

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

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

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- WHEREAS, Marion Associates, LLC owns property on Jacob Holm Way adjacent to the Enka Intermediate School property which is currently owned by Buncombe County;
- WHEREAS, Marion Associates has requested an easement agreement to construct, operate and maintain a new 8" sewer line to cross the county property in order to accommodate increased capacity needs and to connect to an existing MSD sewer line;
- WHEREAS, pursuant to NCGS §160A-273 a county has the authority to grant easements over, through, under, or across any 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.

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 Easement Agreement.
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 5<sup>th</sup> of December, 2022.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Lamar Joyner, Clerk

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

APPROVED AS TO FORM

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