

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: MAY 9, 2016

AGENDA ITEM NUMBER: 12

SUBJECT: RESOLUTION AUTHORIZING THE GRANT AND EXECUTION OF REVISED TEMPORARY CONSTRUCTION AND PERMANENT UTILITY EASEMENTS TO THE CITY OF WINSTON-SALEM FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE REEDY FORK PUMP STATION AND ASSOCIATED STRUCTURES AND EQUIPMENT (TRIAD PARK)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION:

See attached

ATTACHMENTS: YES NO

SIGNATURE: _____

J. Dudley Watts, Jr.
COUNTY MANAGER

DATE: May 4, 2016

**RESOLUTION AUTHORIZING THE GRANT AND EXECUTION OF REVISED
TEMPORARY CONSTRUCTION AND PERMANENT UTILITY EASEMENTS
TO THE CITY OF WINSTON-SALEM FOR THE CONSTRUCTION,
OPERATION, AND MAINTENANCE OF THE REEDY FORK PUMP STATION
AND ASSOCIATED STRUCTURES AND EQUIPMENT
(TRIAD PARK)**

WHEREAS, on November 25, 2013, the Forsyth County Board of Commissioners adopted a Resolution Authorizing the Grant and Execution of Temporary Construction and Permanent Utility Easements to the City of Winton-Salem for the Construction, Operation, and Maintenance of the Reedy Fork Pump Station and Associated Structures and Equipment at Triad Park; and

WHEREAS, Forsyth and Guilford Counties granted the City of Winston-Salem permanent utility easements for construction, operation, and maintenance of the Reedy Fork pump station and associated structures and equipment containing approximately 132,149 square feet across Parcel Identification Numbers 6896-33-5781 and 6896-44-3126 at Triad Park and 43,126 square feet for a temporary construction easement; and

WHEREAS, during the construction process, two minor changes to the easements became necessary due to construction issues, one at the end of Crouse Road where the force main was installed outside the easement area due to the existing pipe condition, and one at the Triad Park pump station where a fence was installed outside the easement area to accommodate the shelter; and

WHEREAS, the revisions to the easements are shown in the legal descriptions which are labeled Exhibit A and attached hereto and incorporated into the said Easement; and

WHEREAS, the City of Winston-Salem will not charge the Counties an assessment against the above parcels related to said easements; and

WHEREAS, the value of the work to be performed by the City of Winston-Salem on the Triad Park site provides a benefit to the Counties, which exceeds the value of the property requested for the easements; and

WHEREAS, City of Winston-Salem should be granted these revised permanent utility easements and temporary construction easements as authorized by N.C.G.S. 153A-176 and 160A-273 for the purposes and reasons outlined above.

NOW, THEREFORE, BE IT RESOLVED that the Forsyth County Board of Commissioners hereby authorizes the grant and execution of revised permanent utility easements and temporary construction easements across Parcel Identification Numbers 6896-33-5781 and 6896-44-3126, located at Triad Park, at no additional consideration other than the work to be performed by the City of Winston-Salem on the Triad Park site

which provides a benefit to Forsyth and Guilford Counties and which exceeds the value of the property requested for the easements.

BE IT FURTHER RESOLVED by the Forsyth County Board of Commissioners, that the Chairman or County Manager and Clerk to the Board are hereby authorized to execute any necessary documents to grant the above-described revised permanent utility and temporary construction easements to the City of Winston-Salem, subject to a pre-audit certificate thereon by the Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

BE IT FURTHER RESOLVED that the revised easements between Forsyth and Guilford Counties and the City of Winston-Salem are hereby ratified as interlocal agreements as required by N.C.G.S. 160A-461 and that this Resolution ratifying interlocal cooperation is spread upon the minutes of the Board of Commissioners of Forsyth County.

Adopted this the 9th day of May 2016.

Exhibit A

UTILITY EASEMENT

COMMENCING at an existing 1" iron, said iron being the northwest terminus of Crouse Road and in the southern line of PIN 6896-33-5781 as recorded in Deed Book 3966, Page 731 and the northern line of PIN 6896-33-5781 as recorded in Deed Book 4174, Page 1301; thence with the western right-of-way of Crouse Road S. 00°51'47" W. 51.22' to the place of BEGINNING thence continuing with said right-of-way S. 00°51'47" W. 18.46' to a point; thence leaving said right-of-way and on a new line crossing the property described in Deed Book 4174, Page 1301 the two (2) following courses and distances: 1) N. 40°22'43" W. 27.02' to a point; thence 2) S. 83°11'40" E. 17.91' to the place of BEGINNING and containing 164 square feet more or less.

