

NORTH CAROLINA

COUNTY OF GUILFORD

**GREENSBORO-KERNERSVILLE ANNEXATION AGREEMENT**

**THIS AGREEMENT**, made and entered into this the 7<sup>th</sup> day of October, 2008, by and between the City of Greensboro and the Town of Kernersville.

**WHEREAS**, the City of Greensboro and the Town of Kernersville, both being duly incorporated municipalities under the laws of the State of North Carolina and situate, wholly or partially within, Guilford County, North Carolina, desire to enhance Planning by the two municipalities for the municipalities themselves and the residents and property owners in unincorporated areas adjacent to the two municipalities; and

**WHEREAS**, Chapter 1009 of the 1987 Session Laws of the North Carolina General Assembly (hereinafter referred to as the "Act") authorizes municipalities located wholly or partially within Guilford County to enter into agreements designating areas that are subject to, and excluded from, annexation by the participating municipalities.

**NOW, THEREFORE, THE TWO MUNICIPALITIES AGREE AS FOLLOWS:**

1. This Agreement is executed pursuant to the authority of Chapter 1009 of the 1987 Session Laws of the North Carolina General Assembly.
2. The effective date of this Agreement is the 7<sup>th</sup> day of October, 2008.
3. This Agreement shall terminate thirty (30) years after its effective date.
4. Attached hereto, and incorporated by reference, is a written description and map marked Exhibit A, Pages 1 and 2, that accurately describes a generally north/south line of demarcation established by the two municipalities upon which this Agreement is founded. Subject to the terms of this Agreement and any



subsequent Addendum, no portion of the area west of the said line described in Exhibit A shall be annexed by the City of Greensboro during the term of this Agreement. Subject to the terms of this Agreement and any subsequent Addendum, no portion of the area east of the said line described in Exhibit A shall be annexed by the Town of Kernersville during the term of this Agreement.

5. At least thirty (30) days before the adoption of any Annexation Ordinance by either party of an area located within Guilford County, the party that is considering such annexation within Guilford County shall give written or electronic notice, to the other party of the proposed annexation. The Town of Kernersville and the City of Greensboro hereby authorize the use of whichever of these two forms of notice the municipality sending the notice may prefer. Notice(s) pursuant to this Paragraph shall be forwarded to that individual(s) that each municipality shall, from time to time, advise the other to be the proper recipient; provided, however, in all such case(s) a copy of the Notice shall be sent to the municipality's current Planning/Community Development Director. Such notice shall clearly and accurately describe and illustrate the area proposed to be annexed. Further, a legible map, clearly and accurately showing the boundaries of the area proposed to be annexed in relation to the boundary line established in this Agreement shall show that no such area proposed for annexation will include any area the annexing party has agreed not to annex pursuant to this Agreement. Roads, streams and other prominent geographical features deemed necessary to properly illustrate the proposed annexation may also be described and/or illustrated. Such notice shall not be effective for more than one hundred eighty (180) days.
6. Pursuant to Chapter 1009 of the 1987 Session Laws of the North Carolina General Assembly, the Town of Kernersville after thirty (30) days Public Notice held a public Hearing on October 7, 2008, and the City of Greensboro after thirty (30) days Public Notice held a public Hearing on September 2, 2008. Upon the conclusion of said Public Hearings, the governing bodies of both municipalities, parties to this Agreement, adopted Resolutions approving the execution of this Agreement.
7. From and after the effective date of this Agreement, neither the governing body of the Town of Kernersville nor of the City of Greensboro may formally consider the annexation of any area in violation of the Act, or this Agreement. From and after the effective date of the Agreement, for the term thereof, neither municipality may annex all or any portion of any area in violation of the Act or this Agreement.
8. Nothing in Chapter 1099 of the Session Laws of the North Carolina General Assembly, nor this Agreement, shall be construed to authorize the annexation of any area which is not otherwise subject to annexation under the applicable law, except that G.S. 160A-58.1(b)(2) shall not apply.



