

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 968

Short Title: Annexation Reimbursement.

(Public)

Sponsors: Representatives Nye; and McComas.

Referred to: State Government.

April 12, 1995

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT MUNICIPALITIES MAKING ANNEXATIONS MUST REIMBURSE PROPERTY OWNERS FOR IMPROVEMENTS THE PROPERTY OWNER HAS ALREADY MADE THAT WOULD OTHERWISE BE THE RESPONSIBILITY OF THE MUNICIPALITY UPON ANNEXATION.

The General Assembly of North Carolina enacts:

Section 1. Part 2 of Article 4A of Chapter 160A of the General Statutes is amended by adding a new section to read:

"§ 160A-37.4. Reimbursement for prior improvements.

If improvements had been made to any property being annexed prior to the adoption of the resolution of intent, and the city would have been required by this Part to make such improvements at the expense of the city, then the city shall proceed to value those improvements. If the property owner disputes such valuation, then the property owner and the city shall each appoint one person to establish the value, and those two persons shall appoint a third person. The value then established shall be the value for the purpose of this section.

The city shall credit against any ad valorem taxes owed on the property for the next five years the amount of the established value. If at the end of five years, the credit had not been exhausted, the city shall pay the remainder to the property owner on December 31 of that year."

1 Sec. 2. Part 3 of Article 4A of Chapter 160A of the General Statutes is
2 amended by adding a new section to read:

3 **"§ 160A-49.4. Reimbursement for prior improvements.**

4 If improvements had been made to any property being annexed prior to the adoption
5 of the resolution of intent, and the city would have been required by this Part to make
6 such improvements at the expense of the city, then the city shall proceed to value those
7 improvements. If the property owner disputes such valuation, then the property owner
8 and the city shall each appoint one person to establish the value, and those two persons
9 shall appoint a third person. The value then established shall be the value for the purpose
10 of this section.

11 The city shall credit against any ad valorem taxes owed on the property for the next
12 five years the amount of the established value. If at the end of five years, the credit had
13 not been exhausted, the city shall pay the remainder to the property owner on December
14 31 of that year."

15 Sec. 3. This act is effective upon ratification.