



**BOARD OF COMMISSIONERS  
AGENDA**

**November 3, 2014**

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# REVISED

## Currituck County Board of Commissioners Agenda Historic Currituck County Courthouse

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Date: Monday, November 03, 2014 Time: 7:00 PM

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### Work Session

6 PM Historic Jarvisburg Colored School Facilities Presentation

### 7:00 pm Call to Order

- A) Invocation-Reverend Susan Fitch-Slater, Sharon United Methodist Church
- B) Pledge of Allegiance-Reverend Susan Fitch-Slater, Sharon United Methodist Church
- C) Approval of Agenda
- D) Public Comment

*Please limit comments to items not appearing on the regular agenda; please limit comments to 3 minutes.*

### Administrative Reports

- A) Senior Tarheel Legislative Update-Joanne Dibello
- B) Tourism Department Awards Recognition

### Public Hearings

- A) **PB 14-16 Lake View at Currituck:** Request for a development agreement between Currituck County and Survey Road, LLC for property located in Moyock on Survey Road west of the intersection with Caratoke Highway, Tax 15, Parcel 83, Moyock Township.

**New Business**

**A) Board Appointments:**

1. Whalehead Preservation Trust

**B) Consent Agenda:**

1. Approval of Minutes for October 20, 2014
2. Budget Amendments-*Budget amendment #2015029 for Southern Outer Banks Water System RO Plant Expansion was removed.*
3. CDBG Monthly Status Report
4. Building Permit Fee Schedule-Solar Array
5. Recommendation of Award, SOBWS Reverse Osmosis Well
6. Dominion Right-of-Way Agreement for Parks & Rec Maintenance Building

**C) Commissioner's Report**

**D) County Manager's Report**

Adjourn



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

PB 14-16 Lake View at Currituck request for a development agreement between Currituck County and Survey Road, LLC for property located in Moyock on Survey Road west of the intersection with Caratoke Highway, PIN 00150000830000, Moyock Township.

## Brief Description of Agenda Item

The Development Agreement proposed between the Developer and Currituck County requires that the Developer install a new oversized public sewer force main to connect the Lake View at Currituck subdivision to the Moyock Central Sewer System. The sewer mains, pump stations, and appurtenances subject to the development agreement will be dedicated to the county upon completion and acceptance by the Technical Review Committee. Through approval of the development agreement the county will reserve capacity in in the Moyock Central Sewer System for the build out of the Lake View at Currituck subdivision and will consider the cost of installation of the sewer force main as a cost of development for the purpose of establishing zoning vested rights. Detailed obligations of the Developer and county are included in the draft Development Agreement.

### Planning Board Recommendation:

Mr. Craddock moved to approve PB 14-16 due to its consistency with the Moyock Small Area Plan and the 2006 Land Use Plan and the request is reasonable and in the public interest and does promote orderly growth and development. Mr. Cooper seconded the motion and motion carried unanimously.

## Board Action Requested

Action

## Person Submitting Agenda Item

Ben Woody

## Presenter of Agenda Item

Ben Woody



## Currituck County

Planning and Community Development Department  
Planning and Zoning Division  
153 Courthouse Road, Suite 110  
Currituck, North Carolina 27929  
252-232-3055 FAX 252-232-3026

To: Board of Commissioners  
From: Planning Staff  
Date: October 27, 2014  
Subject: PB 14-16 Lake View at Currituck – Development Agreement

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James O. Myers submitted an application for a Development Agreement between Survey Road, LLC (the “Developer”) and Currituck County for the proposed Lake View at Currituck subdivision located at 120 Survey Road in the Moyock Township. The use of a development agreement is authorized in North Carolina General Statutes 153A-379.1– 153A-379.13 and Section 2.4.18 of the Currituck County Unified Development Ordinance (UDO); the purpose and intent of a development agreement is to:

1. Encourage comprehensive planning and capital facilities planning;
2. Ensure the provision of adequate public facilities for development;
3. Encourage the efficient use of resources, while providing certainty in the process of obtaining development permits and approvals; and
4. Reduce the economic costs of development by providing greater regulatory certainty.

The Development Agreement proposed between the Developer and Currituck County requires that the Developer install a new oversized public sewer force main to connect the Lake View at Currituck subdivision to the Moyock Central Sewer System. The sewer mains, pump stations, and appurtenances subject to the development agreement will be dedicated to the county upon completion and acceptance by the Technical Review Committee. Through approval of the development agreement the county will reserve capacity in in the Moyock Central Sewer System for the build out of the Lake View at Currituck subdivision and will consider the cost of installation of the sewer force main as a cost of development for the purpose of establishing zoning vested rights. Detailed obligations of the Developer and county are included in the Conditions section of the Development Agreement.

The Developer is also submitting an amended sketch plan and preliminary plat for approval, as well as requesting modifications to the current (special) use permit. The significant changes include:

1. *Removal of road connection through Eagle Creek open space.* The third entrance road across Eagle Creek open space is proposed for removal. The entrance roads in the subdivision were reviewed by a traffic engineer and NCDOT and the revised plans reflect the recommendations.
2. *Reduction in sidewalks and widths.* The applicant is requesting removal of sidewalks from one side of the street and footbridge over the lake. The resubmitted plans now include

sidewalks along one side of the street interconnected in open space and neighborhood commercial areas.

3. *Removal of county dedication, increase in commercial area, and decrease in open space.* The 1.75 acre tract previously dedicated to the county on the preliminary plat is proposed to revert to the developer, allocated for commercial, and removed from open space in exchange for installing a 6 inch sewer force main off-site of the development. (See Development Agreement)
4. *Reduction in street intersection spacing.* The approved preliminary plat provides intersection spacing of approximately 270 feet for the interconnection street (Chip's Road). The revised plans reduce that spacing to approximately 170' which is below the approved spacing (270' approximate) and the current UDO requirement (400').
5. *Revised phasing plan.*
6. *Removed specific playground equipment summary for pocket parks.*
7. *Reduction in structure setbacks/drainage easements.* The approved preliminary plan allows setbacks to be as follows:
  - a. 20' setback to NCDOT 50' right of way and 22' setback to back of curb.
  - b. 20' separation between principal structures and 5' pool setback to property line.
  - c. 10' rear setback

The developer is requesting a modification in setbacks as follows:

- a. 20' front setback
  - b. 5.5' side setback 5' pool setback to the property line
  - c. 10' rear setback to open space.
8. *Removal of community wastewater references.* The developer has removed the community wastewater plant from the plans and the area is shown as future development.
  9. *Modifications to the current (special) use permit.* The developer proposes to delete conditions related to subdivision access alignment and construction of the community wastewater system.

The TRC recommendations related to the resubmitted plans include the following:

1. The proposed interconnection street does not meet the required 400' intersection spacing. Since there is not precedent for further reduction, Staff recommends maintaining the intersection spacing of the approved preliminary plat (approximately 270'). The Board will consider a text amendment on November 17, 2014 that proposes to reduce the minimum intersection spacing to 125 feet for local streets. If approved, the proposed plans will meet the 125 foot spacing requirement.
2. The approved preliminary plat was given under the previous UDO which allowed for patio style development (reduced lot sizes and setbacks). The current UDO does not provide for patio home development and the proposed setbacks are not consistent with the approved preliminary plat or transition standards of the current UDO. The applicant plans to request a PUD Variance to allow for reduced side setbacks. A PUD Variance was previously approved to allow on-street parking.
3. The interconnection street shall include street trees and pavement to the property lines. A performance guarantee may be posted for the improvement if not installed at final plat.
4. Street names are currently under review by GIS.

Enclosed please find a draft version of the Development Agreement that includes an amended sketch plan, preliminary plat and special use permit.

Planning staff recommends **approval** because the proposed development agreement is consistent with the Moyock Small Area Plan because the subject property and sewer main extension are located in a Full Service area; is consistent with the Land Use Plan because it focuses sewer service in existing developed areas and in nearby targeted growth areas (POLICY WS3); and the development agreement demonstrates the impact on the future provision of public sewer capital improvements by the county.

The Planning Board ***recommended unanimous approval*** at their August 12, 2014 meeting.

## **PLANNING BOARD DISCUSSION (8/12/14)**

Mr. Woody provided an overview of the development agreement.

Mr. Cooper asked if the county would accept the sewer line that is being installed before the final plat is recorded.

Mr. Woody said yes.

Mr. Wright asked if the additional phasing of the development would require an increase in sewer capacity. Does this set a precedent for the county to have to expand the sewer capacity?

Mr. Woody said yes.

Mr. Craddock said anticipated revenues from sewer commission fees and monthly users fees for sewer service will help to offset the investment the county will have to make with the expansion.

Ms. Bell is concerned with the side setbacks.

Mr. Cooper said tonight the board is considering the Development Agreement and not the changes.

Mr. Craddock asked by removal of the conditions from the use permit, is this giving them the ability to create higher density by lowering these side setbacks.

Mr. Woody said lowering the setbacks doesn't create the ability to have a higher density.

Mr. Bissell provided an overview of the proposal, wastewater treatment for the subdivision, phasing, sidewalks, and setbacks.

Mr. Cooper asked when the agreement would expire.

Mr. Woody said once it is adopted it is effective for 10 years.

Mr. Bissell said everything should be platted within 4 to 5 years.

Mr. Winslow said he has the adjacent farm, Lindsey Farm. Will there be any change in the already approved buffer zone between the farm and this project?

Mr. Woody said it will remain the same.

Mr. Winslow said the sewer line will run down the farm side of the road, is the intent to put it on farm property?

Mr. Woody said the intent is to put it in DOT right-of-way.

Mr. Winslow asked where the overflow from the lake will go.

Mr. Bissell said it will go to Survey Road and under 168 Hwy. and out.

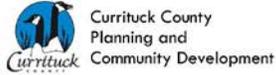
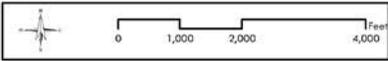
Mr. Winslow asked will there be any enlargement of the existing ditch?

Mr. Bissell said no.

Mr. Clark closed the public hearing.

**ACTION**

Mr. Craddock moved to approve PB 14-16 due to its consistency with the Moyock Small Area Plan and the 2006 Land Use Plan and the request is reasonable and in the public interest and does promote orderly growth and development. Mr. Cooper seconded the motion and motion carried unanimously.





## Currituck County

Planning and Community Development Department  
Planning and Zoning Division  
153 Courthouse Road, Suite 110  
Currituck, North Carolina 27929  
252-232-3055 FAX 252-232-3026

To: Jim Myers  
Mark Bissell

From: Planning Staff

Date: July 11, 2014

Subject: PB 14-16 Lake View at Currituck – Development Agreement

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The following comments have been received for the July 16, 2014 TRC meeting. Modifications of the request must be submitted by July 22, 2014 in order to remain on the August 12, 2014 Planning Board agenda. TRC comments are valid for six months from the date of the TRC meeting.

### **Planning, Ben Woody**

Reviewed

1. Page 5: With county approval, the developer ~~reserves the right to~~ may modify the final building plans to fit market conditions.
2. Page 32: Add - Force mains, pump stations, and accessories shall be installed in accordance with any standards provided by the county and shall be approved by the Technical Review Committee. The developer is required to submit detail drawings and construction drawings associated with proposed force mains, pump stations, and accessories. An as built drawing/survey shall be required prior to the county's acceptance of public infrastructure. All drawings shall be prepared and certified by a registered engineer.
3. Do the proposed public force main sizes adequately serve future development? Should modeling be required to make this determination? A reimbursement agreement can be proposed for oversized facilities.
4. Page 32: If the county agreed to release any claim to the 1.75 acre tract of land intended for public dedication, the TRC recommends a payment in-lieu be required.
5. Page 32: Planning staff understands that a portion of wastewater plant capacity must be reserved at all times for economic development purposes. This may impact reservation calculations as outlined in this draft agreement.
6. Page 33: Include development summary and phasing plan (table format) on Project Phasing and WWTP Connection exhibit.
7. Page 34: Force mains, pump stations, and accessories located in a subdivision or along the NCDOT right-of-way shall be dedicated to Currituck County (need to discuss fee versus easement at TRC meeting). Property owners or the developer shall own and be responsible for infrastructure from an individual clean out or pump station to the dwelling unit.

Lake View at Currituck  
Development Agreement  
Page 7 of 9

8. Page 36: Pay for all ~~normal~~ costs...preparation of engineering plans, ~~DWR permitting~~ State and local permitting...and installation of said 4" and 6" force mains, pump stations, and accessories.
9. Page 36: The county must offer 22,650 GPD of WWTP capacity within two years of what? When will the reservation fee for phases 3 and 4 of Lake View be paid by the developer? How does this coincide with future reservations once Phase 2 WWTP capacity is on-line?
10. Page 37: Planning staff recommends the use permit be formally amended with the approval of this development agreement.
11. Page 37: need to discuss county cost obligations related to the EA at the TRC meeting. Not sure about the county absorbing the cost for the permitting of force main extensions to serve Lake View subdivision.
12. Page 37 – Obligation 3: see planning comment #4.
13. Is there a need to include dimensional standards or any other zoning requirements in this development agreement? The Lake View PUD falls under the transition standards in Chapter 1 of the current UDO – this is a good opportunity to clarify any inconsistencies.
14. Following the TRC review, a meeting should be scheduled to begin discussing legal format of the document, preparation responsibilities, and statutory requirements.

**Currituck County Engineer, Eric Weatherly**

1. I don't understand the last paragraph of the original development narrative. Are they requesting capacity for 146 residences and 26 commercial connections? What is the full amount of flow requested? Shouldn't we require the same reservation payment for the extra 42 single family and the 26 commercial connections?
2. The residual payment appears to be proposed due at CO. The remaining \$429,000 should be due at final plat
3. Remainder (75%) of sewer tap fee will be collected at final plat.
4. The 25% sewer tap reservation fee will also be required in order to reserve capacity on Phases 3 & 4.

**Currituck Soil and Water, Mike Doxey**

Approved

**Currituck County Utilities, Pat Irwin**

Approved

**Currituck County Fire Marshal, James Mims**

Approval with Corrections

1. The Needed Fire Flow (NFF) of new construction in the commercial area cannot exceed the available fire flow at the location. Calculations are taken from the ISO method.

**Albemarle Regional Health Services, Joe Hobbs**

Reviewed

1. \*NOTE: CONSULT WITH ERIC WEATHERLY PE (COUNTY ENGINEER) CONCERNING MOYOCK SEWER DISTRICT HOOK UP APPROVAL FOR EACH LOT THAT MAKES UP THIS PROPOSED SUB-DIVISION.

