

RESOLUTION # \_\_\_\_\_

RESOLUTION AUTHORIZING EXECUTION OF A TEMPORARY CONSTRUCTION EASEMENT FOR  
SEWER LINE TO BE CONNECTED TO EXISTING METROPOLITAN SEWERAGE DISTRICT LINES

---

- WHEREAS, Olivette Development, LLC ("Olivette") owns property across the French Broad River from the "old county landfill property" a portion of which is described in deed recorded in Book 1285, Page 29 Buncombe County Registry;
- WHEREAS, Olivette has requested a temporary construction easement to construct/install a sewer line that will connect to an existing MSD sewer line located on Buncombe County property, and a copy of the temporary easement is attached;
- WHEREAS, there is also attached hereto a proposed plat depicting both the Temporary Construction Easement area and the proposed 20' MSD Permanent Easement for the purposes of attaching this new sewer line to an existing 12" public force main (MSD#198-1001) currently located on County property;
- WHEREAS, pursuant to NCGS §160A-273 a county has the authority to grant easements over, through, under, or across any county property;
- WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of the County to grant such a temporary construction easement and then a permanent easement to MSD in order to allow Olivette to construct, install, maintain, access and connect a sanitary sewer force main and a manhole on said County property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That by and with the approval of County Legal Services, the Chairman and County Manager, or either of them, are hereby authorized to execute the attached Temporary Construction Easement for Sewer Line, and a permanent easement to MSD as well as any other documents necessary to effectuate this Easement for the benefit of MSD.
2. That all acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
3. That this resolution shall be effective upon its adoption.

This the \_\_\_\_ of October, 2017.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Kathy Hughes, Clerk

By: \_\_\_\_\_  
Brownie Newman, Chairman

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney