



120 Kinderton Boulevard, Suite 100 • Bermuda Run, NC 27006
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September 14, 2011

Mr. Richard Heriot
118 Lakepoint Drive
Advance, NC 27006

Re: Kinderton Village Area Annexation

Dear Mr. Heriot:

At its September 13, 2011 meeting, the Bermuda Run Town Council unanimously approved the attached Resolution that clarifies the language of the Area Annexation Report. Specifically, the Council unanimously approved in the Resolution that solid waste would be included as a Town service to the residents of multi-family units in Kinderton Village residential. The Council further clarified and confirmed its commitment to take ownership and maintenance of the streets of Kinderton Village residential into the Town street system.

I do trust that this Resolution will provide further validation of the Town's commitment to the betterment of the community at large and offering the same level of service as the existing residents of Bermuda Run currently enjoy.

Sincerely yours,

H. Lee Rollins
Town Manager

TOWN OF BERMUDA RUN

RESOLUTION NUMBER: 2011-06

A RESOLUTION REGARDING THE FUTURE EXTENSION OF SERVICES TO THE KINDERTON VILLAGE ANNEXATION AREA.

WHEREAS,

On March 8, 2011, the Town Council of the Town of Bermuda Run adopted the Kinderton Village Area Annexation Report, which described the plans for the extension of services to the Kinderton Village residential area, which area was under consideration for annexation by the Town of Bermuda Run, and;

WHEREAS,

pursuant to G.S. 160A-35, the adoption of such a report is required prior to the adoption of an annexation ordinance, and;

WHEREAS,

pursuant to G.S. 160A-37, certain required procedures regarding annexation are statutorily established, including but not limited to the holding of a public hearing prior to the adoption of an annexation ordinance, and;

WHEREAS,

the Town Council of the Town of Bermuda Run followed all statutorily required procedures prior to adopting the annexation ordinance for the Kinderton Village residential area, which annexation ordinance is contingent upon receiving the consent of a majority of the residents of Kinderton Village residential area, and;

WHEREAS,

a question has arisen among the residents of Kinderton Village as to the provision of garbage services by the Town of Bermuda Run to the multi-family residential units situated in the Kinderton Village residential area, and;

WHEREAS,

a question has arisen among the residents of Kinderton Village as to whether or not the Town of Bermuda Run will accept the streets located in the Kinderton Village residential area into the Town's street system, and;

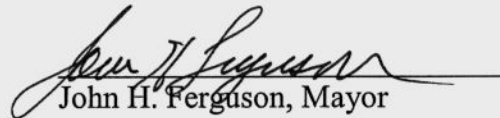
WHEREAS,

the Town Council of the Town of Bermuda Run desires to clarify the Town Council's position on these questions;


NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Bermuda Run, North Carolina:

1. That the Town Council hereby states that the Town's planned extension of services to the Kinderton Village residential area includes the provision of garbage pick-up for multi-family residential dwellings in the same manner that garbage pick-up is provided to other residential areas located in the Town of Bermuda Run, and;
2. That the Town Council hereby states that the Town's planned extension of services to the Kinderton Village residential area also includes the acceptance of the streets located in the Kinderton Village residential area, upon (i) the dedication of the streets located in the Kinderton Village residential area by those persons, associations or entities who possess the due authority to offer the streets for public dedication, and (ii) upon obtaining the necessary consent of the residents of the Kinderton Village residential area upon which the annexation of the area proposed in the annexation is contingent.
3. That the Town Council hereby states that the provision of the garbage services discussed herein and the acceptance of the streets discussed herein, as well as any other services set forth in the Kinderton Village Annexation report is contingent upon obtaining the consent of a majority of the residents of the Kinderton Village to the annexation of the area.

Adopted this 13th day of September, 2011.


John H. Ferguson, Mayor

Attest:


H. Lee Rollins, Town Clerk