**Currituck County Building Inspections, Spence Castello**

1. Soil engineering is required at footing inspection.

**Currituck County GIS, Harry Lee**

Reviewed

**Currituck County Parks and Recreation, Jason Weeks**

Reviewed

1. Seems like a large development that isn't providing recreation opportunities to its residents. The 1.75 acres in this location is not in my opinion ideal for a park facility; however it may be useful to other county departments. Is developer interested in paying the "fee in lieu".

**NC State Archaeology, Lawrence Abbot**

No comment

1. No previously recorded archaeological sites noted within the project area. An archaeological survey is not recommended.

**NC Division of Coastal Management, Charlan Owens**

No comment

**US Postal Service, Moyock Postmaster**

1. Please contact the local postmaster (Moyock) to determine the mode of delivery and type of delivery equipment.

**DEVELOPMENT AGREEMENT**

THIS DEVELOPMENT AGREEMENT (this "Development Agreement") is made this the \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the County of Currituck, a body politic and political subdivision of the State of North Carolina, and Survey Road, LLC, a North Carolina limited liability company. Hereinafter Currituck County will be referred to as "County" and Survey Road, LLC, as "Developer."

**SECTION ONE**  
**RECITALS**

1. Developer owns real property situate in Currituck County consisting of 74.23 acres, located at 120 Survey Road, and being Parcel No. 0015-000-0083-0000. A plat of said property, prepared by Bissell Professional Group, dated August 3, 2007, is attached hereto as Exhibit "A." The property subject to this Agreement is "Tract 1" thereon.

2. Within the above described real property there is in excess of twenty-five (25) developable acres as defined in N.C.G.S. 153A-349.4, said twenty-five (25) developable acres are exclusive of wetlands, mandatory buffers, unbuildable slopes, and other portions of the property which may be precluded from development at the time of application.

3. Developer intends to establish a Planned Unit Development (PUD) consisting of 146 residential lots and 7.21 acres of commercial land, together with associated infrastructure. By way of illustration and not limitation, the latest development plan, the amended sketch plan, prepared by Bissell Professional Group under date of July 30, 2014, is attached hereto as Exhibit "B." Additionally, an amended preliminary plat under revision date of July 30, 2014, illustrates the residential portion of the development and is attached hereto as Exhibit "C." Finally, typical building elevations are included as Exhibit "D" however, these elevations should be understood as being similar but not the exact elevation to which homes will be constructed.

4. Because of the type, size, and location of Lake View at Currituck, County and Developer believe the orderly completion of Lake View at Currituck will be difficult to accommodate through County's traditional zoning processes alone.

5. County finds Lake View at Currituck, as illustrated by the referenced exhibits, is a development suitable to be planned and developed through a development agreement as permitted by Part 3A of Article 18 of Chapter 153A of the North Carolina General Statutes and it is in County's interests to enter into this Development Agreement as significant benefits for County and its citizens will be realized, including sewer extension along Highway 168 commercial corridor and development consistent with the Moyock Small Area Plan. This development will protect the environment, enhance the tax base and provide public amenities.

6. County has published notices of and has held a public hearing concerning this Development Agreement as required by N.C.G.S. § 153A-349.5 (2010) and otherwise completed all steps, conditions and requirements necessary for the County Board of Commissioners to consider adoption of this Agreement as permitted by law.

7. After holding the public hearing and carefully considering the terms and conditions of this Development Agreement, the County Board of Commissioners duly adopted this Development Agreement as an ordinance as required by N.C.G.S. § 153A-349.3 (2010) and directed its execution by the Chairman of the Board of Commissioners and attestation by the Clerk to the Board.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, and pursuant to North Carolina law, including N.C.G.S. § 153A-349.1 (2010) et seq., County and Developer agree as follows:

**SECTION TWO**  
**EFFECTIVE DATE**

The Effective Date is the date this Development Agreement is executed by both parties after the adoption by the County Board of Commissioners as an ordinance. County shall sign and deliver this Development Agreement to Developer within ten (10) days of adopting the ordinance, or as soon thereafter practicable.

**SECTION THREE**  
**DEFINITIONS**

Certain terms having specific definitions are used in this Agreement, and these terms and definitions, unless the context clearly indicates to the contrary, are as set forth in this Section Three. The defined terms appearing in this Section are set forth in this Agreement in the exact capitalized form as they appear between the quotation marks. When the same term is used in this Agreement with the meaning as assigned herein, it shall appear in the identical capitalized form. Otherwise, the meaning shall be as used in the context of the sentence in which it appears and not necessarily that as defined herein.

“Lake View at Currituck, PUD” - means the Property, as it is intended to be developed, substantially in accordance with Exhibits B, C & D, as they may be amended from time to time in accordance with applicable County ordinances and this Agreement.

“Development Permit” - means a building permit, zoning permit, subdivision approval, site plan approval, special or conditional use permit, variance or any other official action by County having the effect of permitting the development of property.

“Land Development Regulations” - means ordinances and regulations enacted by County for the regulation of any aspect of development and includes zoning, subdivision or any other land development ordinances.

“Laws” - means all ordinances, resolutions, regulations, comprehensive plans, land development regulations, policies, and rules adopted by County affecting the development of property, and includes laws governing permitted uses of the property, density, design and improvements originating from any other governmental entity with jurisdiction over the subject property and its development.

“Property” - means all real property owned by Developer and shown on Exhibit “A” that is subject to land-use regulation by the County and includes any improvements or structures customarily regarded as a part of real property.

#### SECTION FOUR SELF-CONTAINED DEVELOPMENT

Lake View at Currituck will contain a recreational lake and a network of pedestrian and bicycle paths which connect all residential neighborhoods with the amenities within Lake View at Currituck so that residents of Lake View at Currituck will have the option to walk or ride a bicycle to the lake and other passive and active recreational opportunities located in Lake View at Currituck.

#### SECTION FIVE PHASING AND DEVELOPMENT SCHEDULE

Based upon the best information available to Developer and the Effective Date, Developer has designated four (4) phases for development and Exhibit “E” contains the Development Schedule as of the Effective Date. Because of the uncertainty of the demand for Lake View at Currituck, interest rates and the general economy, Developer shall have the right annually during the term of this Agreement to examine the Development Schedule and modify the number of phases, the phasing lines and Development Schedule of Lake View at Currituck; however, in no event shall the intervals in the modified Development Schedule be greater than two (2) years.

**SECTION SIX**  
**PROVISION OF PUBLIC FACILITIES**

A. Public Sewer Facilities. Subject to the approval of the North Carolina Department of Environment and Natural Resources, Developer will construct a new public force main and gravity sewer collection system will be constructed to serve Lake View at Currituck PUD as well as other potential development along Caratoke Highway. A 4-inch force main will be constructed from a proposed main lift station within the Lake View development along Survey Road to the north side of Caratoke Highway; from that point a 6-inch force main will be constructed along the shoulder of Caratoke Highway and connected to an existing County force main connection point across from the entrance to Moyock Commons shopping center, approximately as shown on the plan entitled Lake View at Currituck Project Phasing Plan and WWTP Connection dated revised July 30, 2014, attached as **Exhibit "F"**. All gravity sewer mains, force mains, pump stations and appurtenances will be designed, permitted and constructed at Developer's sole expense, and then turned over to Currituck County for ownership and maintenance.

The gravity sewer collection system, force mains, pump station, and appurtenances will be installed in accordance with standard professional practice and shall be approved by the Technical Review Committee. Developer will submit flow modeling, construction drawings and specifications associated with the proposed force mains, pump station and appurtenances. An as-built drawing will be provided prior to the county's acceptance of the new public infrastructure. Drawings will bear the stamp of an NC Professional Engineer.

To aid in the design of the force main and pump station, County will furnish copies of flow models that have been prepared for the other pump stations that connect to the Moyock wastewater treatment plant.

County will also provide estimated future wastewater demands for the 6-inch portion of the force main. Developer will run alternate flow models that includes the future demand numbers for the 6-inch portion including scenarios with a parallel 4-inch if needed and will provide for county review. If requested by county, based on its review of the future demand model, construction plans will include a bid alternate for the installation of a 4-inch force main to be installed in the same trench as the 6-inch force main along Caratoke Highway.

While preliminary calculations have shown that a 4-inch force main will be adequate to serve the needs of the Lake View development, Developer is willing to pay for an oversized, 6-inch force main to provide capacity for Currituck County for future development. The initial estimated value of this capacity is approximately \$88,000. In return, Currituck County will release any claim to a 1.75 acre parcel of land which fronts on Survey Road at the proposed main entrance to the development as shown on the amended preliminary plat (the parcel labeled "Area offered for dedication to Currituck County"). The 1.75 acre parcel will become an additional neighborhood commercial parcel.

County will reserve and Developer will purchase, in phases, 62,650 gallons of capacity in County's Moyock regional wastewater treatment facility according to a phasing and payment schedule subsequently appearing herein.

B. Installation of Sewer Infrastructure, Reservation and Payment for Sewer Taps. Developer shall:

1. Install a combination of 4" and 6" force mains, pump stations and appurtenances directly connecting the Lake View at Currituck PUD to the Moyock Central Sewer System. The developer will contract for this installation within 90 days of securing the required state and local permits for construction. The force mains, pump stations and appurtenances will be constructed approximately as shown on the plan entitled Lake View at Currituck Project Phasing Plan and WWTP Connection revised July 30, 2014, attached as Exhibit "F".

2. Pay for all customary costs associated with the preparation of the Engineering Plans, state and local permitting, and the installation of said 4" and 6" force mains, pump stations and appurtenances. Upon completion and approval by the Technical Review Committee, the Developer will deed the force mains, pump stations, and appurtenances to Currituck County. Any costs associated with the county's environmental assessment for expansion of the Moyock Central Sewer System treatment plant capacity are specifically excluded from developer's obligations.

3. Install a gravity sewer collection system to serve Lake View at Currituck PUD. Upon completion and approval by the Technical Review Committee, Developer will deed the gravity sewer collection system to Currituck County. Based on installation of said gravity sewer collection system by the Developer, individual property owners shall own and maintain infrastructure that is located on private property from the cleanout to each dwelling unit.

4. Purchase 40,000 GPD of capacity in the Moyock Central Sewer System, equivalent to 104 residential connections, to serve phases 1 and 2 of Lake View at Currituck, PUD, and pay a \$5,500 (five thousand five hundred dollar) Tap Fee for each of 104 County Sewer Connections as follows:

a. Reserve Payment-  $104 \times \$5,500 \times 0.25 = \$143,000$  (one hundred forty three thousand dollars) was paid on July 23, 2014 to reserve the 40,000 GPD capacity for phases 1 and 2. In the event that this Development Agreement is not executed between the parties and there is no Vesting of the Lake View at Currituck PUD Development Rights, then upon request by Developer, the county shall promptly refund the \$143,000 reserve payment, provided said request is made within 3 years of July 23, 2014.

b. Intermediate payment -  
phase 1 -  $49 \times \$5,500 \times 0.5 = 134,750$  to be paid as a condition of recording the final plat for phase 1;  
phase 2 -  $55 \times \$5,500 \times 0.5 = 151,250$  to be paid as a condition of recording the final plat for phase 2;

c. Residual Payment-  $104 \times \$5,500 \times 0.25 = \$143,000$  to be paid at the rate of \$1,375 for each of 104 requests for the County's building permit. This payment shall be made at the time of application for building permit.

5. Within 30 months, when offered by Currituck County, Developer shall have the first right of refusal to purchase an additional 22,650 GPD of capacity in Phase 2 of the Moyock Central Sewer System to serve phases 3 and 4 of Lake View at Currituck, PUD, equivalent to 42 residential connections and 26 commercial connections, and pay a \$5,500 (five thousand five hundred dollar) Tap Fee for each of these 68 County Sewer Connections as follows:

a. Reserve Payment -  $68 \times \$5,500 \times 0.25 = \$93,500$  (ninety-three thousand five hundred dollars), to be paid at the time of reservation of capacity.

b. Intermediate payment -  
phase 3 -  $42 \times \$5,500 \times 0.5 = \$115,500$  to be paid as a condition of recording the final plat for phase 3;

c. Residual Payment-  
Phase 3 -  $42 \times \$5,500 \times 0.25 = \$57,750$  to be paid at the rate of \$1,375 for each of 42 requests for the County's building permit. This payment shall be made at the time of application for building permit.

6. Phase 4 (Commercial Phase) -  $26 \times \$5,500 \times 0.75 = \$107,250$  to be paid at the rate of \$4,125 for each of 26 equivalent taps, requested at the time of application for the County's building permit. The final number of taps purchased for Phase 4 will be based upon the actual uses approved for construction, with flow allocation based on the NC DENR 2T rules and paid for at the rate of \$5,500 per 250 gallons per day of flow allocation (the County's equivalent residential unit).

a. Cooperate with County to amend Special Use Permit No. PB 07-10 filed on 2-17-10, to reflect conditions that have been made obsolete by plan amendments or superseded by this Development Agreement (conditions 2, 3, 5, 13, 15 and 17). A copy of the proposed amended SUP is included as Exhibit "G". All applicable conditions of the Special Use Permit shall become conditions of a new Special Use Permit to be issued concurrently with the approval of this agreement.

b. Cooperate with county in its effort to obtain a flow reduction from the state based on actual wastewater usage.

C. Survey Road to Retain 1.75 Acre Parcel. As partial consideration for Developer dedicating excess force main capacity to the County as described above, Survey Road will retain a 1.75 acre parcel of land depicted on the Lake View at Currituck Amended Preliminary Plat, described as "Area offered for dedication to Currituck County" for use as neighborhood commercial development.

D. Availability of Sewer for Phases 3 and 4. Within 30 months of entering into this Development Agreement, the County will offer to Survey Road, at substantially the same terms and conditions as established above, Wastewater Capacity for 42 additional Single Family connections, and a minimum of 26 Commercial Connections at, and for, Lake View at Currituck PUD (Phases 3 and 4).

E. Dedication of Land and Facilities for Public Use. No land subject to this agreement will be deeded in fee. Developer will dedicate easements to Currituck County as required for the operation and maintenance of all gravity sewer mains, force mains, pump stations and appurtenances. Developer will deed the proposed 4-inch and 6-inch force mains and gravity sewer collection system that are the subject of this Agreement to Currituck County upon completion and acceptance of their installation. Based on installation of a gravity sewer collection system by Developer, individual property owners shall own and maintain infrastructure located on private property from the cleanout to each dwelling unit within the Lake View property.