9. Either party to this Agreement that believes a violation of the Act or this Agreement has occurred, shall have available to it all remedies and relief authorized by the Act in addition to such remedies or relief as are authorized by other applicable law.
10. This Agreement may not be amended or terminated except upon written Agreement of both municipalities, approved by Resolution of the governing bodies, executed by the mayors of the municipalities, and spread upon the respective minutes of each.
11. Except for Notices given pursuant to Paragraph 5 herein, any and all Notices given by either party pursuant to this Agreement shall be given in the following manner:

*To City of Greensboro:* Mayor (*Yvonne J. Johnson at execution of Agreement*)  
City of Greensboro  
P. O. Box 3136  
Greensboro, NC 27402-3136  
Email: Yvonne.johnson@greensboro-nc.gov

*Copy to:* City Manager (*Mitchell Johnson at execution of Agreement*)  
City of Greensboro  
P. O. Box 3136  
Greensboro, NC 27402-3136  
Email: mitch.johnson@greensboro-nc.gov

*Copy to:* City Attorney (*Arnold T. "Terry" Wood at execution of Agreement*)  
City of Greensboro  
P. O. Box 3136  
Greensboro, NC 27402-3136  
Email: terry.wood@greensboro-nc.gov

*To Town of Kernersville:* Mayor (*Dawn H. Morgan, at execution of Agreement*)  
Town of Kernersville  
134 East Mountain Street  
P. O. Box 728 (27285)  
Kernersville, NC 27284  
Email: dmorgan2@triad.rr.com

*Copy to:* Town Manager (*Curtis Swisher, at execution of Agreement*)  
Town of Kernersville  
134 East Mountain Street  
P. O. Box 728 (27285)  
Kernersville, NC 27284  
Email: cswisher@toknc.com



Copy to: Town Attorney (*John G. Wolfe, III, at execution of Agreement*)  
John G. Wolfe, III & Associates, P.L.L.C.  
101 South Main Street  
Kernersville, NC 27284  
Email: jgwolfe@jgwolfelaw.com

- 12. Subject to Kernersville's obligations under contracts for water and sewer services by other governmental entities including, but not limited to, the Winston-Salem/Forsyth County Utility Commission, the parties agree to cooperate with one another to the best of their abilities in providing water and sewer services to properties on both sides of the agreement line. Each municipality may permit properties on its side of the annexation agreement line to receive water and/or sewer service from the other municipality.

**IN WITNESS WHEREOF**, the Town of Kernersville and the City of Greensboro have each caused this Agreement to be duly executed by its Mayor and attested to by its Clerk on the day and year first above written. This Agreement is executed in duplicate, one copy to be retained by each Municipality. The parties shall cause a copy of this Agreement to be recorded in the Office of the Register of Deeds of Guilford County, North Carolina.

**CITY OF GREENSBORO**

By: *Yvonne J. Johnson*  
Mayor

Attest:

*Diana Scriber*  
City Clerk/Asst.

Approved as to Form:

*Arnold T. Wood*  
Arnold T. Wood, City Attorney

**TOWN OF KERNERSVILLE**

By: *Dawn H. Morgan*  
Dawn H. Morgan, Mayor

Attest:

*Jayne Danner*  
Jayne Danner, Deputy Town Clerk

Approved as to Form:

*John G. Wolfe, III*  
John G. Wolfe, III, Town Attorney







EXHIBIT A, Page 1

GREENSBORO-KERNERSVILLE  
ANNEXATION AGREEMENT LINE

Beginning at the present southern town limits of the Town of Oak Ridge at a point on the western right-of-way line of North Bunker Hill Road; thence in a southerly direction with the western right-of-way line of North Bunker Hill Road to its intersection with the northern right-of-way line of West Market Street; thence in a southerly direction, crossing West Market Street, to the intersection of its southern right-of-way line and the western right-of-way line of South Bunker Hill Road; thence in an easterly direction with the southern right-of-way line of West Market Street to its intersection with the eastern right-of-way line of South Bunker Hill Road; thence in a southerly direction with the eastern right-of-way line of South Bunker Hill Road to the Guilford-Forsyth County line.



