

ORDINANCE OF THE CHATHAM COUNTY
BOARD OF COMMISSIONERS APPROVING
A TRI-PARTY ANNEXATION AGREEMENT
WITH THE TOWNS OF APEX AND CARY

WHEREAS, Chatham County entered into an agreement dated the 1st day of April, 2011 with the Towns of Apex, Cary, and Morrisville (the "Agreement") the terms of which are hereby ratified; and

WHEREAS, the Agreement granted the Towns of Apex, Cary, and Morrisville (collectively the "Western Wake Partners"), the right to acquire property in Chatham County for the public purpose of constructing an underground pipe to convey treated wastewater to the Cape Fear River as authorized by State and Federal permits; and

WHEREAS, one of the conditions of the consent granted to the Western Wake Partners was that the Towns of Apex and Cary would enter into a tri-party annexation agreement (the "Tri-Party Annexation Agreement") with Chatham County agreeing that Apex and Cary would not make involuntary annexations in Chatham County for a period of twenty (20) years without the consent of the Chatham County Board of Commissioners; and

WHEREAS, a public hearing on the Tri-Party Annexation Agreement, noticed as required by law, has been held by the Chatham County Board of Commissioners; and

WHEREAS, the Chatham County Board of Commissioners has determined that it is in the best interest of Chatham County to approve the Tri-Party Agreement by ordinance;

NOW, THEREFORE, be it ordained by the Board of Commissioners of Chatham County:

1. The Tri-Party Agreement attached hereto as Appendix 1 is hereby approved and the Chairman of the Board of Commissioners is authorized to execute said Agreement on behalf of Chatham County.
2. This Ordinance is effective on the day of adoption.

Adopted: _____

Brian Bock, Chairman
Chatham County Board of Commissioners

Sandra B. Sublett
Chatham County Clerk