**SECTION SEVEN**  
**VESTED RIGHTS TO COMPLETE LAKE VIEW AT CURRITUCK AS APPROVED;**  
**APPLICATION OF LAWS AND LAND DEVELOPMENT REGULATIONS**

Lake View at Currituck shall be subject only to the Laws and Land Development Regulations enacted and applicable to Lake View at Currituck at the time of County's adoption of this Development Agreement as an ordinance and in accordance with the provisions of the Development Agreement (the "Existing Lake View at Currituck Development Law"). The parties agree Lake View at Currituck need only obtain permits issued pursuant to the North Carolina State Building Code and comply with the Existing Lake View at Currituck Development Law in order to complete the development of Lake View at Currituck under local law. Except for changes in the County's reimbursement schedule which is attached as Exhibit "E", laws, rules, regulations or policies adopted by the County or any of its boards, officials or staff enacted, adopted, formed or administered after the adoption of this Development Agreement, including but not limited to land use, streets, buffers, the division of land, grading, landscaping, water, sewer, stormwater, setbacks and signage, shall not directly or indirectly be applicable to any aspect of Lake View at Currituck, the development of Lake View at Currituck as currently approved, the Existing Lake View at Currituck Development Law or the Property for a period of ten (10) years after the Effective Date. More specifically, it is agreed and understood development will proceed in accord with the development standards which were in effect at the time Developer obtained a Special Use Permit and amendments thereto, together with design modifications. Said permit was issued on July 6, 2009, and would otherwise expire on January 1, 2015.

The failure of this Development Agreement to identify a particular permit, condition, term or restriction does not relieve Lake View at Currituck of the necessity of complying with the law governing the permitting requirements, conditions, terms or restrictions of local development permits. However, County represents to Developer the above paragraph identifies all permits or approvals which are required by the County prior to the County issuing certificates of occupancy for uses and improvements at Lake View at Currituck. Moreover, attached hereto as Exhibit "H" is a detailed listing of known permits and the status of acquisition by Developer.

In the event that State and/or federal law is changed after the Effective Date in such a way that prevents compliance with this Development Agreement by Developer, County and Developer will review the terms of this Development Agreement and work together in good faith to modify the affected provisions to accomplish the intended purpose of this Development Agreement and the economic benefits foreseen by the parties when they entered into this contract.

Notwithstanding any terms herein, it is agreed Phase 4 of Lake View at Currituck (commercial development) shall be developed in accord with all state, federal, and local laws and ordinances in effect at the time site plan approval is obtained.

**SECTION EIGHT**  
**REVIEW TO ASSESS COMPLIANCE**  
**WITH THIS DEVELOPMENT AGREEMENT**

From time to time, Developer and County may review the good faith execution of the provisions herein to assure compliance and the accomplishment of the purposes originally intended by the parties. The failure of Developer to complete any phases of Lake View at Currituck within the times set forth in this Development Agreement shall not, in and of itself, constitute a material breach of this Development Agreement and whether a material breach exists must be judged based on the totality of the circumstances. A County officer designated by the County Manager or the County Manager himself shall conduct a progress review (a "Review") every twelve (12) months to determine whether Developer remains in good faith compliance with this Development Agreement based upon the totality of the circumstances.

**SECTION NINE**  
**DEFAULT**

In the event County determines in the course of a Review Developer is in material breach of this Agreement, County shall, within a reasonable time after the Review, send notice to Developer setting forth (a) with reasonable particularity the nature of the breach and evidence supporting the County's findings and determination, and (b) a reasonable time in which Developer may cure the breach. If Developer fails to cure the breach within the time provided, the County may unilaterally terminate this Agreement by sending a termination notice to Developer; provided the termination notice may be appealed to the County's Board of Adjustment in the manner provided in N.C.G.S. § 153A-345(b) (2010).

For all other defaults and breaches of this Agreement by either County or Developer, the non-defaulting Party shall notify the defaulting Party of the default, specifying the nature of the default and providing at least thirty (30) days for the defaulting Party to cure the default. If the default at issue cannot be cured by the defaulting Party within thirty (30) days, then the notice shall specify a reasonable cure period in excess of thirty (30) days, but in no event more than ninety (90) days. If the defaulting Party fails to cure the default within the cure period provided in the notice, then the non-defaulting Party may terminate this Development Agreement or, in the alternative, seek to enforce this Development Agreement through any and all remedies available at law or in equity.

**SECTION TEN**  
**RECORDATION OF AGREEMENT**

Pursuant to N.C.G.S. § 153A-349.11 (2010), within five (5) days after the Effective Date, Lake View at Currituck shall record this Development Agreement with the Register of Deeds of Currituck County, North Carolina.

**SECTION ELEVEN**  
**TERM**

Pursuant to N.C.G.S. § 153A-349.4 (2010), the term of this Development Agreement shall be a period of eight (8) years from the Effective Date.

**SECTION TWELVE**  
**MISCELLANEOUS**

**Force Majeure:** The parties hereto shall not be liable for any failure to perform hereunder as a result of an external event or events beyond their respective control, including, without limitation, acts of the United States of America, acts of the State of North Carolina, embargos, fire, flood, drought, hurricanes, tornadoes, explosions, acts of God or a public enemy, strikes, labor disputes, vandalism or civil riots. However, if any such event interferes with the performance by a party hereunder, such party shall diligently and in good faith act to the extent within its power to remedy the circumstances affecting its performance or to complete performance in as timely a manner as is reasonably possible.

**Amendment and Cancellation:** This Development Agreement may be amended or canceled by mutual consent of County and Developer, and their successors or assigns. No amendment to this Development Agreement shall be effective, unless such amendment is reduced to a written agreement signed by the parties hereto.

**Recitals:** The recitals of this Development Agreement are material terms of this Development Agreement and shall be binding upon the parties.

**Severability:** If any section, subsection, sentence, clause, phrase or portion of this Development Agreement is for any reason held invalid or unconstitutional by a nonappealable, final decision from any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**Notice:** All notices or other communications required or permitted to be served hereunder shall be deemed served in accordance with this Development Agreement if the notice is (a) mailed in a sealed wrapper and deposited in the United States mail, certified mail, return receipt request, postage prepaid; or (b) deposited with a national overnight courier service that retains receipts of its deliveries. Notices or other communications shall be properly addressed as follows:

The County:                    **Daniel F. Scanlon, II**  
   **County Manager**  
   **153 Courthouse Road, Suite 204**  
   **Currituck, NC 27929**

Lake View at Currituck:    **Survey Road, LLC**  
   **James O. Myers, Jr.,**  
   **Vice President of Franciscus Homes, Inc.,**  
   **Manager of Survey Road, LLC**  
   **616 Village Drive, Suite G**  
   **Virginia Beach, VA 23454**

The parties may, by written notice given to the other, designate any further or different addresses to which all notices or other communications shall be sent.

**Run with the Land:** This Development Agreement shall run with the Property, and any portion thereof as it may be subdivided or recombined.

**Entire Agreement:** This Development Agreement contains the entire agreement between the parties. Any prior or contemporaneous oral or written agreements are merged into this Development Agreement.

**Multiple Counterparts:** This Development Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and it shall not be necessary in making proof of this Development Agreement to produce or account for more than one such fully executed counterpart.

**Applicable Law:** This Development Agreement is governed by, and shall be construed in accordance with, the laws of the State of North Carolina. More particularly in the event of in ambiguity, this Agreement shall be interpreted to the extent possible, so as to make it in all ways compliant with North Carolina General Statute Part 3A of Article 18, Chapter 153A of the North Carolina General Statutes.

**SECTION THIRTEEN**  
**REPRESENTATIONS AND WARRANTIES OF THE PARTIES**

County and Developer, and the persons executing this Development Agreement on their behalf, represent and warrant, as applicable, that (1) such party or person has the full power and authority to enter into this Development Agreement, to execute it on behalf of the party indicated on the signature page, and to perform the obligations hereunder, (2) such party is acting on its own behalf and on behalf of its members, successors and assigns, (3) this Development Agreement is a valid and binding obligation, enforceable against the parties in accordance with its terms, (4) entering into this Development Agreement does not conflict with any other agreements entered into by either party, and (5) the execution, delivery and performance of this Development Agreement has been duly and validly authorized by all necessary corporate or governmental action on its part. Specifically (and not as a limitation), County represents and warrants to Developer if this Development Agreement constitute debt, the County has complied, or will comply, at the time of the obligation, to incur the debt and before the debt becomes enforceable against the County, with any applicable constitutional and statutory procedures for the approval of the debt.

**SECTION FOURTEEN**  
**EXECUTION**

This document having been carefully reviewed by the parties and their counsel, and it being determined such is in accord with applicable law and is in the interest of Developer, County and its citizens, each party does hereby bind itself to the other to carry out the terms herein by the execution of this document in duplicate originals.

**SECTION FIFTEEN**  
**PRE-AUDIT CERTIFICATION**

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: \_\_\_\_\_  
Finance Officer  
Currituck County, North Carolina

DRAFT

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year indicated below:

ATTEST:

COUNTY OF CURRITUCK

By: \_\_\_\_\_

By: \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF CURRITUCK

This is to certify that on the \_\_\_\_ day of \_\_\_\_\_, 2014, before me personally came \_\_\_\_\_, who, being by me duly sworn, says that she is the Clerk to the Currituck County Board of Commissioners and \_\_\_\_\_, is the Chairman of the Currituck County Board of Commissioners, a North Carolina County possessing powers of a unified government pursuant to N.C.G.S. § 153A-471, described in and which executed the foregoing; that she knows the corporate seal of said County, that the seal affixed to the foregoing instrument is said corporate seal, and the name of the unified government was subscribed thereto by the said \_\_\_\_\_ and that the said corporate seal was affixed, all by order of the governing body of said County, and that the said instrument is the act and deed of said County.

WITNESS my hand and official seal or stamp, this the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

[SEAL]

ATTEST:

SURVEY ROAD, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

James O. Myers, Jr.,  
Vice President of Franciscus Homes, Inc.  
Manager of Survey Road, LLC

STATE OF NORTH CAROLINA  
COUNTY OF CURRITUCK

I, a Notary Public of Currituck County, North Carolina, do hereby certify that James O. Myers, Jr., personally came before me this day and acknowledged that he is the Vice President of Franciscus Homes, Inc., Manager of Survey Road, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of the limited liability company, the foregoing instrument was signed in is name by its \_\_\_\_\_, sealed with its corporate seal, and attested by himself as its \_\_\_\_\_.

WITNESS my hand and official seal or stamp, this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

[SEAL]

## LIST OF EXHIBITS

- A. Plat under date of August 3, 2007.
- B. Amended sketch plan under date of July 30, 2014.
- C. Preliminary plat under date of July 30, 2014.
- D. Typical Elevations.
- E. Phase and Development schedule.
- F. Project Phasing Plan and WWTP Connection.
- G. Proposed amended SUP.
- H. Required permits.

## Exhibit "A"

Boundary Survey

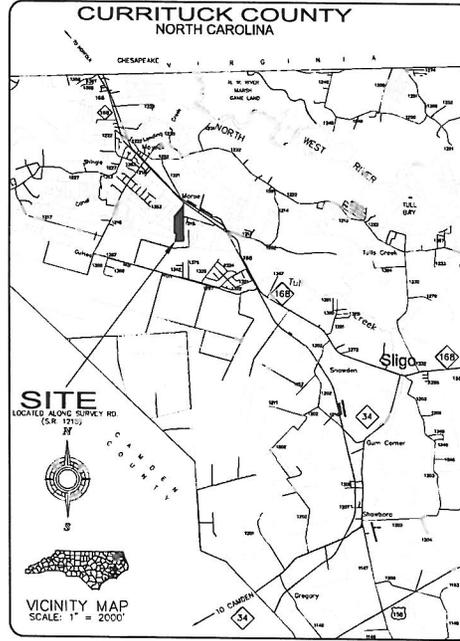


# Exhibit "B"

Amended Sketch Plan

# AMENDED SKETCH PLAN FOR LAKE VIEW AT CURRITUCK - PLANNED UNIT DEVELOPMENT

MOYOCK TOWNSHIP NORTH CAROLINA



<p><b>GENERAL NOTES:</b></p> <p>1. PROJECT NAME: LAKE VIEW AT CURRITUCK PLANNED UNIT DEVELOPMENT, CURRITUCK COUNTY, NORTH CAROLINA</p> <p>2. PROPERTY ADDRESS: 120 SURVEY ROAD, MOYOCK, NC 27958</p> <p>3. OWNER: SURVEY ROAD LLC, 3500 VIRGINIA BEACH BLVD, SUITE 320, VIRGINIA BEACH, VA 23452</p> <p>DEVELOPER: SOUTH MOYOCK DEVELOPMENT LLC, 818 WILSON DRIVE, SUITE G, VIRGINIA BEACH, VA 23454</p> <p>4. THIS PROPERTY IS IDENTIFIED ON THE CURRITUCK COUNTY TAX MAP #13 THE P.U.D. NUMBER IS: 0015-000-0003-0000</p> <p>5. EASTERN NC NATURAL GAS MAINS SITE EASEMENT RECORDED IN D.B. 591, PG. 236 FOR 3,749.57 SQ.FT.</p> <p>6. VIRGINIA ELECTRIC AND POWER COMPANY OVERHEAD POWERLINE EASEMENT RECORDED IN D.B. 591, PG. 287 &amp; P.C. A. 5L 185</p> <p>7. TOTAL PROJECT AREA: 74.23 AC.</p> <p>8. F.I.R.M. ZONE: ZONE X COMMUNITY PANELS: #370078 BOB, J. REVISION DATE: DECEMBER 16, 2009</p> <p>9. PROPOSED RIGHT-OF-WAY WIDTH COLLECTOR ROADS: 50 FT. LINEAR FEET OF IMPROVED COLLECTOR ROADWAY: 3,450 FT. LINEAR FEET OF UNIMPROVED COLLECTOR R/W: 220 FT. PROPOSED RIGHT-OF-WAY WIDTH LOCAL ROADS: 40 FT. LINEAR FEET OF LOCAL ROADWAY: 2,074 FT. PROPOSED ROADWAY WIDTH THROUGHOUT RESIDENTIAL DEVELOPMENT: 27 FT. (TO 800) TOTAL LINEAR FEET OF IMPROVED ROADWAY: 6,164 FT.</p> <p>11. 5' DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL SIDE PROPERTY LINES, 15' DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL REAR PROPERTY LINES, 15' UTILITY AND DRAINAGE EASEMENT HEREBY RESERVED AT ONE ALL RIGHT OF WAYS.</p> <p>12. PROPERTY ZONING THIS PARCEL: "SR" (SINGLE-FAMILY RESIDENTIAL MAHLAND) BASE ZONING WITH "PLD" (PLANNED UNIT DEVELOPMENT) DUALITY. ALL ADJACENT PARCELS ARE "SR" (RESIDENTIAL), EXCEPT P.U.D. 0015-000-0004-0000 &amp; 0015-000-0046-0000 "OB" (GENERAL BUSINESS).</p>	<p><b>DEVELOPMENT SUMMARY:</b></p> <p>TOTAL PROJECT AREA: 3,233,452 SF 74.23 AC RESIDENTIAL LOT &amp; OPEN SPACE AREA: 2,572,716 SF 59.58 AC COMMERCIAL AREA: 32,843 SF 0.75 AC RIGHT OF WAY AREA: 209,524 SF 4.83 AC FUTURE DEVELOPMENT SITE: 251,369 SF 5.81 AC</p> <p><b>P.U.D. DEVELOPMENT SUMMARY:</b></p> <p>TOTAL P.U.D. AREA: 3,233,452 SF 74.23 AC TOTAL LOT AREA: 1,746,008 SF 40.00 AC OPEN SPACE AREA REQUIRED: 1,131,708 SF 26.00 AC TOTAL OPEN SPACE AREA PROVIDED: 1,131,709 SF 26.00 AC TOTAL PROPOSED LOTS: 148 LOTS DEVELOPMENT DENSITY: 2.18 UNITS/ACRE SMALLEST LOT SIZE: 8,100 SF 0.19 AC</p> <p><b>COMMERCIAL DEVELOPMENT SUMMARY:</b></p> <p>COMMERCIAL AREA ALLOWED: 32,843 SF 0.75 AC COMMERCIAL AREA PROPOSED: 32,843 SF 0.75 AC</p>
--	--

- AMENDED 4/23/14. (REVISED 7/17/14 & 7/30/14)**
- 1) REVISED DEVELOPMENT MAIN ENTRANCE
  - 2) REVISED ENTRANCES AND IMPROVEMENTS ALONG SURVEY ROAD
  - 3) ADJUSTED LOTS, R/W, OPEN SPACE, FUTURE CONNECTIVITY, COMMERCIAL AND COUNTY PARCEL BOUNDARIES RELATED TO REVISED MAIN ENTRANCE
  - 4) ADJUSTED UTILITIES, DRAINAGE, LANDSCAPING AND CONCEPTUAL COMMERCIAL DEVELOPMENT PLAN RELATED TO REVISED MAIN ENTRANCE
  - 5) REVISED STREET NAMES
  - 6) REVISED PROJECT PHASING
  - 7) REVISED PROJECT NAME
  - 8) REMOVED FOOTBRIDGE OVER LAKE
  - 9) REMOVED 5' WIDTH OF PEDESTRIAN TRAILS
  - 10) RELOCATED ON-SITE WWP AND ADDED MOYOCK WWP CONNECTION
  - 11) REVISED COUNTY DEDICATION PARCEL TO NEIGHBORHOOD COMMERCIAL AREA AS PART OF DEVELOPMENT AGREEMENT
  - 12) REVISED FOOTCOURT PARK LANGUAGE
  - 13) REVISED SIDE YARD SETBACKS AND EASEMENTS
  - 14) REVISED SIDEWALKS TO ONE SIDE OF STREET

- AMENDED 10/19/09. (REVISED 11/23/09)**
- 1) RELOCATED ALL 146 LOTS TO NORTH SIDE OF POWER EASEMENT
  - 2) REVISED ALL 146 LOTS TO PATIO LOTS
  - 3) RELOCATED WASTEWATER TREATMENT SITE TO SOUTH SIDE OF POWER EASEMENT AND INCREASED AREA
  - 4) REVISED COUNTY DEDICATION AREA TO 1.75 AC.
  - 5) RELOCATED MAIN ENTRANCE TO DEVELOPMENT
  - 6) RELOCATED ROADWAY CONNECTIVITY
  - 7) PROVIDED SHARED ACCESS TO COMMERCIAL AND COUNTY SITE(11/23)
  - 8) ADDED EAGLE CREEK WWP CONNECTION ALTERNATIVE(11/23)
  - 9) PROJECT PHASING REVISED (11/23)

- AMENDED 9/21/07:**
- 1) ADDED ON-SITE WASTEWATER TREATMENT PLANT
  - 2) REVISED LIBRARY SITE AREA TO 3.85 AC
  - 3) REVISED TOTAL LOT COUNT TO 146 LOTS
  - 4) RELOCATED ROADWAY CONNECTIVITY

- AMENDED 8/15/07:**
- 1) ADJUSTED PROJECT AGREEMENT PER INITIAL BOUNDARY SURVEY
  - 2) REMOVED ON-SITE WASTEWATER TREATMENT PLANT
  - 3) DEFINED LIBRARY SITE BOUNDARY AT 4.0 AC.
  - 4) ADDED PATIO LOT DEVELOPMENT SOUTH OF POWERLINE EASEMENT
  - 5) REVISED TOTAL LOT COUNT TO 150 LOTS
  - 6) REMOVED WATER TOWER SITE

**LIST OF DRAWINGS:**

0	C1	COVER SHEET
1	1	EXISTING SITE CONDITIONS
2	2	SITE DEVELOPMENT OVERVIEW
3	3	SITE DEVELOPMENT PLAN
4	4	UTILITY INFRASTRUCTURE PLAN
5	5	DRAINAGE INFRASTRUCTURE PLAN
6	6	LANDSCAPE PLAN
7	7	MOYOCK WWP CONNECTION & PHASING

**MSSELL**  
 ENGINEERS, ARCHITECTS, PLANNERS  
 301 W. 10TH STREET, SUITE 200  
 WASHINGTON, NC 27888  
 TEL: (703) 762-7100  
 FAX: (703) 762-7100

PLANNED UNIT DEVELOPMENT  
 SKETCH PLAN

LAKE VIEW AT CURRITUCK  
 CURRITUCK COUNTY  
 NORTH CAROLINA

MOYOCK TOWNSHIP  
 COVER SHEET

NO.	DATE	DESCRIPTION
1	11/23/09	ADDED ON-SITE WASTEWATER TREATMENT PLANT
2	08/15/07	REMOVED ON-SITE WASTEWATER TREATMENT PLANT
3	09/21/07	ADDED ON-SITE WASTEWATER TREATMENT PLANT
4	10/19/09	RELOCATED MAIN ENTRANCE TO DEVELOPMENT
5	04/23/14	REVISED DEVELOPMENT MAIN ENTRANCE
6	07/17/14	ADJUSTED LOTS, R/W, OPEN SPACE, FUTURE CONNECTIVITY, COMMERCIAL AND COUNTY PARCEL BOUNDARIES RELATED TO REVISED MAIN ENTRANCE
7	07/30/14	ADJUSTED UTILITIES, DRAINAGE, LANDSCAPING AND CONCEPTUAL COMMERCIAL DEVELOPMENT PLAN RELATED TO REVISED MAIN ENTRANCE

**PRELIMINARY**  
 FOR REVIEW PURPOSES ONLY

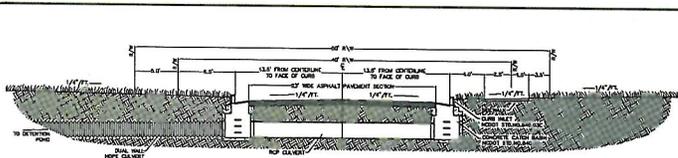
DATE: 11/27/14  
 DRAWN: JMS  
 CHECKED: JMS  
 SHEET: C1 OF 1  
 PROJECT NO: 4319DAS1 7-17-14  
 PROJECT: 4319







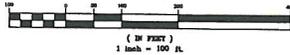




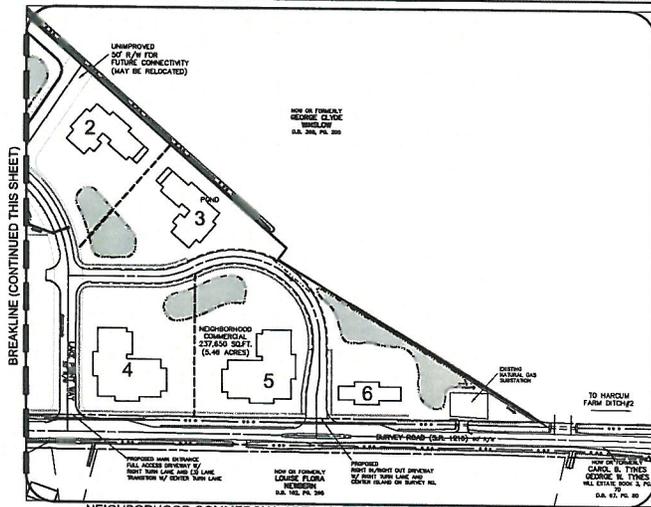
TYPICAL ROADWAY DRAINAGE SECTION  
NOT TO SCALE

# LAKE VIEW AT CURRITUCK PLANNED UNIT DEVELOPMENT

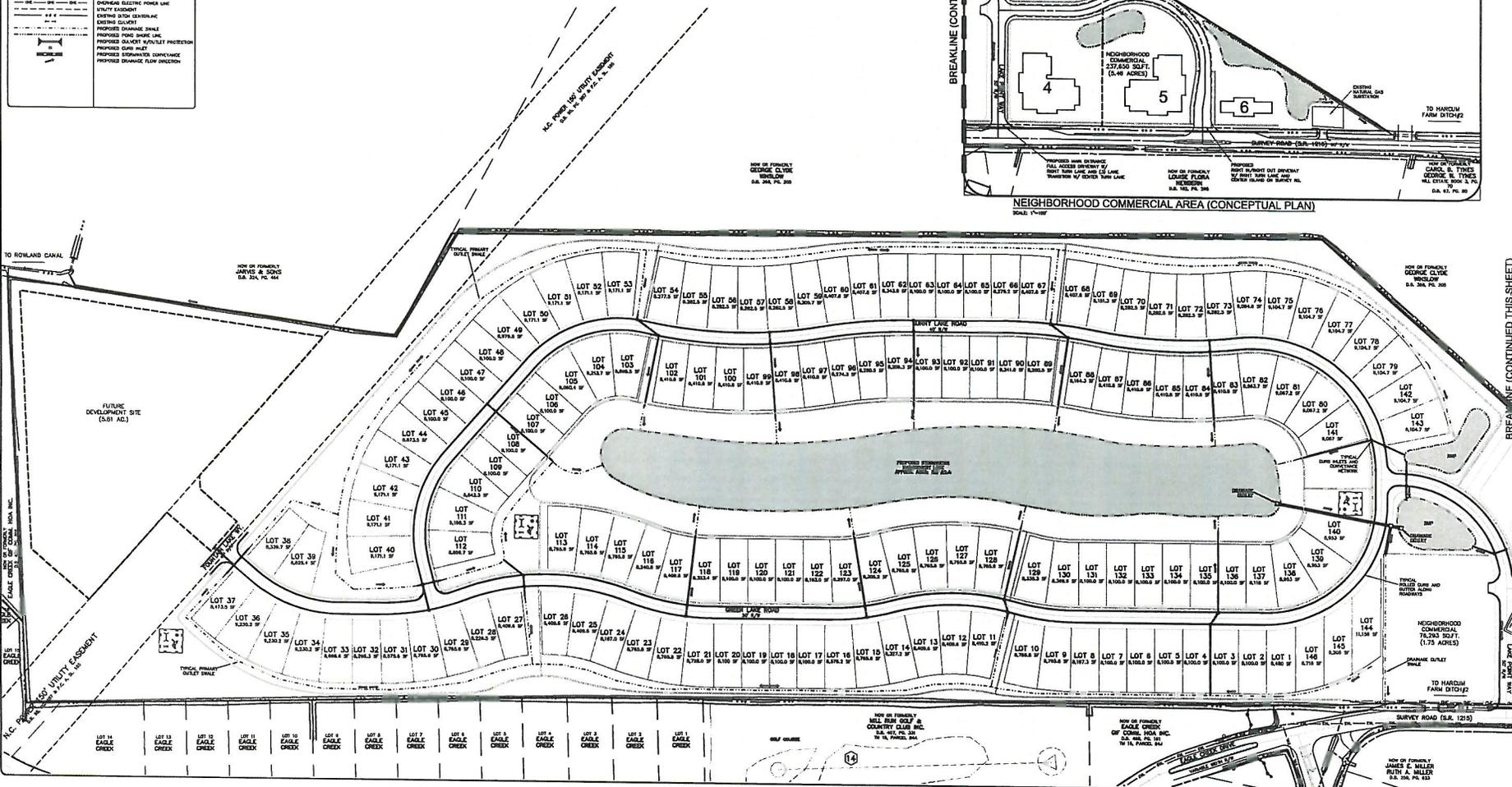
GRAPHIC SCALE



LEGEND	
	ROADWAY CENTERLINE
	RIGHT OF WAY
	PROPERTY LINE
	ADJOINING PROPERTY
	PROPOSED LOT LINE
	DRAINAGE ELECTRIC POWER LINE
	UTILITY EASEMENT
	PROPOSED DRAINAGE DITCH
	PROPOSED POND
	PROPOSED STORMWATER CONVEYANCE
	PROPOSED DRAINAGE PIPE DIRECTION



NEIGHBORHOOD COMMERCIAL AREA (CONCEPTUAL PLAN)  
SCALE: 1"=100'



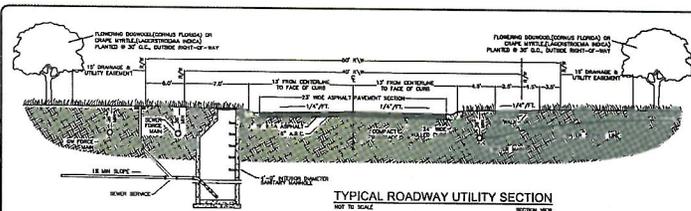
BESSSELL  
Professional Group  
2000 North State Street  
Raleigh, NC 27601  
Phone: 919.876.2200  
Fax: 919.876.2202  
Engineers, Planners, Surveyors  
and Environmental Scientists

