exhibit A*.
3. An error was discovered in the original assessment computation of \$863,674.00. The corrected, total assessable cost of the improvements has been computed pursuant to N.C.G.S. 153A-193 and is hereby declared to be \$837,814 (“Total Project Cost/Amount of Reassessment”) inclusive of consulting fees, construction costs, publication and notification costs and other miscellaneous expenses incurred by Wake County. A table depicting the amended Total Project Cost is attached hereto as *Exhibit B*.
4. The Total Project Cost equates to a final assessment of \$9,413.64 (“Amended Assessment”) per lot identified in *Exhibit A*, reflecting a difference of \$290.56 from the original assessment.

5. Upon confirmation of the amended assessment by the Board by this Resolution, the terms and manner of payment of assessments to the Wake County Revenue Department shall remain in full force and effect unless otherwise stated herein.
6. In accordance with N.C.G.S. §153A-199, the amended payment terms, including refund provisions are as follows:
 - a. *Payment in Full*: All accounts for which the lien has been satisfied by payment of the original assessment (\$9,704.20) on or before the date of this Resolution, will receive a refund in the amount of \$290.56. Said refund will be issued to the original payor within thirty (30) days of confirmation of this reassessment.
 - b. *Installment Payments*: For those remaining accounts that are not yet fully satisfied, the total lien amount shall be adjusted in accordance with the corrected assessment of \$9,413.64 by issuance of a credit on each account in the amount of \$290.56 within thirty (30) days of confirmation of this reassessment. Any interest accrued on the original assessment amount will also be corrected and a credit will be issued on each account for any interest overpayment. The installment lot accounts shall continue to pay their assessments in installments which shall not exceed ten (10) annual installments and shall bear interest at the rate of 3.5% per annum on the unpaid balance. All installment payments shall be paid in accordance with the following terms:
 - i. The amended minimum annual installment payment (“Amended Annual Installment”) shall be adjusted to \$941.36 together with accrued interest.
 - ii. Interest will continue to accrue on any unpaid balance of the Amended Assessment established herein at a rate of 3.5% per annum.
 - iii. In the next annual billing cycle, all installment payment accounts will receive a modified billing statement reflecting the Amended Assessment as set forth herein, together with the corrected interest amount that has accrued from the date of initial assessment.
 - iv. Each consecutive amended annual installment payment shall be paid on June 1st of each successive year until the assessment is paid in full. If the minimum annual amended installment amount of \$941.36 plus accrued interest is not paid in full each year on or before the due date set forth herein, the assessment may be declared in default and all of the remaining unpaid installments may be accelerated and become immediately due, with interest.
 - v. Installment payments shall first be applied to accrued interest on the unpaid balance of the assessment.
 - vi. Assessments paid by installments may be paid in full, inclusive of interest, any time before the expiration of the ten (10) year term.

- vii. Interest and all costs borne by the County associated with collection of annual installments shall accrue on all arrearages which shall constitute a lien on the lot or parcel in accordance with law.
7. That the revised reassessment roll (“Reassessment Roll”) attached hereto as *Exhibit A* was filed in the Wake County Clerk’s Office for public inspection and notice was duly mailed to each property owner listed on the roll at least 10 days before the meeting scheduled in this matter in accordance with N.C.G.S. § 153A-194.
8. That a public hearing was held on the 19th day of March, 2018, at 2:00 PM in room 2700 of the Wake County Justice Center located at 301 S. McDowell St., Raleigh, NC for the purpose of hearing all interested persons in respect to the special assessments made by this Resolution.
9. That the reassessment made by this Resolution are hereby confirmed by the Wake County Board of Commissioners pursuant to Article 9, Chapter 153A, Section 195 of the North Carolina General Statutes and the Wake County Clerk is directed to record said confirmation in the minutes of the Board and deliver a copy of the same to the Wake County Revenue Director for collection in accordance with this Resolution.
10. From the time of confirmation, each reassessment is a lien on the lot assessed to the same extent as a lien for county or city property taxes, under the priorities set out in N.C.G.S. § 153A-200 and the County shall have the authority to foreclosure on any unpaid or delinquent assessments in accordance therewith. Notwithstanding the above, for those lots that have paid in full, there will be no new lien placed on their lot.
11. That the Amended Assessment Roll attached hereto as *Exhibit A* and reconfirmed by the Board herein shall replace the original Assessment Roll of March 19, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Wake County Board of Commissioners confirms this reassessment roll in accordance with North Carolina General Statutes Article 9 of Chapter 153A *Special Assessments*.

