

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DAT	E:	February 15, 2018	AGENDA ITEM NUMBER:	8 A+B
			_	
SUBJECT:	A.	Resolution Granting a Maintenance Easement for the Forsyth County Public Library, Kernersville Branch On-site Retention Ponds		
	В.	Resolution Authorizing Execu Maintenance Agreement for t Branch	ation of a Retention Pond Operation he Forsyth County Public Library,	on and Kernersville
COUNTY MANA	\GEF	S'S RECOMMENDATION OR COMMENTS:		
SUMMARY OF	INFO	RMATION:		
ATTACHMENTS	S :	X YES NO		
SIGNATURE:		COUNTY MANAGER	DATE:	

NORTH CAROLINA) FORSYTH COUNTY) DEED OF EASEMENT
THIS EASEMENT made this the day of, 20, by and between Forsyth County, Party of the First Part, and the TOWN OF KERNERSVILLE, Party of the Second Part;
WITNESSETH:
WHEREAS, the Parties of the First Part are owners of certain real property located in Kernersville Township, Forsyth County, North Carolina; and whereas, the said Parties of the First Part now desires to convey a twenty foot (20') access easement to the Party of the Second Part in accord with the requirements of the Watershed Protection Ordinance of the Town of Kernersville (Section 3-5.3(C)), and
WHEREAS, the Party of the First Part is owner of a certain tract of property lying and being in the Kernersville Township, Forsyth County, North Carolina and said property is more particularly described in a Deed as recorded in Deed Book, Page, Forsyth County Registry, hereinafter referred to as "Property";
WHEREAS, the purpose of the easement is to provide the Town of Kernersville with access from a public right-of-way to and around all storm water control devices, including the storm water control devices, located on the Property of the Parties of the First Part;
WHEREAS, pursuant to the Town of Kernersville Watershed Protection Ordinance, hereinafter referred to as Ordinance, easements are needed for the benefit of the Party of the Second Part for the operation and maintenance of storm water control devices located upon the property of the Party of the First Part;
NOW, THEREFORE, the said Parties of the First Part for and in consideration of the sum of Ten

TO HAVE and to hold said right and easement to them, the said Party of the Second Part, their heirs and assigns forever; it being agreed that the right and easement hereby granted is appurtenant to and runs with the Property now owned by the Party of the Second Part and hereinabove referred to.

Dollars and other valuable considerations to them paid including the agreement contained herein, do hereby give, grant and convey unto the Party of the Second Part, their heirs and assigns, a perpetual right and easement for the purpose of ingress and egress over Property more particularly described as follows:

Access easement confined to that area on the Property designated and intended for vehicular traffic to and from the Permanent Storm Water Control Structure Area to and from Harmon Lane, that being the public road that currently provides access to the property, and further to provide an easement not less than twenty feet (20') in width surrounding the Permanent Storm Water Control Structure Area.

It is the intent of the Grantor that the Notwithstanding the foregoing, all easements given herein shall be subject to the provisions of the

(or, if individual owner)

STATE OF NORTH CAROLINA COUNTY OF FORSYTH

OPERATION AND MAINTENANCE AGREEMENT

THIS AGREEMENT made pursuant to Town of Kernersville Watershed Protection Ordinance and entered into this _____ day of _____, 20___, by and between the TOWN OF KERNERSVILLE, a North Carolina Municipal Corporation, Party of the First Part, hereinafter referred to as "TOWN"; and FORSYTH COUNTY, Party of the Second Part, here-in after referred to as "Property Owner".

WITNESSETH:

- 1. The Property Owner is the owner of certain lands lying in Tax Block 206, Tax Lot 5404E as more particularly described in Deed Book 3236, Page 1269, in the Office of the Register of Deeds of Forsyth County, North Carolina upon which it is erecting and will make improvements, said development to be known as Forsyth County Public Library Paddison Branch (hereinafter the "PROPERTY").
- 2. The Property Owner desires to build engineered stormwater controls using wet detention ponds and related structures (hereinafter Stormwater Control Structure) to provide storage and treatment of stormwater runoff to serve the development on said Property, as required by the Kernersville Watershed Protection Ordinance (hereinafter the "ORDINANCE").
- 3. The Property Owner has applied to the TOWN for the issuance of a high density watershed permit to construct, maintain and operate the Stormwater Control Structure consistent with the plans and specifications of the Stormwater Control Structure and the Operation and Maintenance Agreement on file at the office of the Watershed Administrator and to develop lands within the Abbotts Creek Watershed.
- 4. The Property Owner has conveyed unto the Town of Kernersville, or its successors or assigns an Easement and Right-of-Way establishing the right of ingress, egress and regress over the property for the purpose of inspection, repair, or maintenance of the stormwater control structure(s). A description of the area containing the stormwater control structure(s) within a drainage easement is contained within the Deed of Easement filed with the Register of

	PARTY OF THE FIRST PART:
	TOWN OF KERNERSVILLE
	By:
ATTESTED TO:	
Keith Hooker, Town Clerk	
	PARTY OF THE SECOND PART:
	(SEAL)
	Ву: