

**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: March 7, 2023**

**Action Agenda
Item No. 8-l**

SUBJECT: Signature Authorization for Greene Tract Deeds Property Transfer

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Draft Deeds
2. Recombination Plat
3. 2021 Greene Tract Resolution

INFORMATION CONTACT:

Cy Stober, Planning Director, 919-245-2575
Ashley Moncado, Planner III, 919-245-2589

PURPOSE: To authorize the Chair to sign the Greene Tract deeds to allow for the transfer of property with the Town of Chapel Hill and the Town of Carrboro.

BACKGROUND: The Greene Tract is a 167 acre parcel of which 107 acres is jointly owned by Orange County/Chapel Hill/Carrboro and 60 acres is owned by Orange County (Headwaters Preserve). The parcel is located east of the Rogers Road community within the Town of Chapel Hill's ETJ (Extra-Territorial Jurisdiction).

On November 16, 2021, the BOCC adopted the Greene Tract Resolution Approving the Draft Recombination Plat and Conceptual Plan. The resolution authorized the Managers to sign the final recombination plat as the property owners for the three local governments. The recombination plat has been completed and signed by the Managers.

During the recording process, it was brought to staff's attention that new property deeds would need to be drafted and signed by the three local governments. The new deeds would need to address the transfer of acreage for the two Greene Tract parcels from Joint Owned to County Owned and County Owned to Joint Owned. Draft property deeds are provided at Attachment 1. The draft deeds reflect modifications to the 60 acres (County Owned) parcel and 107 acre (Joint Owned) parcel as contained in the 2021 Greene Tract Resolution and recombination plat (Attachment 2).

The draft deeds have been reviewed by the Orange County Attorney's Office. In addition, legal staff from the Town of Carrboro and the Town of Chapel Hill have reviewed the draft deeds.

Once completed and signed, the recombination plat and deeds may be recorded at the Orange County Register of Deeds office.

FINANCIAL IMPACT: There is no direct financial impact associated with this item.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact applicable to this item:

RECOMMENDATION(S): The Manager recommends the Board:

1. Review the draft deeds; and
2. Authorize the Chair to sign the final deeds, together with any required supporting documentation, for recordation.

**NORTH CAROLINA
SPECIAL WARRANTY DEED**

Excise Tax: **\$EXEMPT**

Parcel Identifier No.

Mail after recording to: Beemer, Hadler & Willett, P.A.

This instrument was prepared by: Wayne R. Hadler, Esq. (WITHOUT TITLE EXAMINATION)

THIS DEED made this ____ day of March, 2023 by and between

GRANTOR

THE COUNTY OF ORANGE, a body politic and corporate,
a political subdivision of the State of North Carolina

GRANTEE

TOWN OF CARRBORO, a North Carolina municipal corporation, TOWN OF CHAPEL HILL,
a North Carolina municipal corporation and THE COUNTY OF ORANGE, North Carolina
P.O. Box 8181
Hillsborough, NC 27278

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors,
and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of
which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the

Grantee in fee simple, all that certain lot or parcel of land situated in Orange County, North Carolina, and more particularly described as follows:

See Exhibit "A" Attached hereto and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2894, Page 283, Orange County Registry.

A map showing the above-described property was previously recorded in Plat Book 86, Page 128, Orange County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:
Easements, conditions and restrictions of record, if any.

IN WITNESS WHEREOF, the Grantors has duly executed the foregoing as of the day and year set forth below.

SIGNATURE PAGE TO FOLLOW

**THE COUNTY OF ORANGE,
a body politic and corporate,
a political subdivision of the State of North Carolina**

_____(Seal)
Chair
Orange County, North Carolina
Board of Commissioners

_____(Seal)
Laura Jensen, Clerk
Orange County, North Carolina
Board of Commissioners

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, Notary Public for the County of _____, State of North Carolina, certify that LAURA JENSEN, personally appeared before me on the ____ day of _____, 2023 and acknowledged that she is the Clerk to the Board of Orange County, North Carolina, Board of County Commissioners, and to verify _____ execution of this North Carolina Special Warranty Deed, conveying real property, that _____ is Chair of the Orange County Board of Commissioners and signed in that capacity.

Witness my hand and official stamp or seal, this the ____ day of _____, 2023.