Adopted this 15th day of October, 2018.

ATTEST:

Denise Hogan, Clerk to the Board

BOARD OF COMMISSIONERS FOR
THE COUNTY OF WAKE

By _____
Jessica N. Holmes, Chair

APPROVED AS TO FORM:

Scott Warren, County Attorney

EXHIBIT A

Owner	Map Number	REID	Site Address	Total Assessment Per Lot
SCOTT, BENITA SCOTT, ERIC P	1	0320524	9052 CHELSEA DR	\$9,413.64
PURDY, THOMAS EDWARD PURDY, JUDITH MARIE	2	0320525	9048 CHELSEA DR	\$9,413.64
TRAN, JASON	3	0320526	9044 CHELSEA DR	\$9,413.64
ALDRED, DODD T ALDRED, SUZANNE M	4	0320527	9040 CHELSEA DR	\$9,413.64
HENDRIKS, CORNELIS HENDRIKS, ELIZABETH	5	0320528	9036 CHELSEA DR	\$9,413.64
BHAR, HARDEEP PAUL BHAR, ELIZABETH MATTA	6	0320529	9032 CHELSEA DR	\$9,413.64
SMITH, DAVID NEAL SMITH, SALLIE EDWARDS	7	0320530	4010 BANKSHIRE LN	\$9,413.64
MCMAHILL, RICKY C MCMAHILL, GWENDOLYN C	8	0320531	4008 BANKSHIRE LN	\$9,413.64
WILLIAMS, LINDSEY R SHIVER, BRADLEY S	9	0320532	4004 BANKSHIRE LN	\$9,413.64
ODONNELL, DANA R ODONNELL, JOHN J	10	0320533	4000 BANKSHIRE LN	\$9,413.64
ROBINSON, LORI BAKER ROBINSON, ROBERT JAMES	11	0320534	9008 CHELSEA DR	\$9,413.64
HICKS, FRANKLIN C JR HICKS, KIMBERLY L	12	0320535	9004 CHELSEA DR	\$9,413.64
WARWICK, RACHEL WARWICK, DUNCAN A JR	13	0320536	9000 CHELSEA DR	\$9,413.64
TYRRELL, MATTHEW S TYRRELL, CYNTHIA	14	0320537	9001 CHELSEA DR	\$9,413.64
GONYEAU, SHAWN T GONYEAU, STACEY K	15	0320538	9005 CHELSEA DR	\$9,413.64
WOOD, HAROLD T III WOOD, ALLISON C	16	0320539	9013 CHELSEA DR	\$9,413.64
HUNT, STEVE D CAMPBELL, REBECCA I	17	0320540	9017 CHELSEA DR	\$9,413.64
SNYDER, PAUL D	18	0320541	4001 SORRELL BROTHERS CT	\$9,413.64
SZABADOS, ILOKKA M	19	0320542	4005 SORRELL BROTHERS CT	\$9,413.64
CENTRAL NORTH CAROLINA CONF OF THE AFRICAN METHODIST	20	0320543	4012 SORRELL BROTHERS CT	\$9,413.64
BRIGHT, WILBUR LEE BRIGHT, LINDA TEMPLE	21	0320544	4008 SORRELL BROTHERS CT	\$9,413.64
DAVIS, ANNE E	22	0320545	4004 SORRELL BROTHERS CT	\$9,413.64
HAYES, TAMMY JENSEN HAYES, JEFFREY SCOTT	23	0320546	4000 SORRELL BROTHERS CT	\$9,413.64
MONTAGUE, SEAN MONTAGUE, VALERIE	24	0320547	9037 CHELSEA DR	\$9,413.64
GOUVEIA, MICHAEL GOUVEIA, SOFIYA	25	0320548	9041 CHELSEA DR	\$9,413.64
WEBB, JUSTIN ELLIS WEBB, DANA PACKARD	26	0320549	9045 CHELSEA DR	\$9,413.64
BELL, WILLIAM D BELL, RACHEL D	27	0320550	9049 CHELSEA DR	\$9,413.64
CLARK, KEVIN A	28	0332171	9024 CHELSEA DR	\$9,413.64
LUBAK, MICHAEL A LUBAK, LAURA L	29	0332172	9020 CHELSEA DR	\$9,413.64
MANZARO, SCOTT MANZARO, STEPHANIE D	30	0332173	9016 CHELSEA DR	\$9,413.64
HORTON, ANGELA H	31	0332174	4001 BANKSHIRE LN	\$9,413.64
PARAMOUNT HOMES INCORPORATED	32	0332175	3405 COTTEN RD	\$9,413.64
ESBENSHADE, CAROLYN	33	0332176	4005 BANKSHIRE LN	\$9,413.64
MADUKA, CHIDI U CHIMA, CHINYERE B	34	0332177	4013 BANKSHIRE LN	\$9,413.64
MCCULLERS, BRYAN K MCCULLERS, MICHELLE H	35	0334564	4201 BANKS STONE DR	\$9,413.64
SIMPSON, JOHN J LANSFORD, LAURA L	36	0334565	4153 BANKS STONE DR	\$9,413.64
BAUMGARDNER, ALLEN GLEN BAUMGARDNER, SARAH W	37	0334566	4149 BANKS STONE DR	\$9,413.64
BENT, MICHAEL BENT, SHEILA S	38	0334567	4145 BANKS STONE DR	\$9,413.64
KRAUSE, MITCHEL C KRAUSE, JESSICA A	39	0334568	4141 BANKS STONE DR	\$9,413.64
HOYT, STUART T HOYT, MELANIE S	40	0334571	4129 BANKS STONE DR	\$9,413.64

