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DAILY DIGEST

Friday, February 27, 2004 6:15PM EST

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Final Word (Part 2)

Why we oppose annexation

As members of the Dutchman Downs community, our opposition to involuntary annexation has little to do with burning brush in our back yard or living with fewer streetlights. Our opposition stems from purchasing a property with great well water and a responsibly managed septic system, and years later learning a nearby municipality (Cary) can decree mandatory conversion of my property to their water and sewer, a cost to us of \$12,000 to \$15,000, before adding their municipal taxes.

No mention of these possible costs were included in The N&O article of Feb. 22. Neither does The N&O make reference to the fines imposed for delays in connecting to the mandated facilities, even though the fees and fines are publicly available at the Cary town Web site.

If annexation succeeds, we in Dutchman Downs could be \$12,000 to \$15,000 poorer, have lower water quality, experience years of neighborhood environmental destruction and construction litter while miles of trenches are dug. We will face the prospect of sewage failures like the recent spill in a nearby Cary area.

If these "benefits" are genuinely good for the community at large, then we would like the North Carolina legislature to change the annexation laws so all costs stemming from forcible annexation be incurred by the town that instigated the process to begin with, as well as a tax moratorium for two years. This would provide evidence that annexation is really "good for the community" and not a land grab for more money, which many suspect it is.

Jeff and Alison LeSueur

Raleigh

A Stalinist proposition

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Local retailers raided

Law enforcement officers this morning announced a crackdown on stores that sell pipes and other products the government considers drug paraphernalia.

Stocks jump in early trading

A spike in consumer spending motivated buyers on Wall Street today and sent stocks higher.

The 'King' reigns

Final film in the "Lord of the Rings" trilogy wins a record-tying 11 awards, including best picture.

Top contenders spar over experience

Sen. John Edwards on Sunday sharply criticized Sen. John Kerry as too wedded to Washington.

Phipps awaits penalty

Former Agriculture Commissioner Meg Scott Phipps will receive her federal prison sentence on Tuesday.

Licensing dogs a hairy task for local agencies

A dog census in the Triangle's main cities reveals that a vast majority of the animals are outlaws.

Tourney draws eyes to Triangle

Location has been an advantage for the area CIAA schools in the five years Raleigh has hosted the tournament.

No denying Tar Heels

Playing with a sense of urgency, Rashad McCants lifts UNC past N.C. State.


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Duke ends jinx at FSU

Devils close in on regular-season title.

Brightleaf to shine again

Last month, the owners of Durham's Brightleaf Square began the project's largest ever renovation.

Steve Cannon: Doing better elsewhere

Sluggish job growth in the Triangle will probably mean more time working elsewhere for developer Andy Andrews.

In my opinion "forced annexation" is no different from the takeover of a country or of land by Hitler, Stalin, Saddam or any other dictator. Such action takes away the idea of freedom, having a voice and being a part of a democracy. When town councils and town managers such as those in Cary get so power hungry that they abuse the power and intent of the law and ignore the desires of the people, it is time to change the laws to protect the citizens and take away the abusive powers.

We in Dutchman Downs enjoy clean drinking water from our wells, have efficient septic systems, roads that are more than sufficient and a Sheriff's Department that outperforms the Cary police department any day of the week. The Fairview Fire Department has served us extremely well and is the finest, most well-trained group of professionals in the region. We do not want nor do we need anything Cary has to offer.

G. Wesley Phillips

Raleigh

Upholding democracy

We are supposed to live in a country that is called a democracy. Somewhere we have gone astray. When a government agency -- national, state or local -- forces itself on the public like Cary's doing with forced annexation, that agency becomes a "dictator."

Many of the people who live in the path of Cary's proposed "annexation" have relatives who have fought and died to keep our country a free democracy, a democracy where the people run the government and the elected officials uphold that democracy. If an elected body tries to do otherwise, it falls into the category of socialism or communism.

I think it's time that we do away with forced annexation, and if there is a need for the city to grow, let the people from the area that is in question hold a referendum, and let the majority rule.