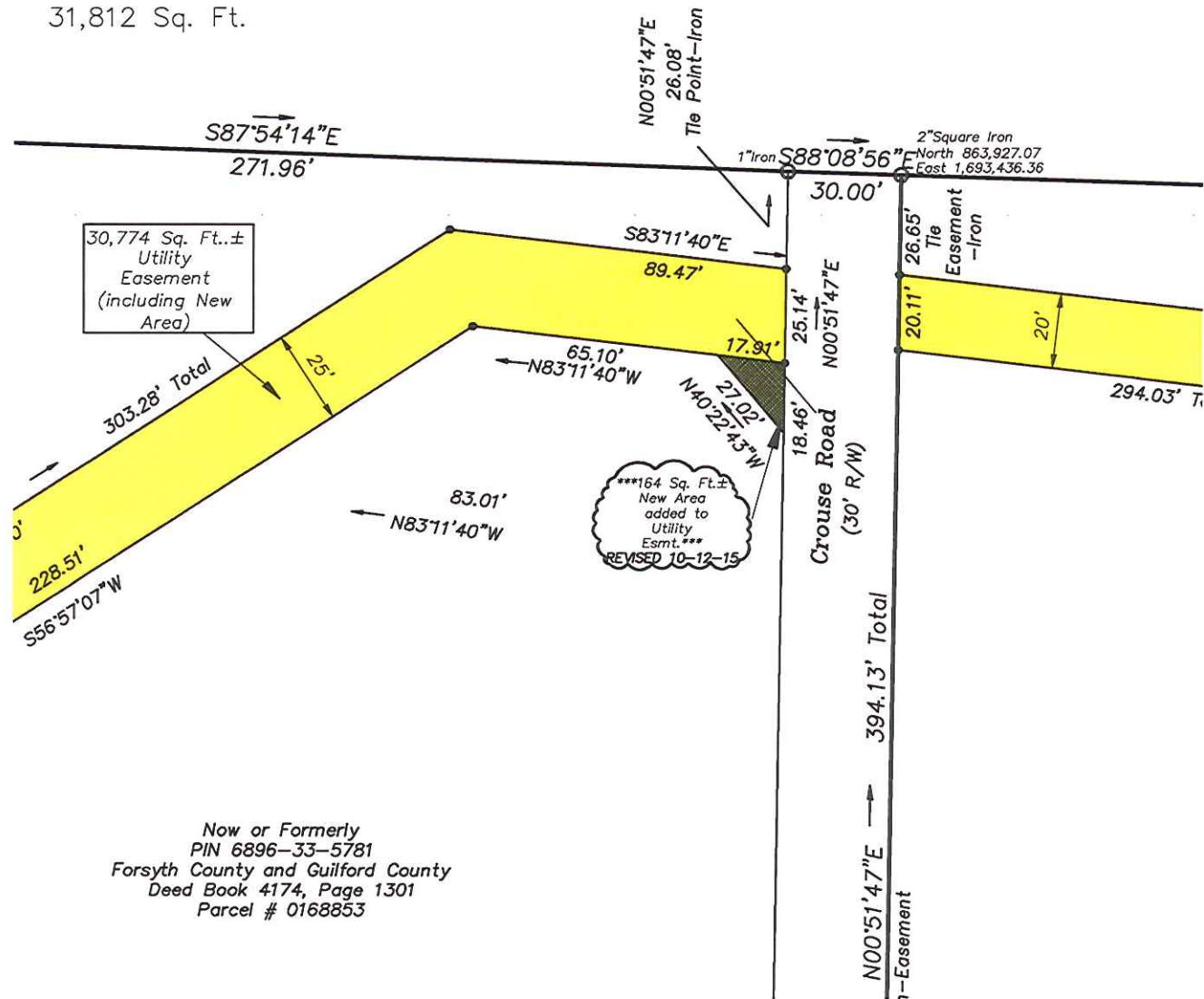
PUMP STATION AND UTILITY EASEMENT

COMMENCING at an existing 3/4" iron, said iron being the southwest corner of PIN 6896-33-5781, as recorded in Deed Book 3963, Page 1032 and in the line of PIN 6896-33-5781, as recorded in Deed Book 3961, page 51; thence N. 67°43'48" E. 210.00' to the place of BEGINNING thence on a new line crossing the property described in Deed Book 3963, Page 1302 the five (5) following courses and distances: 1) N. 51°44'37" W. 14.85' to a point; thence 2) N. 72°17'03" E. 17.64' to a point; thence 3) N. 39°08'58" E. 29.05' to a point; thence 4) S. 29°09'57" W. 29.93' to a point; thence 5) S. 39°05'57" W. 14.12' to the place of BEGINNING and containing 220 square feet more or less.