Notary Public
My Commission Expires:

EXHIBIT "A"

Tract I

BEING all that certain 15.76 acres more or less and containing 686,476 square feet more or less and labeled Lot B (Area 1B) all as shown on a map and survey entitled "GREENE TRACT LOTS A & B RECOMBINATION PLAT", dated July 28, 2022 and recorded in Plat Book ____, Page ____, Orange County Registry, to which reference is made for a more particular description of same.

It being the intent of this conveyance to merge this tract with that certain 8.40 acres and containing 365,890 square feet more or less and labeled Lot B (Area 1A)" on a map and survey entitled "GREENE TRACT LOTS A & B RECOMBINATION PLAT", dated July 28, 2022 and recorded in Plat Book ____, Page ____, Orange County Registry, to which reference is made for a more particular description of same. THE MERGE TRACTS ARE SHOWN ON THE SITE DATA TABLE of the map and survey recorded in Plata Book ____, Page ____, Orange County Registry as AS NEW LOT B (AREA 1) AND CONTAINING A TOTAL OF 24.16 ACRES.

Tract II

BEING all that certain 6.85 acres more or less and containing 298,579 square feet more or less and labeled Lot B (Area 2B) all as shown on a map and survey entitled "GREENE TRACT LOTS A & B RECOMBINATION PLAT", dated July 28, 2022 and recorded in Plat Book ____, Page ____, Orange County Registry, to which reference is made for a more particular description of same.

It being the intent of this conveyance to merge this tract with that certain 76.38 acres and containing 3,326,961 square feet more or less and labeled Lot B (Area 2A)" on a map and survey entitled "GREENE TRACT LOTS A & B RECOMBINATION PLAT" dated July 28, 2022 and recorded in Plat Book ____, Page ____, Orange County Registry, to which reference is made for a more particular description of same. THE MERGE TRACTS ARE SHOWN ON THE SITE DATA TABLE of the map and survey recorded in Plata Book ____, Page ____, Orange County Registry as AS NEW LOT B (AREA 2) AND CONTAINING A TOTAL OF 83.23 ACRES.

TRACTS I & II are intended to be merged as the 107.39-acre tract shown on the plat recorded in Plat Book ____, Page ____, Orange County Registry.

**NORTH CAROLINA
SPECIAL WARRANTY DEED**

Excise Tax: **\$EXEMPT**

Parcel Identifier No.

Mail after recording to: Beemer, Hadler & Willett, P.A.

This instrument was prepared by: Wayne R. Hadler, Esq. (WITHOUT TITLE EXAMINATION)

THIS DEED made this ___ day of March, 2023 by and between

GRANTOR

TOWN OF CARRBORO, a North Carolina municipal corporation, TOWN OF CHAPEL HILL,
a North Carolina municipal corporation and THE COUNTY OF ORANGE, a body politic and corporate,
a political subdivision of the State of North Carolina

GRANTEE

THE COUNTY OF ORANGE, North Carolina
P.O. Box 8181
Hillsborough, NC 27278

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of

which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Orange County, North Carolina, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

The property hereinabove described was acquired by Grantor by instrument recorded in Book 459, Page 340, Orange County Registry.

A map showing all or a portion of the above described property was previously recorded in Plat Book 86, Page 128, Orange County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:
Easements, conditions and restrictions of record, if any.

IN WITNESS WHEREOF, the Grantors have duly executed the foregoing as of the day and year set forth below.

SIGNATURE PAGES TO FOLLOW

**TOWN OF CHAPEL HILL,
a North Carolina municipal corporation**

BY: _____ (SEAL)

Name: _____

Title: Town Manager

Date: _____

ATTEST:
(SEAL)

By: _____

Name: Town Clerk

Title: _____

Date: _____

STATE OF NORTH CAROLINA

COUNTY OF ORANGE

I, _____, Notary Public for the County of _____, State of _____, certify that the _____, personally appeared before me this day and acknowledged that (s)he is _____ Town Clerk of the Town of Chapel Hill, a North Carolina municipal corporation, and that by authority duly given and as the act of the municipal corporation, the foregoing and annexed instrument was signed in its name by _____, its _____ Town Manager, sealed, and attested by (him) (her) as its _____ Town Clerk.
Witness my hand and official stamp or seal, this the ____ day of _____, 2023.

