Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

TOWN OF CHAPEL HILL

Legislation Details (With Text)

File #:	[19-0932]	**Version:**	1	**Name:**	
Type:	Consent			**Status:**	Passed
File created:	10/15/2019			**In control:**	Town Council
On agenda:	11/13/2019			**Final action:**	11/13/2019
Title:	Grant a Private Sewer Easement over Town Property to the Owners of 200 Perry Creek Road.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Map Showing Approximate Location of the Proposed Sewer Easement, 2. Survey, 3. A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN EASEMENT AGREEMENT WITH THE OWNERS OF 200 PERRY CREEK ROAD TO ALLOW A PRIVATE SEWER LINE ON TOWN PROPERTY ALONG DRY CREEK (2019-11-13/R-2)				

Date	Ver.	Action By	Action	Result
11/13/2019	1	Town Council	adopted	Pass

Grant a Private Sewer Easement over Town Property to the Owners of 200 Perry Creek Road.

Staff:
Phillip Fleischmann, Director
William Webster, Planning and Development Manager

Department:
Parks and Recreation

Overview: A private home in the Springcrest neighborhood was constructed in 1998 and connected to an OWASA sewer main located on Town property without the necessary sewer easement. The attached resolution would grant an approximately 40-foot-long and 20-foot-wide private sewer easement across Town property to the homeowners of 200 Perry Creek Road. The Town property is located adjacent to Perry Creek Road and Dry Creek in the Springcrest neighborhood.

Attached is the property owner's survey of the requested easement.

Recommendation(s):

That the Council adopt the attached resolution granting a sewer easement across Town property to the owners of the home at 200 Perry Creek Road.

Key Issues:

- Town staff granted the homeowners temporary access across Town property in 2018 in order to allow repair of a leaking sewer line
- The proposed private sewer easement overlays the pipe that was installed across Town property at the time the home was built
- Lack of a permanent sewer easement could complicate sale or transfer of the 200 Perry Creek Road property in the future

Fiscal Impact/Resources: No Town funding was used to make the sewer repairs or prepare the easement documents. We anticipate no future Town expenditures.

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Attachments:

- Resolution
- Map Showing Approximate Location of Proposed Private Sewer Easement
- Survey

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN EASEMENT AGREEMENT WITH THE OWNERS OF 200 PERRY CREEK ROAD TO ALLOW A PRIVATE SEWER LINE ON TOWN PROPERTY ALONG DRY CREEK (2019-11-13/R-2)

WHEREAS, a home was built at 200 Perry Creek Road without the required private sewer easement across Town property; and

WHEREAS, the Town granted a temporary access in 2018 in order to allow the owners of the property to make repairs to the sewer line; and

WHEREAS, it was determined at that time that the owners of 200 Perry Creek Road require a permanent easement across Town property; and

WHEREAS, granting of such an easement would be done without cost to the Town; and

WHEREAS, the easement will have no negative impact to the Town property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorize the Town Manager to execute a private sewer easement agreement with the owners of 200 Perry Creek Road for a sewer line extension across Town open space from the owners property to the existing OWASA sewer manhole along Dry Creek, provided that the preparation and recording of said easement shall be the responsibility of the landowners and at no cost to the Town.

This the 13th day of November, 2019.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council authorizes the Town Manager to execute a private sewer easement agreement with the owners of 200 Perry Creek Road for a

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sewer line extension across Town open space to the existing OWASA sewer manhole along Dry Creek.

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