The above described tracts shown on an unrecorded plat prepared by Brady Surveying drawing no. 10004

Now or Formerly
 PIN 6896-33-5781
 Forsyth County and Guilford County
 Deed Book 3966, Page 731
 Parcel # 0168853

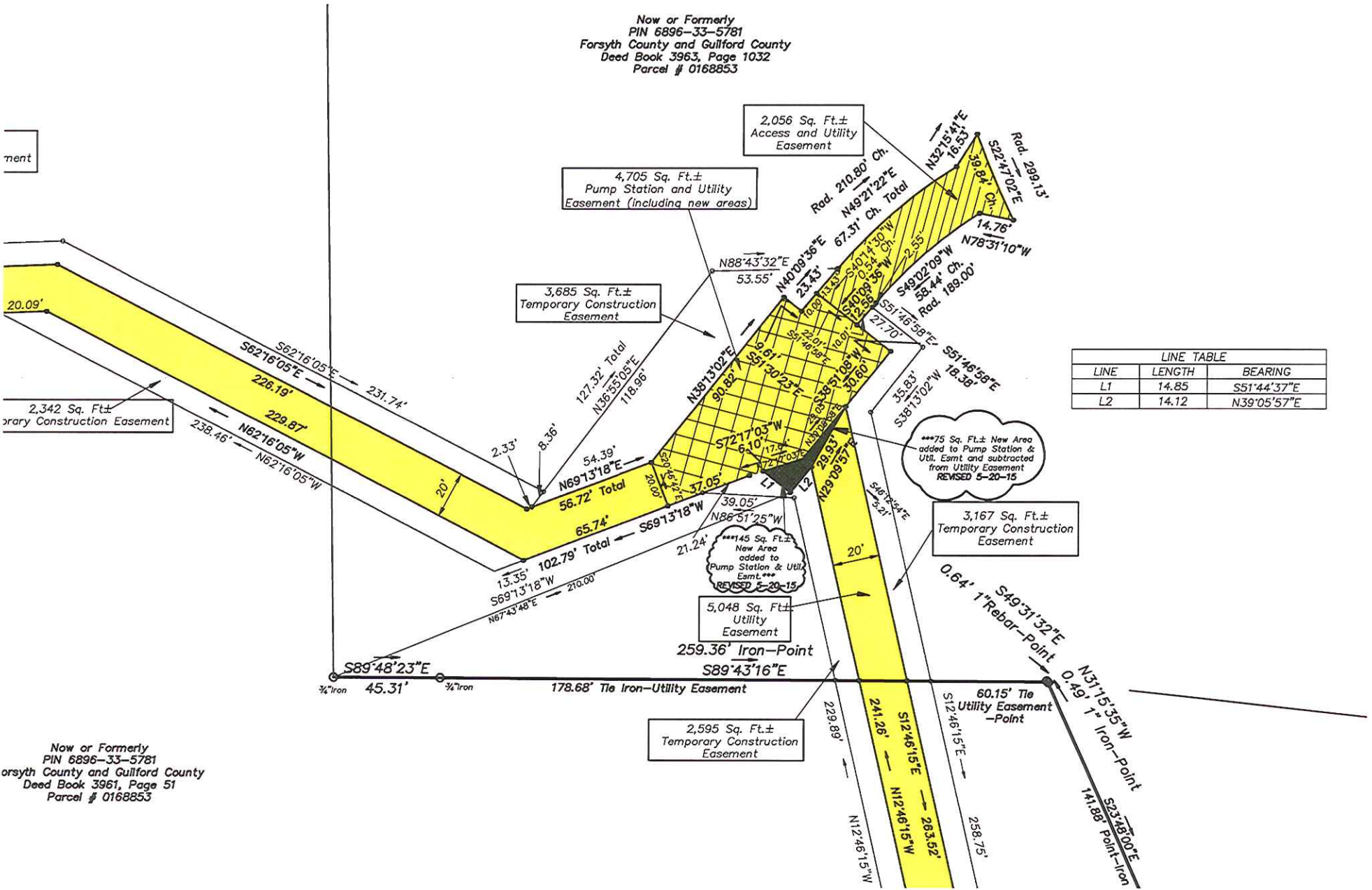
31,812 Sq. Ft.



Now or Formerly
 PIN 6896-33-5781
 Forsyth County and Guilford County
 Deed Book 4174, Page 1301
 Parcel # 0168853

Now or Formerly
 PIN 6896-33-5781
 Forsyth County and Guilford County
 Deed Book 3963, Page 1032
 Parcel # 0168853

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LINE TABLE		
LINE	LENGTH	BEARING
L1	14.85	S51°44'37"E
L2	14.12	N39°05'57"E

Now or Formerly
 PIN 6896-33-5781
 Forsyth County and Guilford County
 Deed Book 3961, Page 51
 Parcel # 0168853