

**Item Title:** Resolution Declaring Costs and Preliminary Assessment Roll and Confirmation of Assessments for Crooked Creek Subdivision Road Improvements

**Specific Action Requested:**

**That the Board of Commissioners Confirms the Resolution Declaring Cost and Preliminary Assessment Roll and Confirmation of Assessments for Crooked Creek Subdivision Road Improvements for Acceptance into the NC Department of Transportation Maintained Highway System.**

**Item Summary:**

**Purpose:** State law requires the Board of Commissioners hold a public hearing and confirm the assessment roll for this project.

**Background:** On January 6, 2020, the Wake County Board of Commissioners accepted a petition from property owners in the Crooked Creek subdivision requesting financial assistance from the County to improve their subdivision roads for acceptance into the NC Department of Transportation maintained highway system. The petition met the minimum 75% petition requirement per N.C.G.S.153A-205, which equated to 31 of the 40 lot owners agreeing to the special assessment. The Board agreed with the request and adopted a Final Assessment Resolution to provide the County financing.

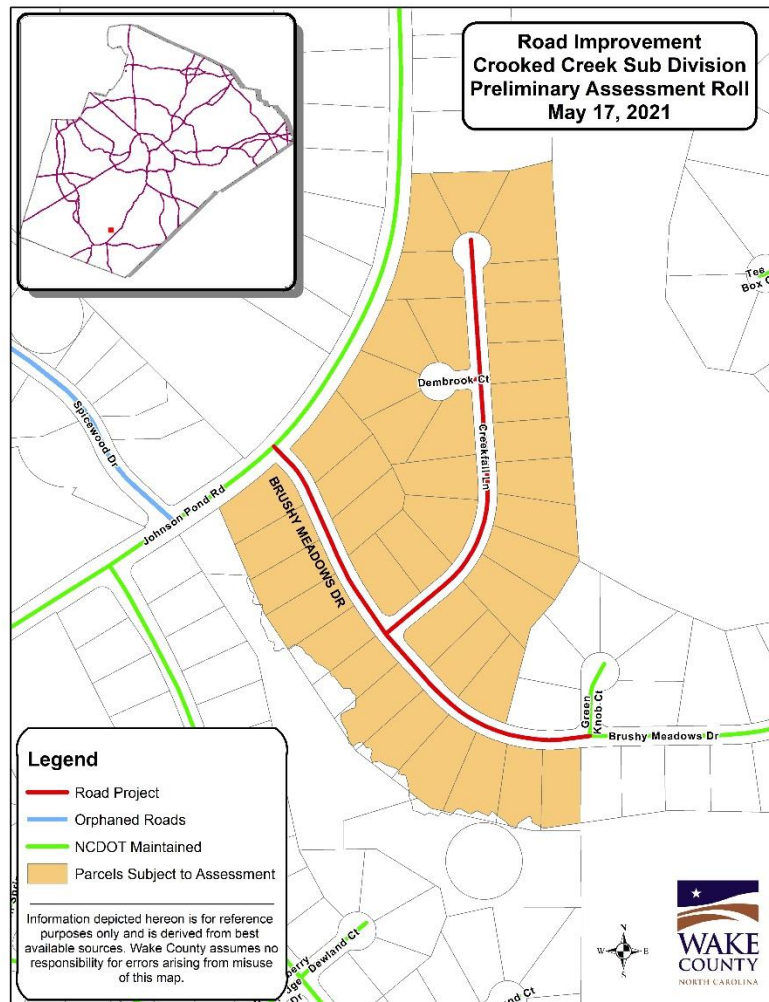
The project is now complete, and the roads have been accepted by the North Carolina Department of Transportation. Pursuant to state law, the Board is now required to conduct a public hearing to consider a resolution confirming the project costs and the assessment roll so that collection on the property owner assessments may begin.

**Board Goals:** The Crooked Creek Subdivision Road Project supports Growth and Sustainability Goal 1: Preserve and enhance the County residents' quality of life through coordinated land use and transportation planning.

**Fiscal Impact:** This action will recover costs associated with the Crooked Creek Subdivision Road Project.

**Additional Information:**

This project is in southern Wake County just south of Hilltop Needmore Road and east of Johnson Pond Road.



Since the Board approved the project in 2020, County staff has administered the improvements to the Crooked Creek subdivision roads in accordance with the County's standard procedures for implementing capital projects. This included the preparation of engineering drawings, public bids, construction oversight, and project close-out. This effort also included close coordination with the NC Department of Transportation (NCDOT) as all improvements needed to satisfy NCDOT roadway standards for acceptance in the state-maintained highway system.

On April 8, 2021, the North Carolina Board of Transportation officially accepted the Crooked Creek Subdivision roads into the state-maintained highway system.

The total project cost, inclusive of engineering fees and construction, was estimated at \$211,300. The project is now complete, and the final cost is \$178,966. The County will collect the cost of this project through a special assessment on properties benefiting from the improvements in accordance with the terms and conditions of the attached Resolution Declaring Cost and Preliminary Assessment Roll and Confirmation of Assessments. The key terms and conditions are as follows:

- The assessment will include 100% of the total cost of the road improvements against the lots and parcels of land abutting the improvements at an equal rate per lot. This equates to \$4,474.16 per lot.
- Property owners may choose to pay the assessment in full, without any finance charge, before July 31, 2021. Or, property owners may choose to finance the assessment in no more than three (3) annual installments which shall bear interest at a rate of 3.5% per annum on the unpaid balance.
- The first installment with interest is due on August 1, 2021 and one installment is due with interest on the same date in each successive year until paid in full. The minimum annual installment payment shall be \$1,491 together with interest.
- If an installment is not paid on or before the due date, all the installments unpaid and not yet accrued may be accelerated.
- Assessments paid by installments may be paid in full, inclusive of interest and without penalty, any time before the expiration of the three (3) year term.
- Any unpaid or delinquent assessment shall constitute a lien on the lot or parcel and the County shall have the authority to foreclose pursuant to N.C.G.S. 153A-200.
- If a property owner has a financial hardship, they may request a modified payment arrangement in accordance with Wake County Water, Sewer, and Road Financial Policy.

Pursuant to N.C.G.S 153A-194, each property owner was notified by mail of today's public hearing and the Preliminary Assessment Roll has been filed with the Clerks' office for public inspection.

Should the Board of Commissioners adopt and confirm the assessment roll, the Wake County Tax Administrator shall publish notice, no earlier than twenty (20) days from June 7, 2021, that the assessment roll has been confirmed and that assessments may be paid in accordance with the stated terms and conditions. Property owners will also be mailed a letter describing payment methods and how to request a modified payment arrangement if needed.

**Attachments:**

1. Presentation
2. Resolution Declaring Cost and Preliminary Assessment Roll and Confirmation of Assessments
3. Final Assessment Resolution January 6, 2020