

**A RESOLUTION REQUESTING FINANCIAL ASSISTANCE FROM THE STATE FOR
STREAM RESTORATION EFFORTS (2025-11-12/R-5)**

WHEREAS, the Town has entered into a developer's agreement with Glen Lennox LLC & Glen Lennox Shopping Center, LLC, as recorded in Orange County Register of Deeds, Book 5883, Page 11. Item 5.3(l) of said developer's agreement provided provisions for the Town to conduct stream restoration efforts, conditional upon award of a stream restoration grant; and

WHEREAS, the State of North Carolina, Department of Environmental Quality may award a Water Resources Development Grant to the Town for the purposes of streambank stabilization and restoration.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council requests the State of North Carolina to provide financial assistance to the Town of Chapel Hill for Glen Lennox Streambank Stabilization in the amount of \$ 95,000 or 50 percent of the nonfederal project costs, whichever is the lesser amount;

BE IT FURTHER RESOLVED THAT, contingent upon the State's provision of a stream restoration grant to the Town:

- 1) The Town assumes full obligation for payment of the balance of project costs;
- 2) The Town will obtain all necessary State and Federal permits;
- 3) The Town will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 4) The Town will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 5) The Town will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 6) The Town will assure that the project is open for use by the public on an equal basis with no restrictions;
- 7) The Town will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 8) The Town accepts responsibility for the operation and maintenance of the completed project per the terms of the Developer's Agreement, recorded in Orange County Register of Deeds, Book 5883, Page 11.

This the 12th day of November, 2025.