

# APPENDIX F

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DUCK, NORTH CAROLINA,  
ESTABLISHING AND CREATING TWO MUNICIPAL SERVICE DISTRICTS FOR THE  
PURPOSES OF BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION  
WORKS

Resolution No. 15-01

WHEREAS, Chapter 160A, Article 23 of the North Carolina General Statutes authorizes towns within North Carolina to define service districts to finance, provide, or maintain for such districts one or more services, facilities, or functions in addition to or to a greater extent than those financed, provided or maintained for the entire town; and

WHEREAS, said statutes further provide that the Town may define a service district for the purpose of beach erosion control and flood and hurricane protection works; and

WHEREAS, acting in response to a need for action in order to provide erosion protection and storm protection, to enhance the recreational beach, to maintain the tax base of the Town and to maintain the reputation of the Town's beaches, the Town Council for the Town of Duck has determined that the creation of municipal service districts for erosion control and hurricane protection works will be for the benefit of those properties located within the service districts' boundaries; and

WHEREAS, the Town Council for the Town of Duck further finds that the proposed districts are in need of projects and programs to the standards of G.S. 160A-537(a) to a demonstrably greater extent than the remainder of the Town to meet the needs and goals set forth above; and

WHEREAS, pursuant to such determinations and in accordance with applicable provisions of the General Statutes, the Town Council for the Town of Duck has defined such districts, and does determine, as a fact, that the proposed districts are in need of one or more of the services, facilities, or functions listed in G.S. 160A-536(a) to a demonstrably greater extent than the remainder of the Town; and

WHEREAS, maps of the proposed districts showing proposed boundaries, copies of which are attached hereto and incorporated by reference, a statement showing that the proposed districts meet the standards set out in G.S. 160A-357(a), and a plan for providing in the districts one or more of the services listed in G.S. 160A-536 has been created; all of which is incorporated into a report which has been available for public inspection in the office of the Town Clerk for four (4) weeks prior to the public hearing on the matter of the establishment of the service districts; and

WHEREAS, the Town Council of the Town of Duck has caused a notice of such hearing to be duly published in the Coastland Times and the Outer Banks Sentinel, newspapers having general circulation in the Town of Duck and Dare County, said hearing having been conducted on March 4, 2015, and the designated person has certified to the Council that the mailing of notice of hearing has been completed, all in conformity to G.S. 160A-537(c).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF DUCK, NORTH CAROLINA, THIS 4<sup>TH</sup> DAY OF MARCH, that:

1. The Town of Duck has fully complied with each and every requirement of Chapter 160A, Article 23 of the North Carolina General Statutes and determines and finds same as a fact.

2. The Town of Duck Beach Erosion Control and Flood and Hurricane Works Municipal Service Districts for erosion control and flood and hurricane works are hereby established and created in accordance with the following description:

Municipal Service District A: all properties contained within the Atlantic Ocean to the east and the Currituck Sound to the west, from and including 137 Spindrift Lane north to and including 140 Skimmer Way and including 1308 Duck Road north to and including 1456 Duck Road, including 133 and 135 Skimmer Way and including 100 through 112 Oyster Catcher Lane; and

Municipal Service District B: all properties abutting the Atlantic Ocean from and including 137 Spindrift Lane north to and including 140 Skimmer Way;

And being the properties as shown within the boundaries set forth on the maps attached hereto as Exhibit "A" and Exhibit "B" incorporated herein by reference, to which reference is made for a more complete and accurate description of the boundaries of the Town of Duck Beach Erosion Control and Flood and Hurricane Works Municipal Service Districts.

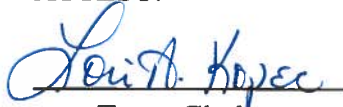
3. The Town of Duck may levy property taxes within the service districts in addition to those throughout the Town in order to finance, provide or maintain for the districts, services provided therein, in addition to or to a greater extent than those financed, provided or maintained for the entire Town.
4. This resolution shall take effect at the beginning of fiscal year for 2015-2016.

Adopted this 4<sup>th</sup> Day of March, 2015.



