

RESOLUTION # _____

RESOLUTION AUTHORIZING EXECUTION OF STORM DRAINAGE EASEMENT TO
THE CITY OF ASHEVILLE

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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;
- WHEREAS, as part of the the City Centre / Hilton Garden Inn project located at the former Tripps property the developers were required to replace an old city storm drainage system that ran from College Street across the project site then through Buncombe County parking Lot 8;
- WHEREAS, a new stormwater system has been installed and the old stormwater runoff feature referenced above has been abandoned and the portion of the old system running under Lot 8 has been filled with flowable fill to prevent any further sink holes or other damage to County property;
- WHEREAS, the City of Asheville requires a new perpetual right of way for operation and continuing general maintenance purposes for the new stormwater system as same crosses Buncombe County property; 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 the City.

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 the City of Asheville a permanent storm drainage easement for purposes of inspection, maintenance, and repairs, a copy of which is attached hereto.
2. That this resolution shall be effective upon its adoption.

This the 2nd of June, 2015.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

County Attorney