Notary Public
My Commission Expires:

**TOWN OF CARRBORO,
a North Carolina municipal corporation**

BY: _____ (SEAL)

Name: _____

Title: Town Manager

Date: _____

ATTEST:

(SEAL)

By: _____

Name: Town Clerk

Title: _____

Date: _____

STATE OF NORTH CAROLINA

COUNTY OF ORANGE

I, _____, Notary Public for the County of _____, State of North Carolina, certify that the _____, personally appeared before me this day and acknowledged that (s)he is _____ Town Clerk of the Town of Carrboro, a North Carolina municipal corporation, and that by authority duly given and as the act of the municipal corporation, the foregoing and annexed instrument was signed in its name by _____, its _____ Town Manager, sealed, and attested by (him) (her) as its _____ Town Clerk.

Witness my hand and official stamp or seal, this the ____ day of _____, 2023.

Notary Public
My Commission Expires:

**THE COUNTY OF ORANGE,
a body politic and corporate,
a political subdivision of the State of North Carolina**

_____(Seal)
Chair
Orange County, North Carolina
Board of Commissioners

_____(Seal)
Laura Jensen, Clerk
Orange County, North Carolina
Board of Commissioners

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, Notary Public for the County of _____, State of North Carolina, certify that LAURA JENSEN, personally appeared before me on the ____ day of _____, 2023 and acknowledged that she is the Clerk to the Board of Orange County, North Carolina, Board of County Commissioners, and to verify _____ execution of this North Carolina Special Warranty Deed, conveying real property, that _____ is Chair of the Orange County Board of Commissioners and signed in that capacity.

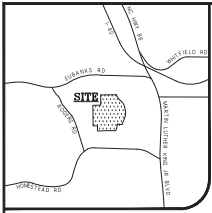
Witness my hand and official stamp or seal, this the ____ day of _____, 2023.

Notary Public
My Commission Expires:

EXHIBIT "A"

BEING all that certain 22.61 acres more or less and containing 984,991 square feet more or less and labeled Lot A (Area 1B) all as shown on a map and survey entitled "GREENE TRACT LOTS A & B RECOMBINATION PLAT", dated July 28, 2022 and recorded in Plat Book ____, Page ____, Orange County Registry, to which reference is made for a more particular description of same.

It being the intent of this conveyance to merge this tract with that certain 37.38 Acres and containing 1,628,416 square feet more or less and labeled Lot A (Area 1A)" on a map and survey entitled "GREENE TRACT LOTS A & B RECOMBINATION PLAT" dated July 28, 2022 and recorded in Plat Book ____, Page ____, Orange County Registry, to which reference is made for a more particular description of same. THE MERGE TRACTS ARE SHOWN ON THE SITE DATA TABLE of the map and survey recorded in Plata Book ____, Page ____, Orange County Registry as NEW LOT A AND CONTAINING A TOTAL OF 60.00 ACRES.



GENERAL NOTES

- 1. THIS IS A SURVEY OF AN EXISTING PARCEL OF LAND...
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES...
3. NO MONUMENTS WERE FOUND WITHIN 1,000 OF THE SITE...
4. SITE ADDRESS: 1900 PUREFOY DRIVE, CHAPEL HILL, ORANGE COUNTY, NORTH CAROLINA 27514...
5. ADDRESS REVISION INFORMATION FROM ORANGE COUNTY GIS ON JULY 29, 2022, AT 8:55 AM...
6. AREA BY COORDINATE GEOMETRY...
7. THIS SITE IS NOT SUBJECT TO ANY SPECIAL FLOOD HAZARD AREAS OR FUTURE CONDITIONS FLOOD HAZARD AREAS...
8. SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH...
9. SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH...
10. WETLANDS, JURISDICTIONAL WATERS, OR OTHER CONDITIONS WHICH MAY BE REGULATED BY FEDERAL, STATE, OR LOCAL AGENCIES...
11. ENVIRONMENTAL ASSESSMENT PROVIDED BY ORANGE COUNTY, NORTH CAROLINA DATED JULY 29, 2022, AND PREPARED BY SYNTERRA CORPORATION OF CHARLOTTE, NC...
12. WETLANDS NOT OBSERVED DURING FIELD SURVEY DELINEATED FROM SCALED PDF OF ENVIRONMENTAL ASSESSMENT REPORT...
13. ENVIRONMENTAL ASSESSMENT REPORT INDICATES A THIRD HOMESTEAD LOCATED IN THE CENTER OF THE SITE, HOWEVER SURVEYOR FOUND NO EVIDENCE OR RUNS OF THIS HOMESTEAD.