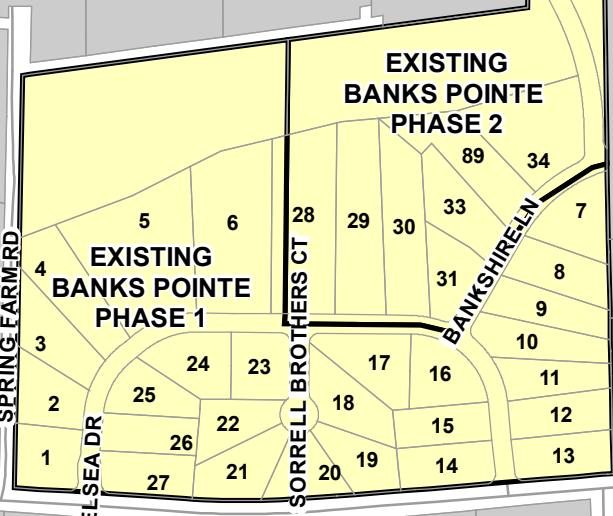
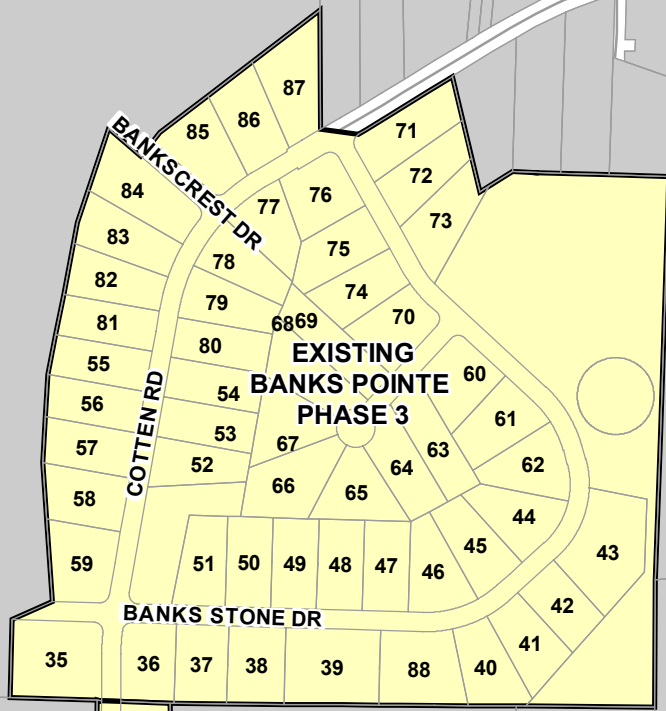
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CURRY, LYNNEL J SANDS CURRY, MICHAEL LEE JR	41	0334572	4125 BANKS STONE DR	\$9,413.64
MILLER, FREDERICK JOHN MILLER, ROSS NICHOLSON	42	0334573	4121 BANKS STONE DR	\$9,413.64
DEATON, JOSEPH D JR DEATON, TONIA D	43	0334574	4117 BANKS STONE DR	\$9,413.64
ARREDONDO, HUGO J ARREDONDO, MARIA	44	0334575	4120 BANKS STONE DR	\$9,413.64
KURTZ, DAVID KURTZ, CAROL	45	0334576	4124 BANKS STONE DR	\$9,413.64
COBB, DICKSON W COBB, CAROLYN	46	0334577	4132 BANKS STONE DR	\$9,413.64
MURRAY, BRIAN A	47	0334578	4136 BANKS STONE DR	\$9,413.64
GREEN, JESSICA	48	0334579	4140 BANKS STONE DR	\$9,413.64
AZMY, YOUSRY Y MESSIHA, INAS	49	0334580	4144 BANKS STONE DR	\$9,413.64
BROWN, QUEEN M BROWN, RONALD H	50	0334581	4148 BANKS STONE DR	\$9,413.64
WHEELER, FRANK WHEELER, LISA	51	0334582	4152 BANKS STONE DR	\$9,413.64
COPIO, JAMES M COPIO, DIANE M	52	0334584	3325 COTTEN RD	\$9,413.64
PRATHER, LISA PRATHER, MICHAEL	53	0334585	3321 COTTEN RD	\$9,413.64
BARKER, BRETT S BARKER, STELLA S	54	0334586	3317 COTTEN RD	\$9,413.64
FEORE, JOHN J FEORE, JOANNE	55	0334587	3316 COTTEN RD	\$9,413.64
MILHAM, RICHARD J MILHAM, LAURIE A	56	0334588	3320 COTTEN RD	\$9,413.64
CASTELLUCCI, IRMA CASTELLUCCI, VICTOR	57	0334589	3324 COTTEN RD	\$9,413.64
BUTKOVICH, THOMAS TRUSTEE THOMAS BUTKOVICH LIVING TRUST	58	0334590	3328 COTTEN RD	\$9,413.64
SMOOT, RICHARD D JR DUNN-SMOOT, DEBORAH J	59	0334591	4200 BANKS STONE DR	\$9,413.64