PLANNED UNIT DEVELOPMENT  
AMENDED SKETCH PLAN

LAKE VIEW AT CURRITUCK  
NORTH CAROLINA  
MAYOCD TOWNSHIP  
CURRITUCK COUNTY

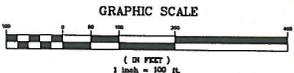
NO.	DATE	DESCRIPTION
1	10/20/07	PRELIMINARY REVIEW PURPOSES ONLY
2		
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DATE: 10/20/07  
DRAWN: BVS  
CHECKED: MEB  
SCALE: 5" = 100'  
PROJECT NO: 4319DAS17-17-14  
SHEET: 5 OF 7  
PROJECTED: 7/17/14  
4319



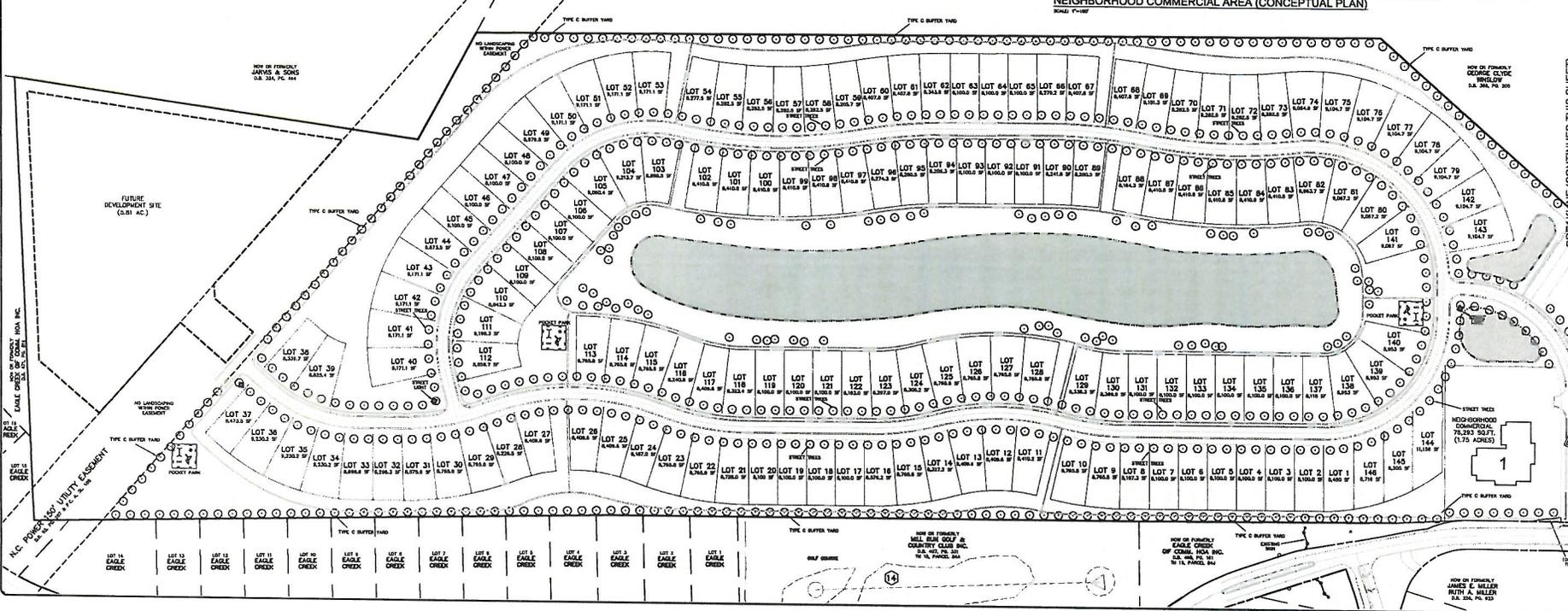
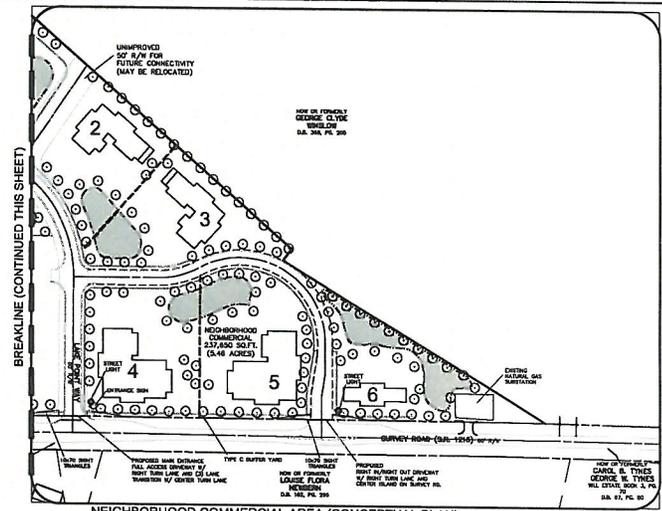
# LAKE VIEW AT CURRITUCK

## PLANNED UNIT DEVELOPMENT



**LEGEND**

---	PROPERTY CENTERLINE
---	ROOT OF WAY
---	PROPOSED LOT LINE
---	ADJOINING PROPERTY
---	PROPOSED LOT LINE
---	DITCH/ELECTRIC POWER LINE
---	UTILITY easement
---	PROPOSED STREET TIE-IN
---	USE EXISTING ASPHALT FOR DETAIL
---	PROPOSED STREET LIGHT



**BESS**  
Professional Engineering Group  
10000 W. 10th Street, Suite 200  
Overland Park, KS 66212  
Tel: (913) 241-1100  
Fax: (913) 241-1101

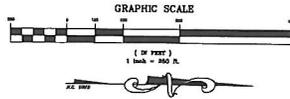
PLANNED UNIT DEVELOPMENT  
AMENDED SKETCH PLAN

PRELIMINARY  
FOR REVIEW PURPOSES ONLY

NO.	REVISIONS	DATE
1	ISSUE FOR REVIEW	7-17-14
2	REVISIONS	
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6 of 7  
4319  
4319 DASI 7-17-14  
PROJECT NO: 4319  
DRAWN BY: MCK  
CHECKED BY: MCK  
DATE: 7-17-14

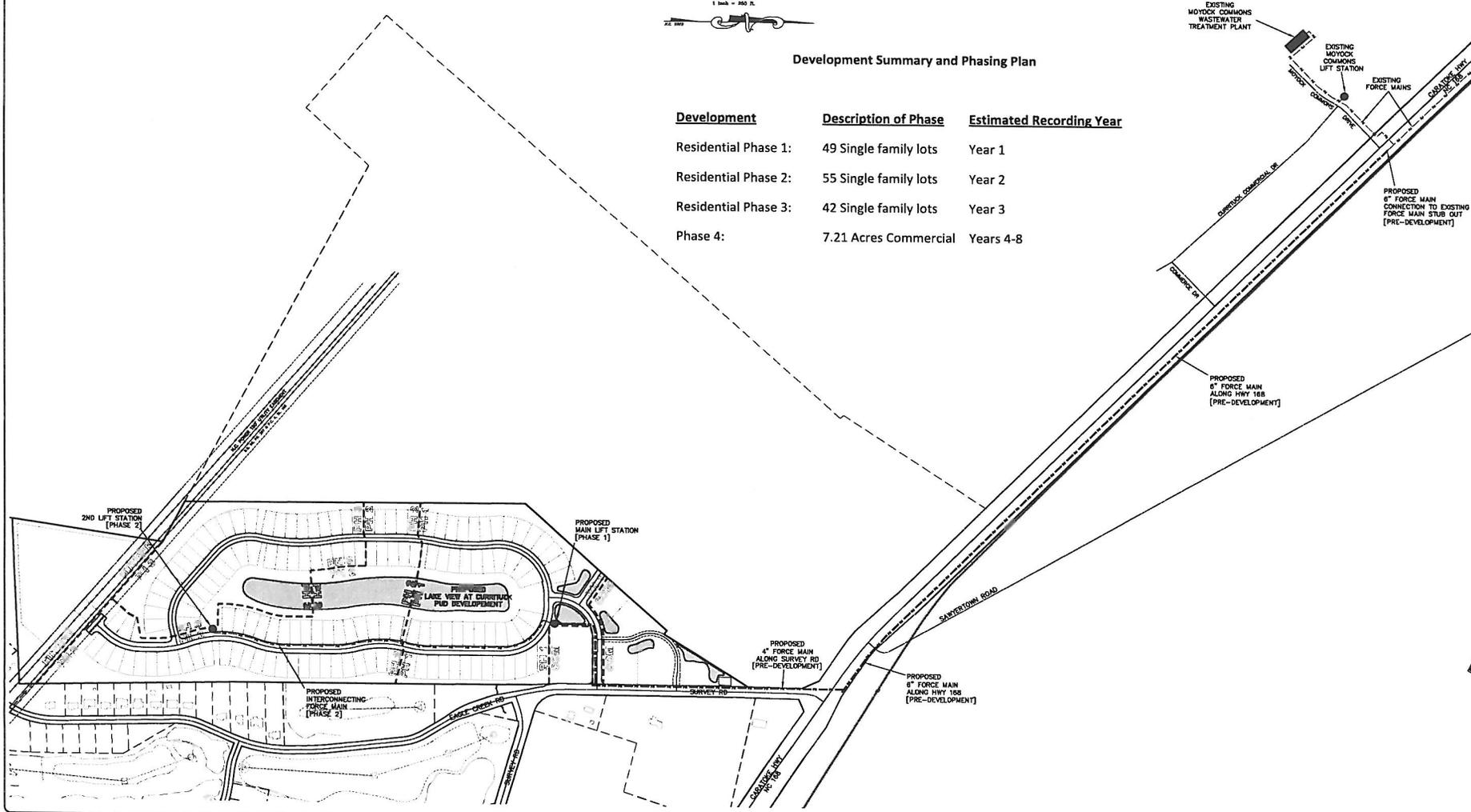
# LAKE VIEW AT CURRITUCK PLANNED UNIT DEVELOPMENT



LEGEND	
[Symbol]	ROADWAY CENTERLINE
[Symbol]	RIGHT OF WAY
[Symbol]	PROPOSED LOT LINE
[Symbol]	PROPOSED LOT LINE
[Symbol]	ADJOINING PROPERTY
[Symbol]	EXISTING MALPOD TRUCK
[Symbol]	UTILITY EXISTENT
[Symbol]	PROPOSED PROJECT PHASING DELINEATION
[Symbol]	EXISTING FORCE MAINS AS NOTED
[Symbol]	PROPOSED FORCE MAINS AS NOTED

## Development Summary and Phasing Plan

Development	Description of Phase	Estimated Recording Year
Residential Phase 1:	49 Single family lots	Year 1
Residential Phase 2:	55 Single family lots	Year 2
Residential Phase 3:	42 Single family lots	Year 3
Phase 4:	7.21 Acres Commercial	Years 4-8



Prepared By: **Professional Group**  
 2000 North Carolina Highway 101  
 Raleigh, NC 27605  
 Phone: (919) 876-1100  
 Fax: (919) 876-1101  
 E-mail: info@bssell.com  
 Website: www.bssell.com

BSSSELL

ARCHITECTURAL ENGINEERING  
 PLANNED UNIT DEVELOPMENT  
 AMENDED SKETCH PLAN  
 THE STATE OF NORTH CAROLINA, DEPARTMENT OF TRANSPORTATION, IN WAKEFIELD  
 COUNTY, NORTH CAROLINA, HAS REVIEWED THIS PLAN AND FINDS IT TO BE IN ACCORDANCE  
 WITH THE REQUIREMENTS OF THE NORTH CAROLINA PLANNED UNIT DEVELOPMENT ACT, G.S. 160D-100.

PROJECT: **LAKE VIEW AT CURRITUCK**  
 MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA  
**MOYOCK WWTP CONNECTION & PHASING**

NO.	DATE	REVISIONS	BY	CHKD
1	07/17/14	ISSUED FOR PERMIT	MM	MM
2	07/17/14	ISSUED FOR PERMIT	MM	MM
3	07/17/14	ISSUED FOR PERMIT	MM	MM
4	07/17/14	ISSUED FOR PERMIT	MM	MM
5	07/17/14	ISSUED FOR PERMIT	MM	MM
6	07/17/14	ISSUED FOR PERMIT	MM	MM
7	07/17/14	ISSUED FOR PERMIT	MM	MM

PRELIMINARY

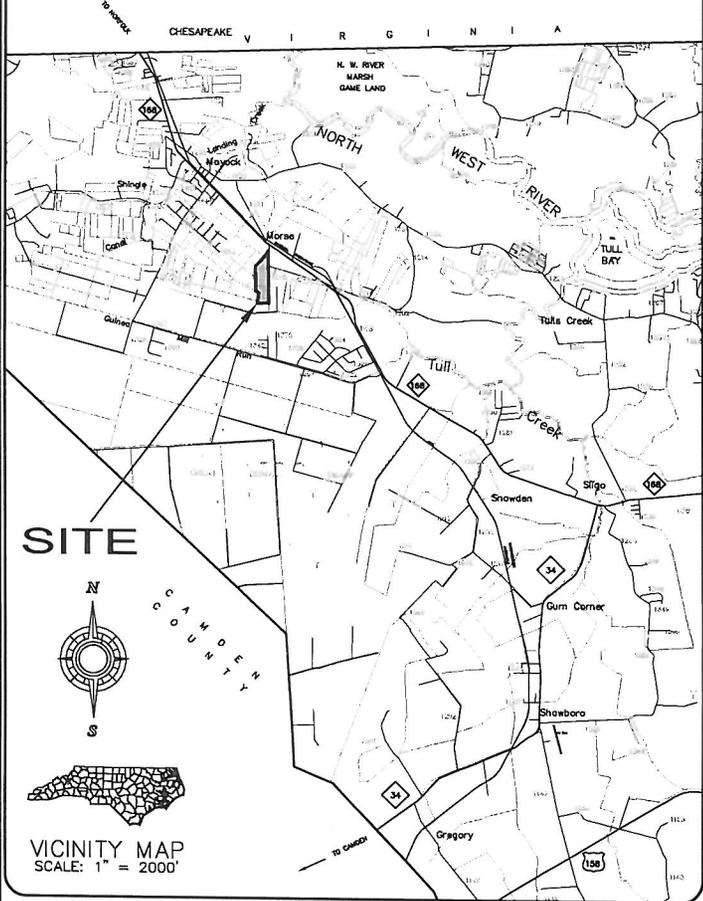
FOR REVIEW PURPOSES ONLY

DATE: 6/12/14	SCALE: 1" = 200'
BY: [Signature]	CHKD: [Signature]
ENCL: [List]	SHEET: 7 of 7
COST NO: 4319DAS17-17-14 PROJECT NO: 4319	

