

RESOLUTION #

RESOLUTION AUTHORIZING EXECUTION OF EASEMENT TO  
METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA ["MSD"]

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- WHEREAS, pursuant to NCGS §160A-273 a county has the authority to grant easements over, through, under, or across any county property; and
- WHEREAS, as part of the construction and development of the Public Safety Training Center near the intersection of NC 251 ("Riverside Drive") and Canoe Lane in Buncombe County, the County has installed sewer lines and sewer related improvements (hereinafter "Sewer Lines and Sewer Related Improvements") in accordance with approved plans and specifications and pursuant to permits issued by the Metropolitan Sewerage District of Buncombe County, North Carolina; and
- WHEREAS, there are various sewer lines on the property and MSD needs a formal easement in order to provide for access and maintenance for the Sewer Lines and Sewer Related Improvements as same are located and described in plat recorded in Plat Book 132, Page 34 Buncombe County, North Carolina Registry; and
- 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 an easement to MSD for these purposes.

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

1. That the Chairman and County Manager, or either of them, are hereby authorized to execute an Easement granting to Metropolitan Sewerage District of Buncombe County, North Carolina an easement for access to and from the easement areas and in order to construct, install, operate, utilize, inspect, rebuild, repair, replace, remove, and maintain underground facilities consisting of waste water collection systems within the easement area, a copy of which is attached hereto.
2. All acts and doings of officers, employees and agents of the County that are in conformity with the purposes and intents of this Resolution and in the furtherance of the intents and purposes of this Resolution as described above shall be, and the same hereby are, in all respects approved and confirmed.
3. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.
4. That this resolution shall be effective upon its adoption.

This the 7th of August, 2012.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

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

By: \_\_\_\_\_  
David Gantt, Chairman

APPROVED AS TO FORM

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Michael C. Frue, County Attorney