Robert Chaffin

Apex

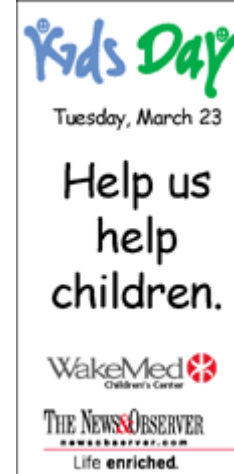
subhead

As a property owner on the outskirts of Cary, in Wake County, I feel very strongly that property owners should have a vote in whether they are annexed. I bought my home where I did because it was outside of city limits. Had I wanted to live in Cary or Raleigh or any of the other cities, I would have chosen a home there. If being part of a city offers so much, why is there such opposition?

John Halbur

Cary

A criminal enterprise



North Carolina's current law on involuntary annexation makes the state into nothing more than a criminal enterprise. When a person walks into a home or business and demands money for protection and threatens the occupants with property loss or imprisonment unless payments are made, we call that extortion. The state calls it involuntary annexation. If I alone decide to, say, pave my neighbor's yard, put in some parking spaces and then say that to cover my expenses, my neighbor needs to pay me for this new "service" or "infrastructure," we'd call that theft. The state calls it involuntary annexation. The Fourth Amendment to the U.S. Constitution specifies the illegality of "unreasonable seizure" of private property "but upon probable cause." Make no mistake: Involuntary annexation is seizure, and nonsensical arguments about the "public good" notwithstanding, it is unreasonable.

Abuse of this law is staggering. For example, a minimum percentage of land to be annexed must be contiguous to the municipality, and it must be occupied to a certain density. In order to meet these criteria, the town of Cary quietly annexed the paved surface of Ten-Ten Road so the land on either side of the road is now contiguous to the town. However, they could not meet the density requirements, so, according to the town planning office, they dropped unoccupied parcels from the plan to increase the average density of the remaining request. This latest stone in Cary's trail of deceit exemplifies why this law must be changed.

Doug Nadel

Apex

Bring on the tea party

Should property owners get to vote on annexation? Absolutely yes! Otherwise we have taxation without representation all over again! Shouldn't I be allowed to determine if I want the services for which cities charge additional taxes? If not, what's to stop towns from gobbling up any unincorporated tax base? Swift Creek has tried to incorporate to avoid annexation, and the majority of the population favored it. But we were unable to incorporate because representatives from towns in Wake County voted it down!

Bring on the next tea party!

Ginger S. Merkle

Raleigh

I vote to stop Cary

Of course property owners should get to vote on annexation, Americans vote for elected officials. Voting is one of the foundations of democracy. The question should really be why Cary has any right to forcibly annex surrounding properties in the first place. Very few of the other states allow involuntary annexation. Their cities are doing fine, so the argument that it is needed is just wrong.

Some of the problems with Cary's plan include that taxes will be raised without providing any additional services. The water

and sewer services being offered are not needed by the areas proposed for annexation. Their own wells and septic systems serve them at low cost.

Freedoms will be restricted: Cary is notorious for its rules and regulations and for forcing people to conform. The owners of property proposed for annexation did not ask the town to expand towards them. The property owners do not want their lifestyle to be destroyed by the "needs" of the municipality.

When development takes place under Wake County rules and regulations, lots are larger to support septic systems and water supplied by wells. When Cary annexes already developed property, sewage lines are brought in, which costs more, fosters higher density development, increased traffic and more pollution. To remedy the problems annexation created, more development of everything is needed, and the cost is charged to people who didn't need it and didn't want it in the first place.

I vote. I vote to Stop Cary.

Roger Vale

Apex

Owners need input

Should property owners be allowed to vote on annexation? Absolutely. It seems to me that one cannot simply annex without having the property owner have some input into making that decision, particularly in view of the fact that it would involve installation of sewer and water systems and an increase in taxation, which would be Cary's way of getting more money.

Marvin P. Thompson

raleigh

Hail, King George

If our Founding Fathers had been as successful as the good local folks who are fighting involuntary annexation, we would still be loyal subjects of the Queen.