# Exhibit "C"

Amended Preliminary Plat

**CURRITUCK COUNTY  
NORTH CAROLINA**



**LAKE VIEW AT CURRITUCK**  
146 LOT PLANNED UNIT DEVELOPMENT  
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

- GENERAL NOTES:**
- PROJECT NAME: LAKE VIEW AT CURRITUCK PLANNED UNIT DEVELOPMENT
  - CURRITUCK COUNTY, NORTH CAROLINA
  - PROPERTY ADDRESS: 120 SURVEY ROAD, MOYOCK, NC 27958
  - SURVEY ROAD LLC
  - OWNER: 3500 VIRGINIA BEACH BLVD., SUITE 528 VIRGINIA BEACH, VA 23452
  - DEVELOPER: SOUTH MOYOCK DEVELOPMENT, LLC 616 VILLAGE DR., SUITE G VIRGINIA BEACH, VA 23454
  - THIS PROPERTY IS IDENTIFIED ON THE CURRITUCK COUNTY TAX MAP #15. THE P.L.N. NUMBER IS: 0015-000-0083-0000
  - RECORDED REFERENCES: D.B. 862 PG. 847
  - EASTERN NC NATURAL GAS VALVE SITE EASEMENT RECORDED IN D.B. 581, PG. 236 FOR 3,740.57 SQ.FT.
  - VIRGINIA ELECTRIC AND POWER COMPANY OVERHEAD POWERLINE EASEMENT RECORDED IN D.B. 95, PG. 287 & P.C. A, SL 185
  - TOTAL PROJECT AREA: 14.3 AC.
  - F.I.R.M. ZONE: ZONE X (AREA OUTSIDE THE 0.2% CHANCE ANNUAL FLOOD) F.E.M.A. F.I.R.M. MAP: # 37218031 J, REVISED DECEMBER 16, 2005 SUBJECT TO CHANGE BY F.E.M.A.
  - THIS PARCEL CONTAINS NO ACCE "404" JURISDICTIONAL WETLANDS.
  - PROPOSED RIGHT-OF-WAY WIDTH LOCAL ROADS: 50 FT. LINEAR FEET OF IMPROVED COLLECTOR ROADWAY: 3,490 FT.± LINEAR FEET OF UNIMPROVED COLLECTOR R/W: 220 FT.± PROPOSED RIGHT-OF-WAY WIDTH LOCAL ROADS: 40 FT. LINEAR FEET OF LOCAL ROADWAY: 2,674 FT.± PROPOSED ROADWAY WIDTH THROUGHOUT RESIDENTIAL DEVELOPMENT: 27 FT. (BOC) TOTAL LINEAR FEET OF IMPROVED ROADWAY: 6,164 FT.±
  - 5 FT DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL SIDE PROPERTY LINES. 15 FT DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL REAR PROPERTY LINES. 15 FT UTILITY, DRAINAGE, PLANTINGS, AND PEDESTRIAN EASEMENT HEREBY RESERVED ALONG ALL RIGHT OF WAYS. 25 FT DRAINAGE EASEMENTS RESERVED AROUND PERIMETER OF STORMWATER MANAGEMENT LAKE.
  - DITCH MAINTENANCE ACCESS EASEMENTS ALONG ALL COLLECTOR SWALES (3:1 SIDE SLOPE) TO INCLUDE THE WIDTH OF THE DITCH FROM TOP OF EMBANKMENT TO TOP OF EMBANKMENT AND AN ADDITIONAL 25 FT ON ONE SIDE. PRIMARY OUTLET SWALES (6:1 SIDE SLOPE) SHALL HAVE A 50 FT EASEMENT CENTERED ACROSS THE SWALE (SEE PLAN FOR LOCATIONS).
  - THE MINIMUM FRONT SETBACK SHALL BE 20 FEET. THE MINIMUM SIDE SETBACK SHALL BE 5.5 FEET, WHERE THE REAR LOT LINE ABUTS A COMMON OPEN SPACE AREA, THE MINIMUM REAR SETBACK MAY BE REDUCED TO 10 FEET, OTHERWISE, THE MINIMUM REAR SETBACK SHALL BE 25 FEET.
  - THIS SUBDIVISION CONTAINS A RIGHT-OF-WAY THAT IS PLATTED WITH THE INTENT OF BEING EXTENDED AND CONTINUED TO AND FROM ADJOINING PROPERTIES. ACCESS WITHIN THE RIGHT OF WAY FOR STREETS AND UTILITIES SHALL NOT BE RESTRICTED.
  - PROPERTY ZONING THIS PARCEL: "SFM" (SINGLE-FAMILY RESIDENTIAL MAINLAND) BASE ZONING WITH "PUD" (PLANNED UNIT DEVELOPMENT) OVERLAY. ALL ADJACENT PARCELS: "AG" (AGRICULTURAL), EXCEPT PIN# 0015-000-0048-0000 & 0015-000-0046-0000; "GB" (GENERAL BUSINESS).
  - LOTS WILL BE SERVED BY COUNTY WATER SUPPLY AND PROPOSED COMMUNITY WASTEWATER TREATMENT PLANT, OR CONNECTION TO CENTRAL SEWER.
  - THE DEVELOPER SHALL ACCEPT MAINTENANCE RESPONSIBILITY FOR THE ROADWAY IMPROVEMENTS IN CONJUNCTION WITH THE STORMWATER MANAGEMENT COLLECTION SYSTEM UNTIL AT WHICH TIME THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ACCEPTS THE PUBLIC RIGHT OF WAY SECTION INTO THEIR SYSTEM. THE DEVELOPER WILL MAINTAIN RESPONSIBILITY FOR ALL ROADWAY & DRAINAGE IMPROVEMENTS OUTSIDE OF THE PUBLIC RIGHT OF WAY UNTIL A PROPERTY OWNER'S MAINTENANCE HAS BEEN ESTABLISHED AND ASSUMES RESPONSIBILITY OF THE ROADWAY & DRAINAGE SYSTEM. NCDOT SHALL NOT BE RESPONSIBLE FOR THE AREA DETERMINED BY ANY SWALES LOCATED OUTSIDE OF THE DEDICATED RIGHT OF WAY.
  - IRON PINS AT ALL LOT CORNERS UNLESS OTHERWISE NOTED HEREON.
  - UNDERGROUND UTILITIES, IF ANY, WERE NOT LOCATED BY THIS SURVEY. FURTHER EVALUATION MAY BE REQUIRED.
  - SUBJECT TO TITLE SEARCH AND TO ANY AND/OR ALL RIGHT OF WAYS, ENFORCEABLE RESTRICTIONS, AND/OR EASEMENTS OF RECORD WHETHER SHOWN HEREON OR NOT.

**APPROVAL CERTIFICATE**  
I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND, THEREFORE, THIS PLAT HAS BEEN APPROVED BY THE CURRITUCK COUNTY TECHNICAL REVIEW COMMITTEE AND SIGNED BY THE ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE CURRITUCK COUNTY REGISTRY WITHIN 90 DAYS OF THE DATE BELOW.

DATE \_\_\_\_\_ ADMINISTRATOR \_\_\_\_\_

**OWNERSHIP AND DEDICATION CERTIFICATE**  
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF CURRITUCK COUNTY, THAT I HEREBY FREELY ADOPT THIS PLAT OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREA SHOWN ON THIS PLAT AS STREETS, UTILITIES, ALLEYS, WALKS, RECREATION AND PARKS, OPEN SPACE AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY OR HOME OWNERS' ASSOCIATION. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR A PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH USE IS APPROVED BY THE APPROPRIATE PUBLIC AUTHORITY IN THE PUBLIC INTEREST.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_

I, \_\_\_\_\_, A NOTARY PUBLIC OF \_\_\_\_\_ COUNTY, NORTH CAROLINA, DO HEREBY CERTIFY THAT

APPEARED BEFORE ME THIS DATE AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_

**PUBLIC DEDICATION OF OPEN SPACE PONDS & DRAINAGE FACILITIES STATEMENT**  
OPEN SPACE, PONDS, AND DRAINAGE FACILITIES REQUIRED TO BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THIS ORDINANCE SHALL NOT BE DEDICATED TO THE PUBLIC EXCEPT UPON WRITTEN ACCEPTANCE BY THE COUNTY, BUT SHALL REMAIN UNDER THE OWNERSHIP AND CONTROL OF THE DEVELOPER (OR HIS SUCCESSOR) OR A HOMEOWNERS ASSOCIATION OR SIMILAR ORGANIZATION THAT SATISFIES THE CRITERIA ESTABLISHED IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.

**ADJACENT ACTIVE FARMLAND STATEMENT**  
AS OF THE RECORDED DATE OF THIS PLAT, SOME PORTIONS OF THIS DEVELOPMENT ADJOINING LAND USED FOR ACTIVE AGRICULTURE PURPOSES THAT IS ANTICIPATED TO GENERATE NOISE, LIGHT, DUST, OR VIBRATION AS PART OF ITS NORMAL OPERATION.

**SURVEYORS CERTIFICATE**  
I, MICHAEL D. BARR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM D.B. 862, PG. 847; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000 ±, THAT THE BOUNDARIES NOT ACTUALLY SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN D.B. 862, PG. 847, AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. THIS SURVEY CREATES A SUBDIVISION OF LAND IN AN AREA COVERED BY A SUBDIVISION ORDINANCE.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

P.L.S. L-1756

**STORMWATER IMPROVEMENTS ENGINEER CERTIFICATE**  
I HEREBY CERTIFY THAT ALL IMPROVEMENTS REQUIRED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY BISSELL PROFESSIONAL GROUP, AND SAID IMPROVEMENTS COMPLY WITH CURRITUCK COUNTY SPECIFICATIONS.

DATE \_\_\_\_\_ REGISTERED LAND SURVEYOR/ENGINEER \_\_\_\_\_

REGISTRATION NUMBER \_\_\_\_\_

**SHEET INDEX**

SHEET	DESCRIPTION
1	COVER SHEET AND SITE LOCATION
2	PARCEL OVERVIEW & SHEET INDEX
3-8	SUBDIVISION PLATS
9	LINE AND CURVE TABLES

**DEVELOPMENT SUMMARY:**

TOTAL PROJECT AREA:	3,233,452 SF	74.23 AC
RESIDENTIAL AREA:	2,377,716 SF	54.58 AC
COMMERCIAL AREA:	310,943 SF	7.21 AC
RIGHT OF WAY AREA:	288,824 SF	6.63 AC
FUTURE DEVELOPMENT SITE:	232,969 SF	5.81 AC

**P.U.D. DEVELOPMENT SUMMARY:**

TOTAL P.U.D. AREA:	3,233,452 SF	74.23 AC
TOTAL LOT AREA:	1,246,008 SF	28.60 AC
TOTAL PROPOSED LOTS:	146 LOTS	
DEVELOPMENT DENSITY:	218 UNITS/ACRE	
SMALLEST LOT SIZE:	8,100 SF	0.19 AC

**COMMERCIAL DEVELOPMENT SUMMARY:**

COMMERCIAL AREA ALLOWED (10%):	323,345 SF	7.42 AC
COMMERCIAL AREA PROPOSED:	313,943 SF	7.21 AC

**OPEN SPACE SUMMARY:**

OPEN SPACE AREA REQUIRED (35%):	1,131,708 SF	25.98 AC
TOTAL OPEN SPACE AREA PROVIDED:	1,131,708 SF	25.98 AC
ACTIVE OPEN SPACE AREA REQUIRED:	292,000 SF	6.70 AC
ACTIVE OPEN SPACE AREA PROVIDED:	302,088 SF	6.93 AC
PASSIVE OPEN SPACE AREA PROVIDED:	829,620 SF	19.05 AC

THE STATE PLANE COORDINATES (SPC) FOR THIS PROJECT WERE PRODUCED WITH STATIC GPS OBSERVATIONS AND PROCESSED WITH ONLINE POSITIONING USER SERVICE (OPUS). THE NETWORK POSITIONAL ACCURACY OF THE OPUS DERIVED POSITIONAL INFORMATION IS 0.0328 FT.

THE FOLLOWING CORRS WERE USED BY OPUS: PID DESIGNATION, AJ8053 COVY CHESAPEAKE LIGHT CORRS ARP, D0890 DRVB DRIVER 6 CORRS ARP, DF8715 NCW WILLIAMSTON CORRS ARP, D05313 NCPA ISLAND CORRS ARP, DH7133 NCJA JACKSON NC CORRS ARP.

HORIZONTAL POSITIONS ARE REFERENCED TO NAD83/NSRS (2007). VERTICAL POSITIONS ARE REFERENCED TO NAVD88 USING (GEOIOD3). COMBINED FACTOR 1.00011746

NO MORE THAN 45% OF LOTS 1-146 SHALL BE COVERED BY IMPERVIOUS STRUCTURES, INCLUDING ASPHALT, GRAVEL, CONCRETE, BRICK, STONE, SLATE OR SIMILAR MATERIAL. NOT INCLUDING WOOD DECKING OR THE WATER SURFACE OF SWIMMING POOLS. THIS COVENANT IS INTENDED TO ENSURE COMPLIANCE WITH NCDENR DIVISION OF WATER QUALITY STORMWATER PERMIT #51W-120-\_\_\_\_. THE COVENANT MAY NOT BE CHANGED OR DELETED WITHOUT THE CONSENT OF THE STATE. FILLING IN OR PIPING OF ANY VEGETATIVE CONVEYANCES (DITCHES, SWALES, ETC.) ASSOCIATED WITH THIS DEVELOPMENT, EXCEPT FOR AVERAGE DRIVEWAY CROSSINGS, IS STRICTLY PROHIBITED BY ANY PERSON.

