

1 approved by the county commissioners at their respective meetings December 6, 2010, and
2 December 14, 2010, shall be resurveyed as set out in Section 5(b) of this act.

3 **SECTION 5.(a)** The Alamance County and Orange County Boards of
4 Commissioners may review the remaining nine percent (9%) of the boundary separating the
5 two counties and shall determine, in their discretion, the most appropriate location for a
6 boundary line separating the two counties along the remaining nine percent (9%) of the
7 boundary area. The Boards of Commissioners shall make the determination of the most
8 appropriate location for a boundary line on or before October 31, 2011.

9 **SECTION 5.(b)** Alamance County and Orange County shall cause areas within the
10 nine percent (9%) of the boundary area to be surveyed for purposes of locating a boundary line.
11 The counties shall not be responsible for the costs of such surveys where owners of property
12 located within the remaining nine percent (9%) of the boundary area request their property, or
13 any portion thereof, be located within a specific county. All such surveys shall be completed
14 by January 31, 2012. A lien in the form of a tax lien under Chapter 105 of the General Statutes
15 may be placed on an owner's property to recover the costs of any surveys for which the
16 counties have advanced funds, and said lien may be enforced under the laws available for the
17 collection of taxes. A lien for this purpose may also be placed on any property involved in a
18 transition in whole or in part from one county to the other pursuant to S.L. 2010-61 or any other
19 local act regarding the establishment of the Alamance County/Orange County boundary line.

20 **SECTION 5.(c)** The Alamance County and Orange County Boards of
21 Commissioners shall, prior to the reconvening of the 2011 Regular Session of the General
22 Assembly in 2012, submit a recommendation in the form of a local bill for the location of a
23 final boundary line along the remaining nine percent (9%) of the area separating the two
24 counties.

25 **SECTION 5.(d)** All owners of property within the remaining nine percent (9%) of
26 the boundary area shall be notified in writing via first class United States mail not less than 30
27 days prior to a public hearing being conducted

28 **SECTION 5.(e)** Any such owners of property shall have the right to address the
29 Alamance County and Orange County Boards of Commissioners regarding the status of their
30 property located within the nine percent (9%) area, as that status relates to the Alamance
31 County/Orange County boundary, at any public regularly scheduled meeting at which public
32 comment is traditionally accepted.

33 **SECTION 6.** The establishment of a county boundary line is, pursuant to Section 1
34 of Article VII of the North Carolina Constitution, the responsibility of the North Carolina
35 General Assembly. Further, it is vital to the State of North Carolina and all affected local
36 governments that county boundary lines be fixed and any uncertainty as to the location of
37 county boundary lines be resolved. For this reason and in the interest of justice, neither
38 Alamance County nor Orange County, nor any agent, employee, or appointed or elected
39 official, shall be liable to any individual, group, organization, for-profit or not-for-profit
40 business entity of any kind, of governmental entity or agency of any type or kind for any
41 damages, costs, fees, or fines, and no court action shall be maintained against said counties,
42 agents, employees, or officials for any recommendation, act, failure to act, or conduct related to
43 S.L. 2010-61, any pending local bill which subsequently becomes law related to the location of
44 the Alamance County/Orange County Boundary Line, this act, or the adoption of a fixed
45 boundary line separating the two counties. Effective upon this act becoming law, Alamance
46 County and Orange County, their officials, employees, and agents are released from all liability
47 for any claims made, and no court action shall be maintained against said counties, officials,
48 employees, and agents for any act or failure to act pursuant to the terms of this act or S.L.
49 2010-61, and no further relief shall be granted or cause of action sustained except as provided
50 herein.

- 1 **SECTION 7.** Pending the establishment of a final boundary line separating
2 Alamance County and Orange County, the two counties shall maintain, in the nine percent
3 (9%) boundary area, the currently recognized boundary line for all governmental purposes,
4 including, but not limited to, taxation, elections, emergency services, zoning, and education.
5 **SECTION 8.** This act is effective when it becomes law.