

**REQUEST FOR BOARD ACTION**  
**HENDERSON COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** 24 June 2013  
**SUBJECT:** Sewer easement at Jackson Park  
**PRESENTER:** Charles Russell Burrell  
**ATTACHMENT(S):** Proposed agreement

**SUMMARY OF REQUEST:**

The Board recently had a dialogue with Mayor Volk of Hendersonville, regarding granting an easement across Jackson Park property for sewer purposes, about greenways, and about other issues. As a result of that dialogue, the City of Hendersonville has agreed in substance to the attached.

County staff will be present and prepared if requested to give further information on this matter.

**BOARD ACTION REQUESTED:**

Approval of the draft agreement.

If the Board is so inclined, the following motion is suggested:

***I move that the Board approve the draft agreement, and authorize the Chair to execute the same on behalf of the Board.***

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

**INTER-LOCAL AGREEMENT**

This Agreement is made by and between the City of Hendersonville, a North Carolina municipal Corporation (“the City”), and the County of Henderson, a body corporate and politic of the State of North Carolina (“the County”), pursuant to Article 20 of Chapter 160A of the North Carolina General Statutes.

The parties agree as follows:

1. The County will convey to the City a sewer easement along and across that area described in the attached Deed of Easement, the Exhibit hereto.
2. The City will construct an access road of appropriate width along the length of such sewer easement.
3. In addition, the City will construct over the entire length of the easement a path of five feet in width as a part of such access road, to be paved with small stones of appropriate size for a path intended for biking and walking by residents of the County and the City.
4. The County will maintain such path as appropriate for biking and walking by residents of the County and the City.
5. The City will convey to the County fee simple ownership of that lot or parcel containing 0.98 acres, more or less, known as Henderson County Parcel Number 9958864.
6. The City will convey to the County a right of way for access, ingress, egress and regress over and across the 11.09 acre, more or less, lot or parcel known as Henderson County Parcel Number 9958863, for future use as a walking and riding connection between the County’s facilities at Jackson Park and the Athletics and Activities Center.
7. The parties will continue to cooperate on additional greenways and paths in the future.

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CITY OF HENDERSONVILLE

By: \_\_\_\_\_  
BARBARA G. VOLK, Mayor

Attest:

\_\_\_\_\_  
TAMMIE K. DRAKE, City Clerk

COUNTY OF HENDERSON

By: \_\_\_\_\_  
CHARLES D. MESSER, Chairman  
Board of Commissioners

Attest:

\_\_\_\_\_  
TERESA L. WILSON, Clerk to the Board