**REVIEW OFFICER CERTIFICATE**  
STATE OF NORTH CAROLINA  
COUNTY OF CURRITUCK

I, \_\_\_\_\_, REVIEW OFFICER OF CURRITUCK COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_

**PUBLIC STREETS DIVISION OF HIGHWAY DISTRICT ENGINEER CERTIFICATE**  
I HEREBY CERTIFY THAT THE PUBLIC STREETS SHOWN ON THIS PLAT ARE INTENDED FOR DEDICATION AND HAVE BEEN DESIGNED OR COMPLETED IN ACCORDANCE WITH AT LEAST THE MINIMUM SPECIFICATIONS AND STANDARDS OF THE NC DEPARTMENT OF TRANSPORTATION FOR ACCEPTANCE OF SUBDIVISION STREETS ON THE NC HIGHWAY SYSTEM FOR MAINTENANCE.

DAT \_\_\_\_\_ DISTRICT ENGINEER \_\_\_\_\_

BisSELL Professional Group  
P.O. Box 1048  
Moyock, NC 27958  
(252) 781-2286  
Fax: (252) 261-1790



**LAKE VIEW AT CURRITUCK**  
COVER SHEET  
CURRITUCK COUNTY, NORTH CAROLINA  
MOYOCK TOWNSHIP  
AMENDED PRELIMINARY PLAT

**REVISIONS**

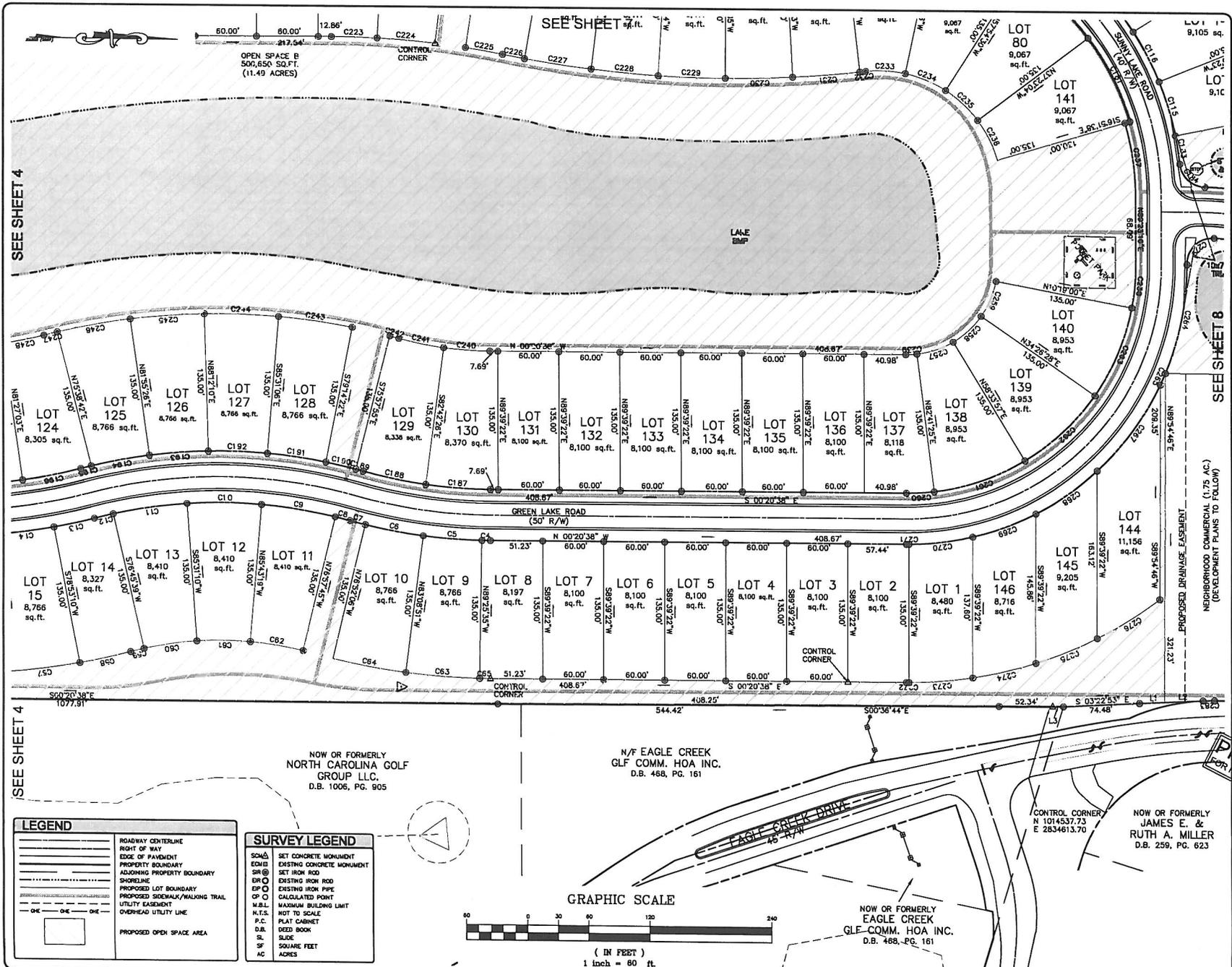
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2	02/23/12	REVISED NAME & PIN	DMK
3	7/15/14	STANDARD MODEL	DMK
4	7/15/14	REVISED PARCEL	DMK
5	7/29/14	PERMITS/ASBUILT	DMK

**PRELIMINARY**  
FOR REVIEW PURPOSES ONLY

DATE:	04-22-14	SCALE:	AS NOTED
DESIGNED BY:	BPG	DRAWN BY:	DMK
CHECKED BY:	DMB	DATE:	BPG

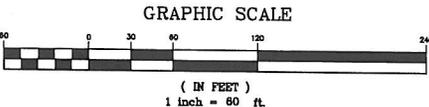
SHEET: 1 OF 9  
CAD FILE: 431900P2  
PROJECT NO.: 4319





LEGEND	
	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	SHORELINE
	PROPOSED LOT BOUNDARY
	PROPOSED SIDEWALK/WALKING TRAIL
	UTILITY EASEMENT
	OVERHEAD UTILITY LINE
	PROPOSED OPEN SPACE AREA

SURVEY LEGEND	
	SET CONCRETE MONUMENT
	EXISTING CONCRETE MONUMENT
	SET IRON ROD
	EXISTING IRON ROD
	SET IRON PIPE
	EXISTING IRON PIPE
	CALCULATED POINT
	MAXIMUM BUILDING LIMIT
	NOT TO SCALE
	PLAT CABINET
	DEED BOOK
	SLIDE
	SQUARE FEET
	ACRES



Bissell Professional Group  
P.O. Box 1040  
1201 York Street, Suite 200  
Currituck County, North Carolina 27949  
Tel: (252) 281-1780  
Fax: (252) 281-1780

**BISSELL**  
PROFESSIONAL GROUP  
Engineers, Planners, Surveyors  
and Environmental Specialists

**LAKE VIEW AT CURRITUCK**  
SUBDIVISION PLAT  
AMENDED PRELIMINARY PLAT

CURRITUCK COUNTY NORTH CAROLINA  
MOYOCK TOWNSHIP

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	12/1/20	REVISED PER COMMENTS	DMK
2	1/23/21	REVISED PER COMMENTS	DMK
3	2/23/21	REVISED PER COMMENTS	DMK
4	3/1/21	REVISED PER COMMENTS	DMK
5	3/1/21	REVISED PER COMMENTS	DMK

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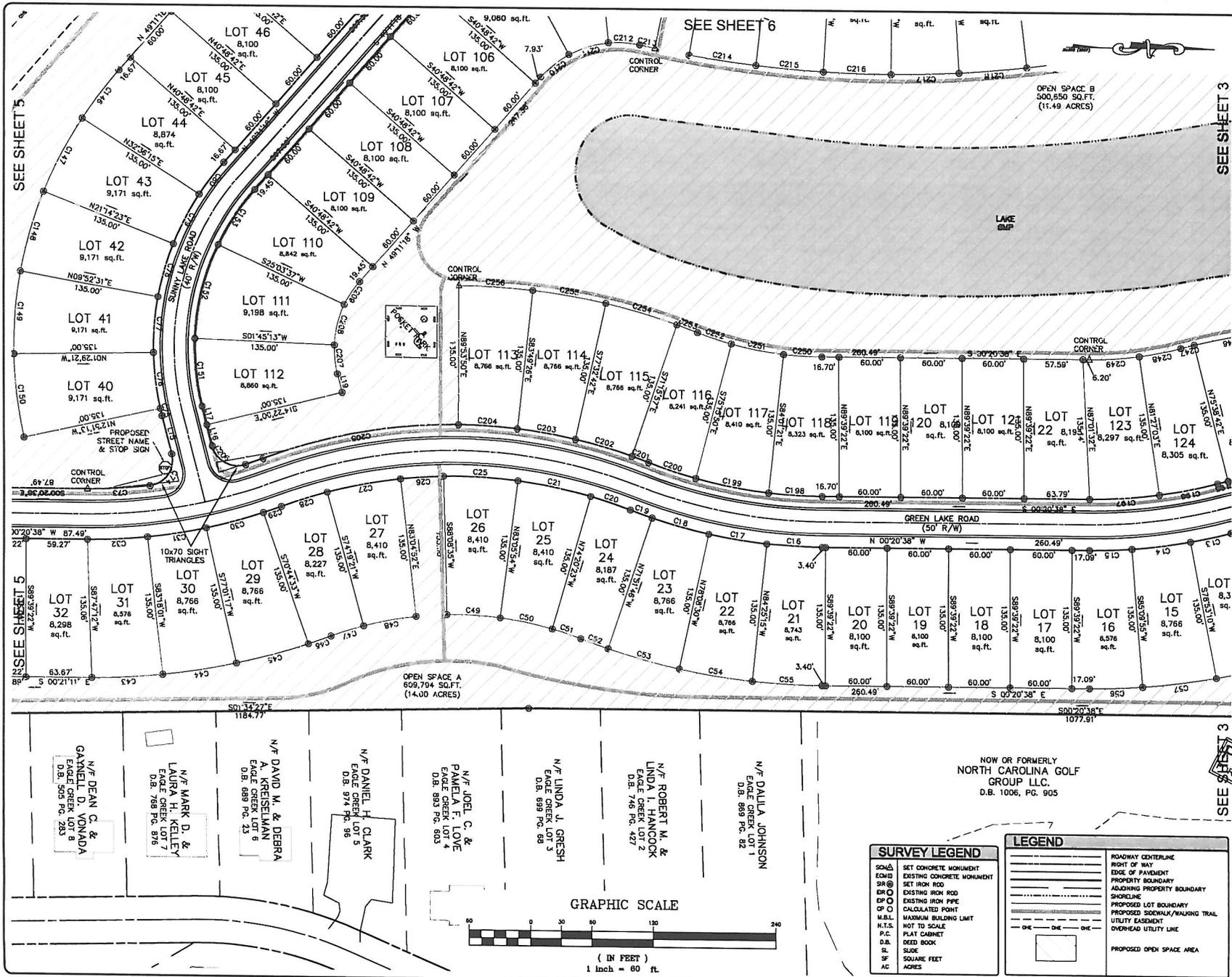
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SCALE: MDB APPROVED: BPG

SHEET: 3 of 9

CAD FILE: 431900PP2

PROJECT NO.: 4319



Bissell Professional Group  
 200 West of Green Highway  
 Kitty Hawk, North Carolina 27949  
 FAX (252) 261-1760

**BISSELL**  
 PROFESSIONAL GROUP  
 Engineers, Planners, Surveyors  
 and Environmental Specialists

**LAKE VIEW AT CURRITUCK**  
 SUBDIVISION PLAT  
 AMENDED PRELIMINARY PLAT

CURRITUCK COUNTY NORTH CAROLINA  
 MOYOCK TOWNSHIP

NO.	DATE	DESCRIPTION	BY
1	12/10/09	PRELIMINARY	DMK
2	02/04/10	REVISION	DMK
3	07/04/10	REVISION	DMK
4	02/22/14	REVISION	DMK

**PRELIMINARY**  
 REVIEW PURPOSES ONLY

NOW OR FORMERLY  
 NORTH CAROLINA GOLF  
 GROUP LLC.  
 D.B. 11006, PG. 905

SURVEY LEGEND		LEGEND	
SCM	SET CONCRETE MONUMENT	—	ROADWAY CENTERLINE
ECM	EXISTING CONCRETE MONUMENT	—	RIGHT OF WAY
SR	SET IRON ROD	—	EDGE OF PAVEMENT
ER	EXISTING IRON ROD	—	PROPERTY BOUNDARY
EP	EXISTING IRON PIPE	—	ADJOINING PROPERTY BOUNDARY
CP	CALCULATED POINT	—	SHORELINE
M.B.L.	MAXIMUM BUILDING LIMIT	—	PROPOSED LOT BOUNDARY
N.T.S.	NOT TO SCALE	—	PROPOSED SIDEWALK/WALKING TRAIL
P.C.	PLAT CABINET	—	UTILITY EASEMENT
D.B.	DEED BOOK	—	OVERHEAD UTILITY LINE
S.	SLIDE	—	PROPOSED OPEN SPACE AREA
S.F.	SQUARE FEET		
A.C.	ACRES		