LINDSAY, CHARLES LINDSAY, SARA	60	0334595	4100 BANKS STONE DR	\$9,413.64
FRANZAK, MICHAEL V ENGLISH-FRANZAK, MARGARET KATHERINE	61	0334596	4104 BANKS STONE DR	\$9,413.64
DARGAN, KEYANTA G DARGAN, BRYANT K	62	0334597	4108 BANKS STONE DR	\$9,413.64
GUO, ZHONG CHEN, XIAOJUAN	63	0334598	3205 BANKSWOOD DR	\$9,413.64
FIORI, MICHAEL T FIORI, KIMBERLY A	64	0334599	3209 BANKSWOOD DR	\$9,413.64
PATEL, SUNIL BATTS, JENNIFER	65	0334600	3213 BANKSWOOD DR	\$9,413.64
MILLER, JONATHAN MILLER, MEGAN E	66	0334601	3217 BANKSWOOD DR	\$9,413.64
GRABOWSKI, MATTHEW	67	0334602	3216 BANKSWOOD DR	\$9,413.64
MERCADANTE, MICHAEL MERCADANTE, DENISE	68	0334603	3212 BANKSWOOD DR	\$9,413.64
QUINLAN, MARK QUINLAN, ELIZABETH	69	0334604	3208 BANKSWOOD DR	\$9,413.64
MOSDEN, RICHARD PAUL MOSDEN, PATRICIA W	70	0334605	4016 BANKS STONE DR	\$9,413.64
MORGAN, MITCHELL LEE MORGAN, DEBRA LYNN	71	0334606	4001 BANKS STONE DR	\$9,413.64
HHHUNT HOMES RALEIGH-DURHAM LLC	72	0334607	4005 BANKS STONE DR	\$9,413.64
AQUINO, JENNIFER R	73	0334608	4009 BANKS STONE DR	\$9,413.64
GAY, CLARA E	74	0334609	4012 BANKS STONE DR	\$9,413.64
BURNETTE, CHRISTOPHER JUDSON BURNETTE, MINDY THORNTON	75	0334610	4008 BANKS STONE DR	\$9,413.64
REINHART, CHRISTOPHER THOMAS REINHART, WENDY RENEE	76	0334611	4000 BANKS STONE DR	\$9,413.64
HHHUNT HOMES RALEIGH-DURHAM LLC	77	0334612	3209 COTTEN RD	\$9,413.64
HHHUNT HOMES RALEIGH-DURHAM, LLC	78	0334613	3301 COTTEN RD	\$9,413.64
MONTERO, GERARDO MONTERO, MARIELA	79	0334614	3305 COTTEN RD	\$9,413.64
COX, JASON DEAN MOYNIHAN, SUSAN KELLY	80	0334615	3313 COTTEN RD	\$9,413.64