Mayor

ATTEST:



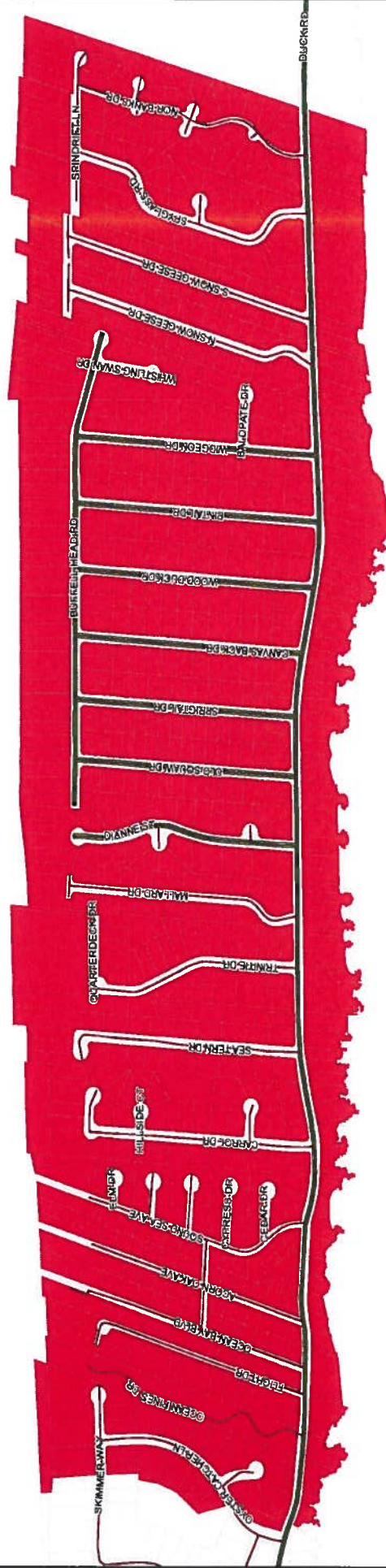
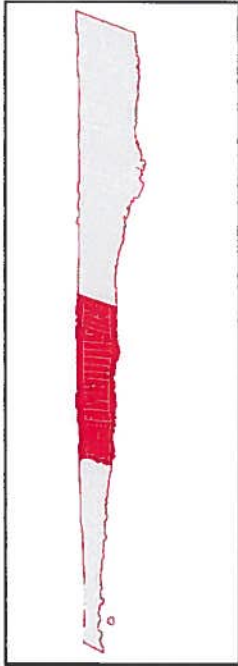
Loui A. Kaper  
Town Clerk



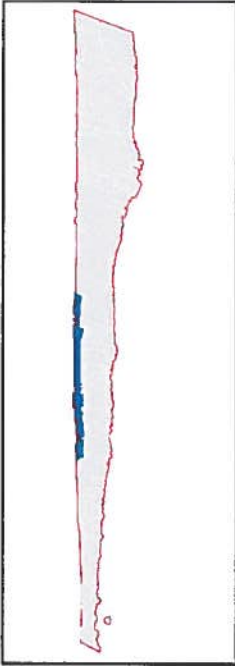


Beach Nourishment Area  
**Municipal Service District A**  
 Updated November 10, 2014

# Exhibit A



137 SPINDRIFT LANE and 1308 DUCK ROAD to 140 SKIMMER WAY and 1456  
 DUCK ROAD INCLUDING ALL PROPERTIES INBETWEEN AS WELL AS 133  
 and 135 SKIMMER WAY and 100 to 112 OYSTER CATCHER LANE

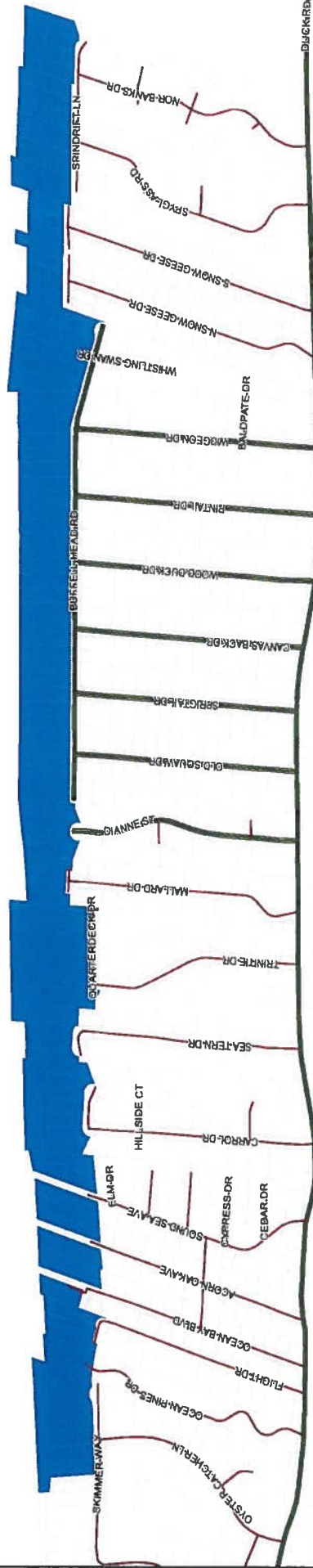


# Exhibit B



Beach Nourishment Area  
Municipal Service District B

Updated November 10, 2014



**137 SPINDRIFT LANE TO 140 SKIMMER WAY**