REFERENCES

- DB 459, PG 340 DB 2884, PG 283 DB 3907, PG 395
DB 4647, PG 150 DB 5025, PG 405
PB 13, PG 150 PB 14, PG 13 PB 14, PG 29
PB 15, PG 138 PB 15, PG 199 PB 26, PG 27
PB 23, PG 14 PB 36, PG 77 PB 50, PG 144
PB 27, PG 36 PB 48, PG 4 PB 78, PG 163
PB 86, PG 128 PB 104, PG 19 PB 106, PG 66
PB 114, PG 113 PB 117, PG 34



RECORDING OF THIS DOCUMENT DOES NOT REQUIRE SUBDIVISION APPROVAL OF THE TOWN OF CHAPEL HILL AS PROVIDED IN SECTION 14.1 OF THE CHAPEL HILL DEVELOPMENT ORDINANCE.

Review Officer of Orange County, certify that the map or part to which this certification is affixed meets all statutory requirements for recording for which the Review Officer has responsibility as provided by law.



I, THE UNDERSIGNED, AS REPRESENTATIVE(S) OF THE OWNER(S) OF THE PARCELS SHOWN ON THIS PLAN, AM(ARE) AWARE OF AND AGREE TO THE RECOMBINATION OF SAID PARCELS AS SHOWN HEREON.

I, THE UNDERSIGNED, AS REPRESENTATIVE(S) OF THE TOWN OF CHAPEL HILL TOWN MANAGER, DATE...

I, THE UNDERSIGNED, AS REPRESENTATIVE(S) OF THE TOWN OF CARBORO TOWN MANAGER, DATE...

I, _____, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, WITNESS MY HAND AND OFFICIAL STAMP OR SEAL, THIS _____ DAY OF _____, 2022.

I, _____, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, WITNESS MY HAND AND OFFICIAL STAMP OR SEAL, THIS _____ DAY OF _____, 2022.

I, _____, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, WITNESS MY HAND AND OFFICIAL STAMP OR SEAL, THIS _____ DAY OF _____, 2022.

SITE DATA TABLE

Table with 2 columns: SITES, ACRES. Rows include Existing Lot A, Existing Lot B, New Lot A, New Lot B (Area 1A), and New Lot B (Area 2).

ABANDONED PROPERTY LINE TABLE

Table with 2 columns: LINE, ACRES. Lists 15 lines with bearings, distances, and acreages.

PROPERTY LINE TABLE

Table with 2 columns: LINE, ACRES. Lists 17 lines with bearings, distances, and acreages.

LEGEND

- EXISTING IRON PIPE (LESS EXEMPT NOTE)
SET IRON PIPE
CALCULATED CORNER
BUILDING RUINS (AS FOUND)
WETLANDS (APPROXIMATE)
PROPERTY LINE
ADJOINER PROPERTY LINE
RIGHT OF WAY
CREEK CENTERLINE (AS SURVEYED)
WETLANDS (AS SURVEYED)
CREEK CENTERLINE (WETLANDS SCALED)

I HEREBY CERTIFY THAT THIS PLAN IS OF THE FOLLOWING TYPE: G.S. 47-30 (17116). THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

I, DAVID E. BOWERS, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM REED DESCRIPTIONS RECORDED IN BOOK AND PAGE (AS SHOWN). THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND CORRECTED INFORMATION FOUND IN BOOK AND PAGE (AS SHOWN), THAT THE RATIO OF PRECISION AS CALCULATED IS 1/100,000, AND THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS _____ DAY OF _____, A.D. 2022.



Ballentine & Associates, PA logo and contact information.

OWNER INFORMATION for James Rodgers, 405 Martin Luther King Jr Blvd, Chapel Hill, NC 27514.

OWNER INFORMATION for James Rodgers, 405 Martin Luther King Jr Blvd, Chapel Hill, NC 27514.

Table with columns: DATE, REVISIONS, CLIENT COMMENTS.

OWNER REPRESENTATIVE: JAMES RODGERS, EMAIL: jrogers@tenofstap.com

Table with columns: DATE, REVIEW FOR, COMMENTS.

GREENE TRACT LOTS A & B 1900 PUREFOY DRIVE, CHAPEL HILL, NC 27516 CHAPEL HILL TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA RECOMBINATION PLAN

JOB NUMBER: 222041.00 DATE: 28 JUL 22 SCALE: 1" = 200'

DRAWN BY: EJS / CDK REVISIONS: 06B

SHEET 1 OF 1