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VESS, FRANCES D	81	0334616	3312 COTTEN RD	\$9,413.64
MOORE, MICHAEL R MOORE, VIOLA V	82	0334617	3308 COTTEN RD	\$9,413.64
KATZ, KENNETH KATZ, JANINE	83	0334618	3304 COTTEN RD	\$9,413.64
BENNETT, BENJAMIN L BENNETT, SHAVONTE A	84	0334619	4101 BANKSCREST DR	\$9,413.64
ASHER, ANDREW W ASHER, JENNIFER D	85	0334620	4100 BANKSCREST DR	\$9,413.64
LEE, DANIEL E LEE, KRISTINA L	86	0334621	3208 COTTEN RD	\$9,413.64
SESSOMS, CHRISTOPHER JAMES SESSOMS, KATI LYNN	87	0334622	3204 COTTEN RD	\$9,413.64
CASERTA, ANTHONY CASERTA, LISA A	88	0355120	4133 BANKS STONE DR	\$9,413.64
WILKINS, JENNIFER E WILKINS, JAMES R	89	0413353	4009 BANKSHIRE LN	\$9,413.64

**Banks Pointe SubDivision
Exhibit A**



Information depicted hereon is for reference purposes only and is derived from best available sources. Wake County assumes no responsibility for errors arising from issue of this map.

EXHIBIT B

BANKS POINTE SUBDIVISION SUMMARY OF ACTUAL PROJECT COST

Professional Services	Cost	Total
The Wooten Company - Prelim Study/Design/Admin.	117,300	
Kleinfleder - Construction Materials Testing Services	2,634	
Subtotal - Professional Services		\$ 119,934
Construction		
Narron Construction Inc.	714,914	
Subtotal - Construction		\$ 714,914
Miscellaneous		
Legal Advertisements/Mailings	2,966	
Subtotal - Miscellaneous		\$ 2,966
TOTAL PROJECT COST / PROPERTY ASSESSMENT		\$ 837,814