Of course property owners should have a vote. What does ownership imply? King George and the Mayor of Cary have a lot in common.

Donna Boyette

Apex

The flip side

Put another way, should a town be able to force a person to be its citizen?

People choose to live outside a town on purpose. Forcing

those people to become citizens of the town shows disregard for those peoples' choices and is an admission that the town is unable to offer them enough reason to be a part of the town.

When I was president of the Dutchman Downs Homeowners Association, I was told by someone on the Cary planning board that there were no plans for annexing Dutchman Downs because they never annexed by force and because it would be too expensive to provide services to such a sparsely populated area. Later Cary tried to forcibly annex Morrisville and then learned they could charge the future citizens to install services they didn't want. At that point, the possibilities were endless -- for Cary.

This whole issue is about money. A town that wants to forcibly annex your neighborhood only wants your money -- not for you, but for the current citizens.

Jim Grunewald

Raleigh

Hands off!

No governing entity, no matter how big, should have the power to take over an area without the land owners 1.) knowing about it, and 2.) agreeing to it. Subterfuge by landmongers is not an American model of freedom. Are you listening, Cary? Hands off!

Grace Lecara

Apex

Nothing to gain

I am against North Carolina's annexation laws. It is clearly "taxation without representation." This is the reason this country was founded and settled by the English settlers, to get away from the rule of England's government and for religious freedom. Other settlers from other countries have come here as well to seek freedom from oppressive governments.

I live in one of the areas Cary is trying to forcefully take. If I wanted to live in Cary, I would have purchased a home in Cary. At this point, I have adequate water, sewage, trash collection, fire and police protection. There is nothing for me and my family to gain. It will cost my family a lot of money in taxes, fees and such for decisions made by people I did not have a chance to vote for. It does not appear that I have an "elected" official working on my behalf.

Lee Duncan

Raleigh

Not for greater good

I am against involuntary annexation. Even if I set aside issues

of presumptive taxation without representation and arrogant disregard of individual property rights by officials (elected or otherwise), I cannot discern how involuntary annexation is for the greater good.

Decisions impacting the growth of a city made by a small select group (although some may be professionally trained) are deficient of information that provides a complete understanding of the complexity of neighborhoods. Neighborhoods are more than a collection of covenants, roads, cables and utilities, gypsum and wood; they are a collection of homes whose inhabitants play out their lives alone and among each other. Citizens have unique insight into what works best in their area. They know how they and others utilize nearby services. They know the effects of nearby development regarding the environment. They know if their quality of life is satisfactory. They don't have to refer to statistics and charts to determine this. Citizen vote on annexation is legitimate and should be required as well as valued.

Sandra L. Lytle

Coldwell Banker Howard Perry & Walston

Cary

No benefit for me

As a homeowner who specifically moved to get away from Cary Council's authoritarian ways, I certainly believe homeowners should have a say in annexation.

There is not one single benefit that I can see about being a part of their nightmare. I have lived in my subdivision for 19 years and avoid visiting Cary as much as possible. Its neanderthal attitude to traffic management knocks years off my life every time I have the misfortune to have to go there.

Dave Pritchard

Apex

Sanctioned stealing

Your lengthy article boiled down to one basic observation: Cities do better with more money to spend. That should be obvious. But taking my money (by annexing my property so as to increase the tax revenue for the city), is stealing. It's currently state-sanctioned stealing, but it's stealing, just the same.





Certainly, no one will vote to raise their own taxes if they are not going to benefit! As a Wake County resident, I am charged a higher fee for participating in the Raleigh recreation leagues or for using the parks and pools, and this is perfectly fair. But I certainly don't see any reason to agree to raise my taxes for the good of someone else. What justification is there for the city expecting me to subsidize the facilities and activities of the real urban dwellers? (Last time I checked, I was suburban.) Are they trying to play on guilt, by claiming the purpose is making nonsegregated communities? I already give to United Way, my church and several other charities

and shelters, so my conscience is clear. I don't need to provide charity through my taxes.

Linda Lamb

Apex

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