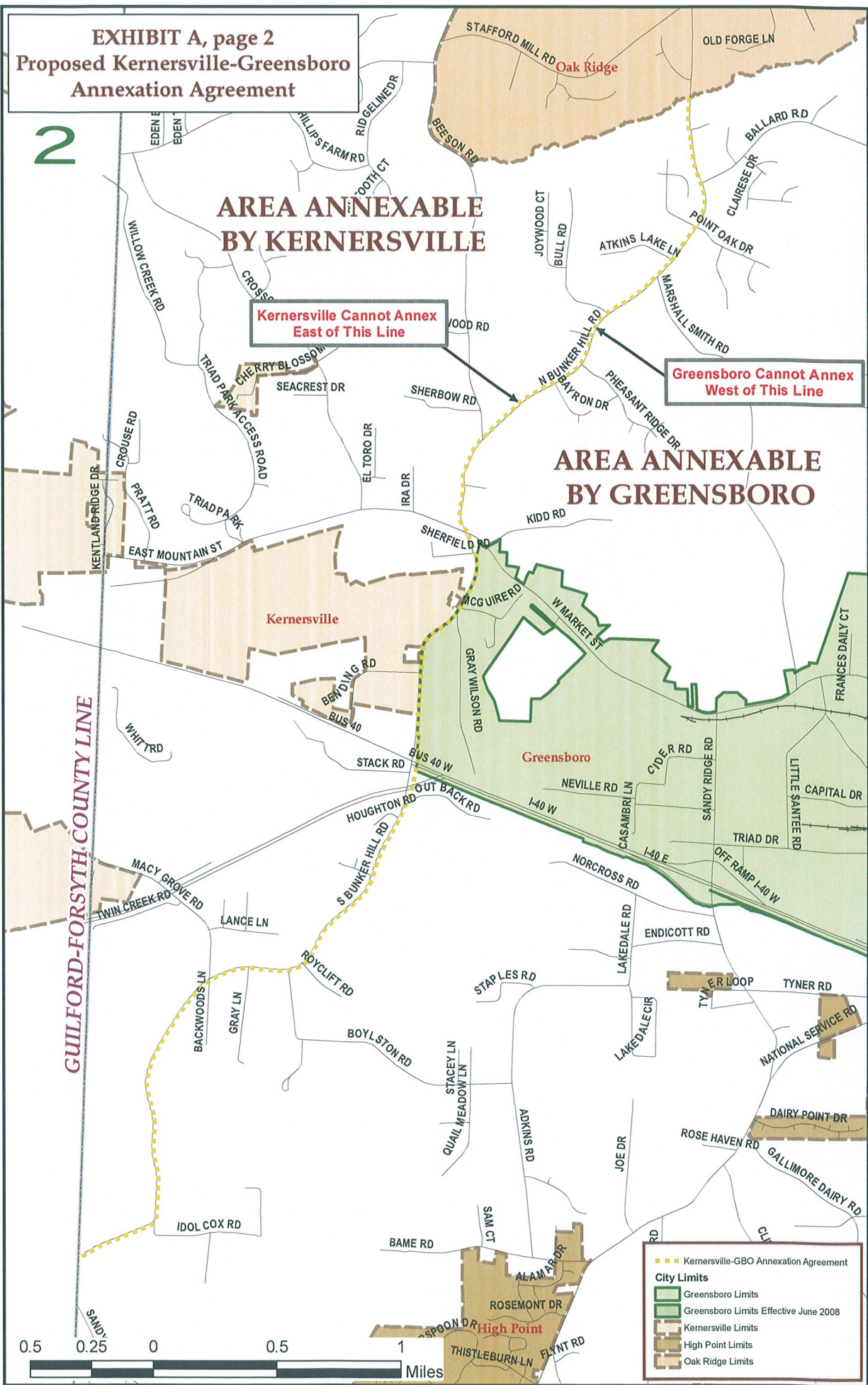
2

**AREA ANNEXABLE  
 BY KERNERSVILLE**

**Kernersville Cannot Annex  
 East of This Line**

**Greensboro Cannot Annex  
 West of This Line**

**AREA ANNEXABLE  
 BY GREENSBORO**



--- Kernersville-GBO Annexation Agreement

**City Limits**

- Greensboro Limits
- Greensboro Limits Effective June 2008
- Kernersville Limits
- High Point Limits
- Oak Ridge Limits