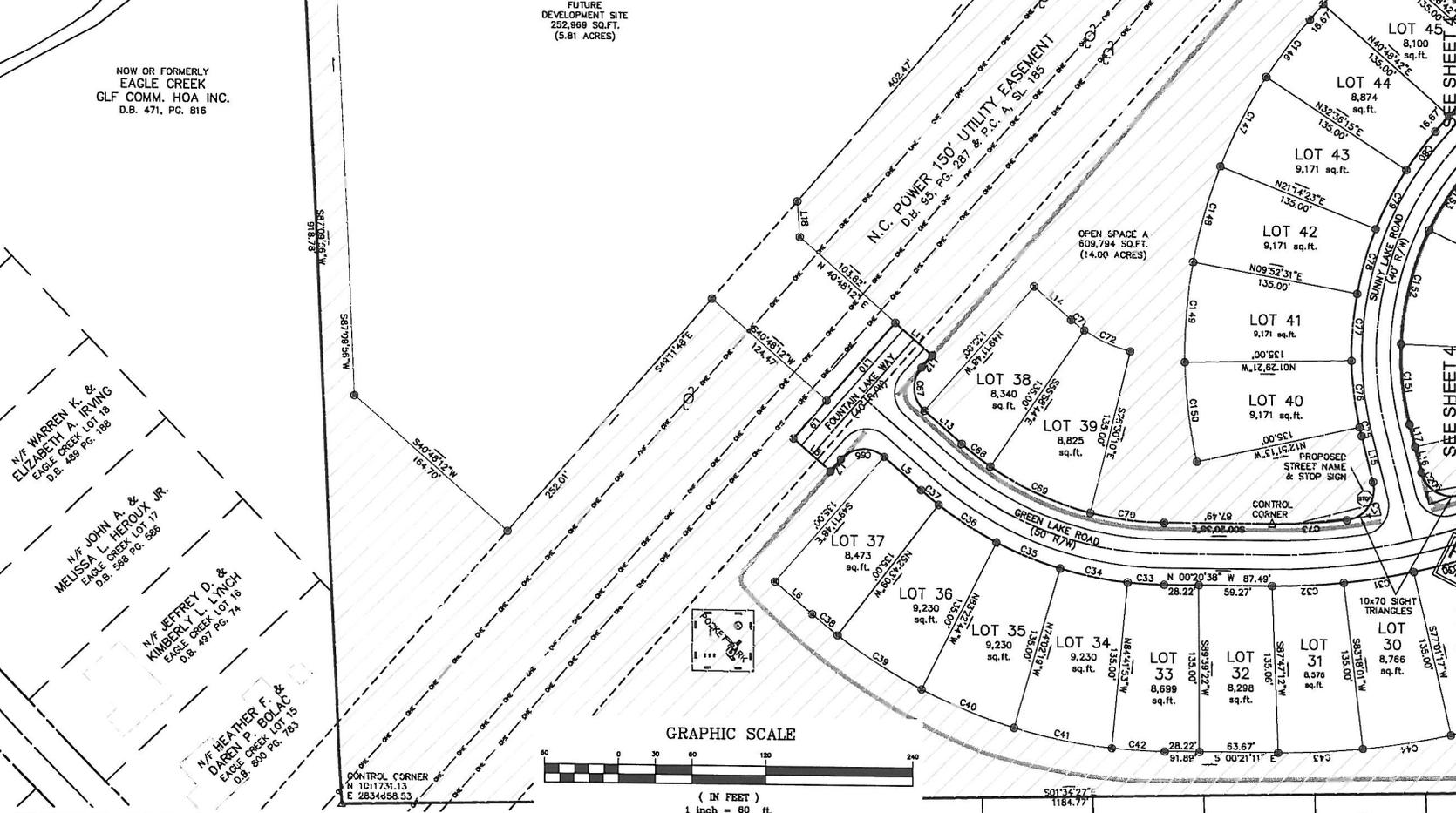
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CHECKED:	MDB	APPROVED:	BPG
SHEET:	4	OF	9
CAD FILE:	431900PP2		
PROJECT NO.:	4319		

**LEGEND**

	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	SHORELINE
	PROPOSED LOT BOUNDARY
	PROPOSED SIDEWALK/WALKING TRAIL
	UTILITY EASEMENT
	OVERHEAD UTILITY LINE
	PROPOSED OPEN SPACE AREA

**SURVEY LEGEND**

SCM	SET CONCRETE MONUMENT
ECM	EXISTING CONCRETE MONUMENT
SR	SET IRON ROD
ER	EXISTING IRON ROD
EP	EXISTING IRON PIPE
CP	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES



Birell Professional Group  
3312 North Creston Highway  
K111, Newark, North Carolina 27109  
(704) 231-3285  
Fax: (704) 261-1190



Engineers, Planners, Surveyors  
and Environmental Specialists

PROJECT  
**LAKE VIEW AT CURRITUCK**  
SUBDIVISION PLAT  
AMENDED PRELIMINARY PLAT

MOTUCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

**REVISIONS**

NO.	DATE	DESCRIPTION	BY
1		INITIAL CHANGES	DMK
2		REVISIONS	DMK
3		REVISIONS	DMK
4		REVISIONS	DMK

**PRELIMINARY**  
FOR REVIEW PURPOSES ONLY

DATE: 04-22-14	SCALE: 1" = 60'
DESIGNED: BPG	DRAWN: DMK
CHECKED: MDB	PROJECT: BPG

SHEET: 5 OF 9  
CAD FILE: 431900PP2  
PROJECT NO: 4319



NOW OR FORMERLY  
JARVIS & SONS  
D.B. 324, PG. 464

N.C. POWER 150' UTILITY EASEMENT  
D.B. 95, PG. 287 & P.C. A. SL. 185

NOW OR FORMERLY  
GEORGE CLYDE WINSLOW  
D.B. 368, PG. 205

**SURVEY LEGEND**

SCM	SET CONCRETE MONUMENT
ECM	EXISTING CONCRETE MONUMENT
SR	SET IRON ROD
ER	EXISTING IRON ROD
EP	EXISTING IRON PIPE
CP	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
S.F.	SQUARE FEET
A.C.	ACRES

**LEGEND**

	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
	PROPERTY BOUNDARY
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	PROPOSED LOT BOUNDARY
	PROPOSED SIDEWALK/WALKING TRAIL
	UTILITY EASEMENT
	OVER-HEAD UTILITY LINE
	PROPOSED OPEN SPACE AREA

Bassel Professional Group  
3512 North Creston Highway  
Raleigh, NC 27609  
(919) 871-3388  
FAX (919) 871-1106

**BASSELL**  
PROFESSIONAL GROUP  
Engineers, Planners, Surveyors  
and Environmental Specialists

LAKE VIEW AT CURRITUCK  
SUBDIVISION PLAT  
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA  
AMENDED PRELIMINARY PLAT

REVISIONS

NO.	DATE	DESCRIPTION	BY
1		PRELIMINARY	DMK
2		FOR REVIEW PURPOSES ONLY	DMK
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30			DMK

DATE: 04-22-14 SCALE: 1" = 60'

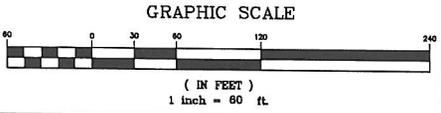
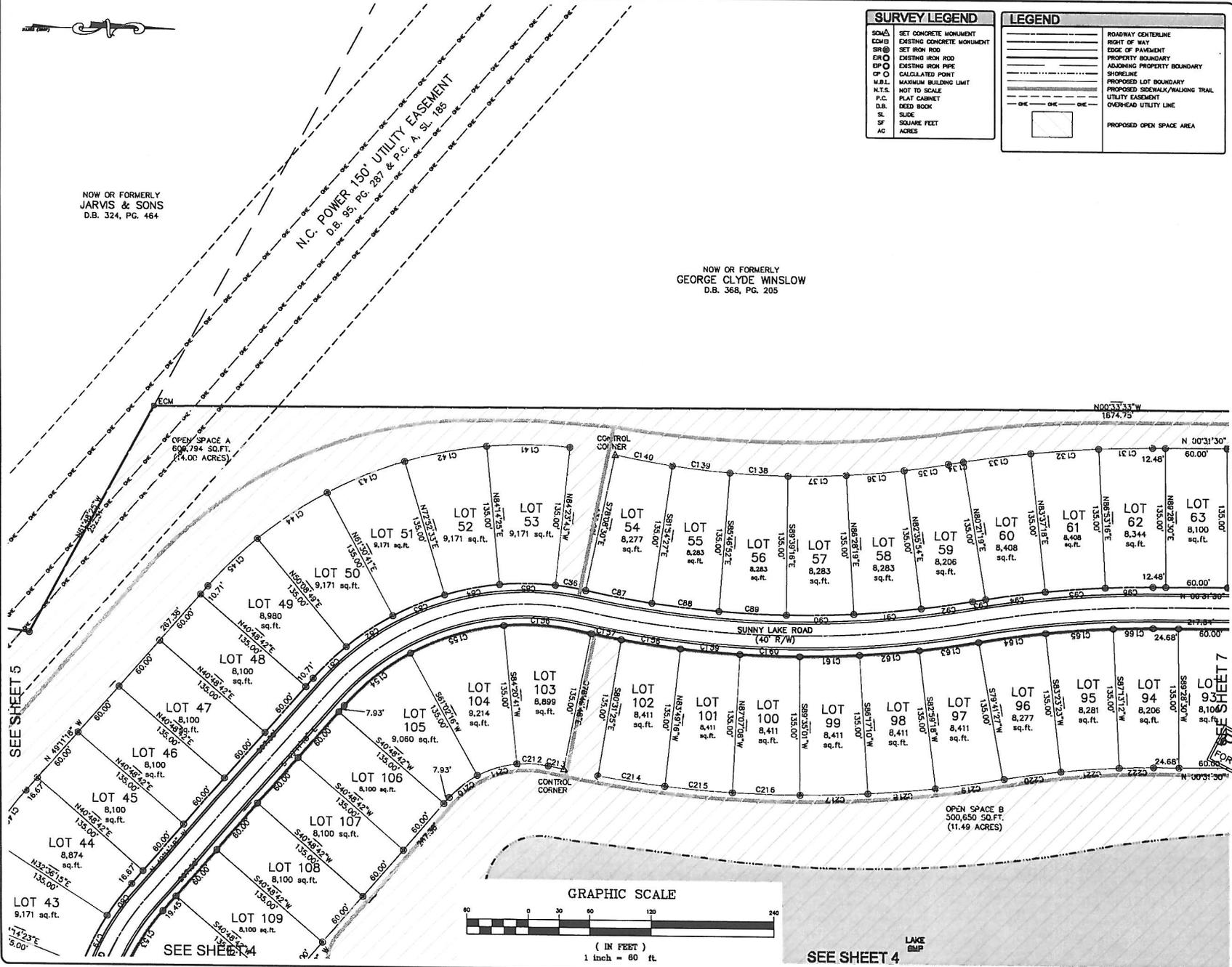
DESIGNED BY: BPG DRAWN BY: DMK

CHECKED BY: MDB APPROVED BY: BPG

SHEET: 6 OF 9

CAD FILE: 431900PP2

PROJECT NO: 4319



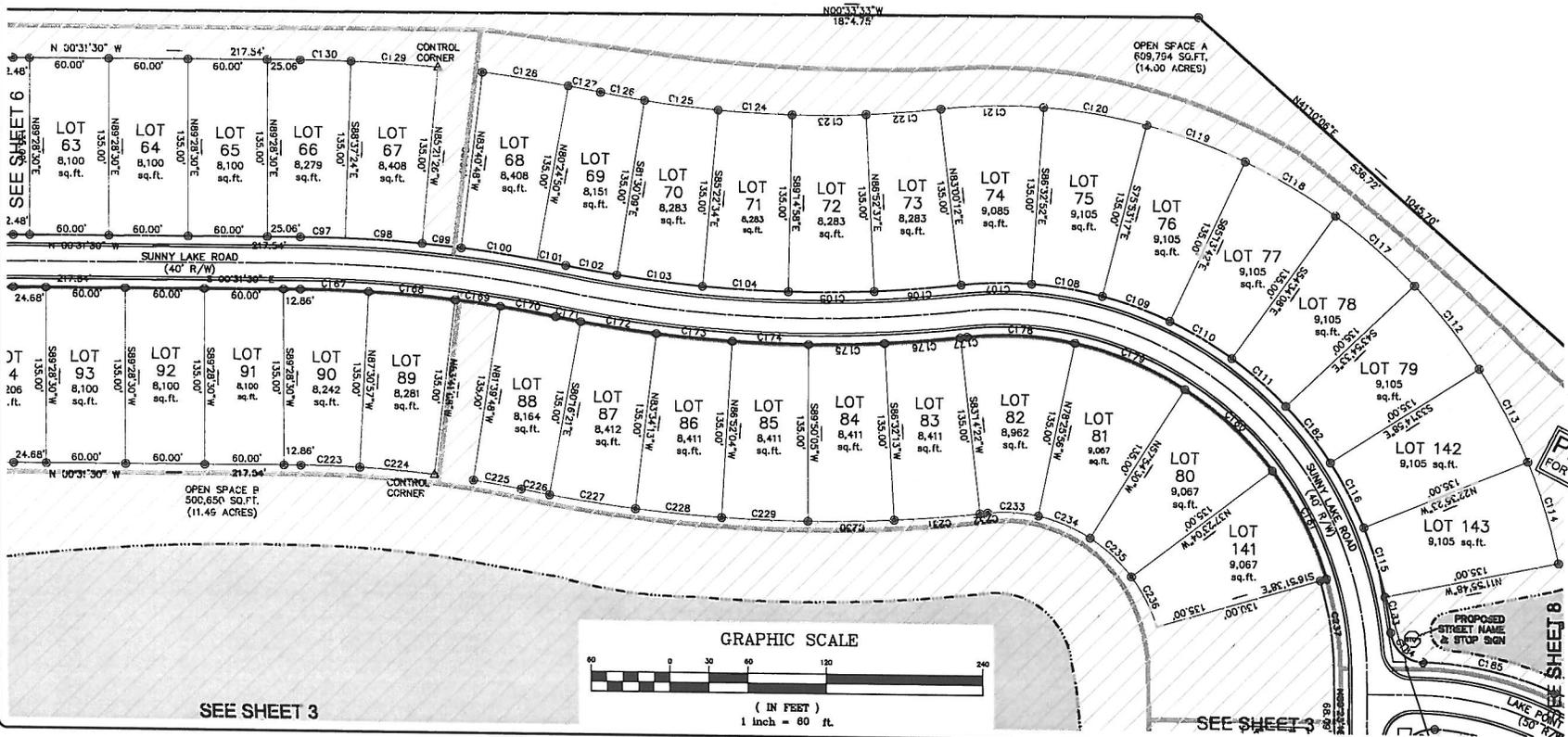
**PRELIMINARY**  
FOR REVIEW PURPOSES ONLY

LEGEND	
	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	SHEDLINE
	PROPOSED LOT BOUNDARY
	PROPOSED SIDEWALK/WALKING TRAIL
	UTILITY EASEMENT
	OVERHEAD UTILITY LINE
	PROPOSED OPEN SPACE AREA

SURVEY LEGEND	
SCM	SET CONCRETE MONUMENT
ECM	EXISTING CONCRETE MONUMENT
SR	SET IRON ROD
ER	EXISTING IRON ROD
EP	EXISTING IRON PIPE
CP	CALCULATED POINT
N.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
S	SURF
SF	SQUARE FEET
AC	ACRES



NOW OR FORMERLY  
 GEORGE CLYDE WINSLOW  
 D.B. 368, PG. 205



Bissell Professional Group  
 P.O. Box 1000  
 12520 North Carolina 27949  
 (252) 338-3311  
 Fax (252) 281-1780

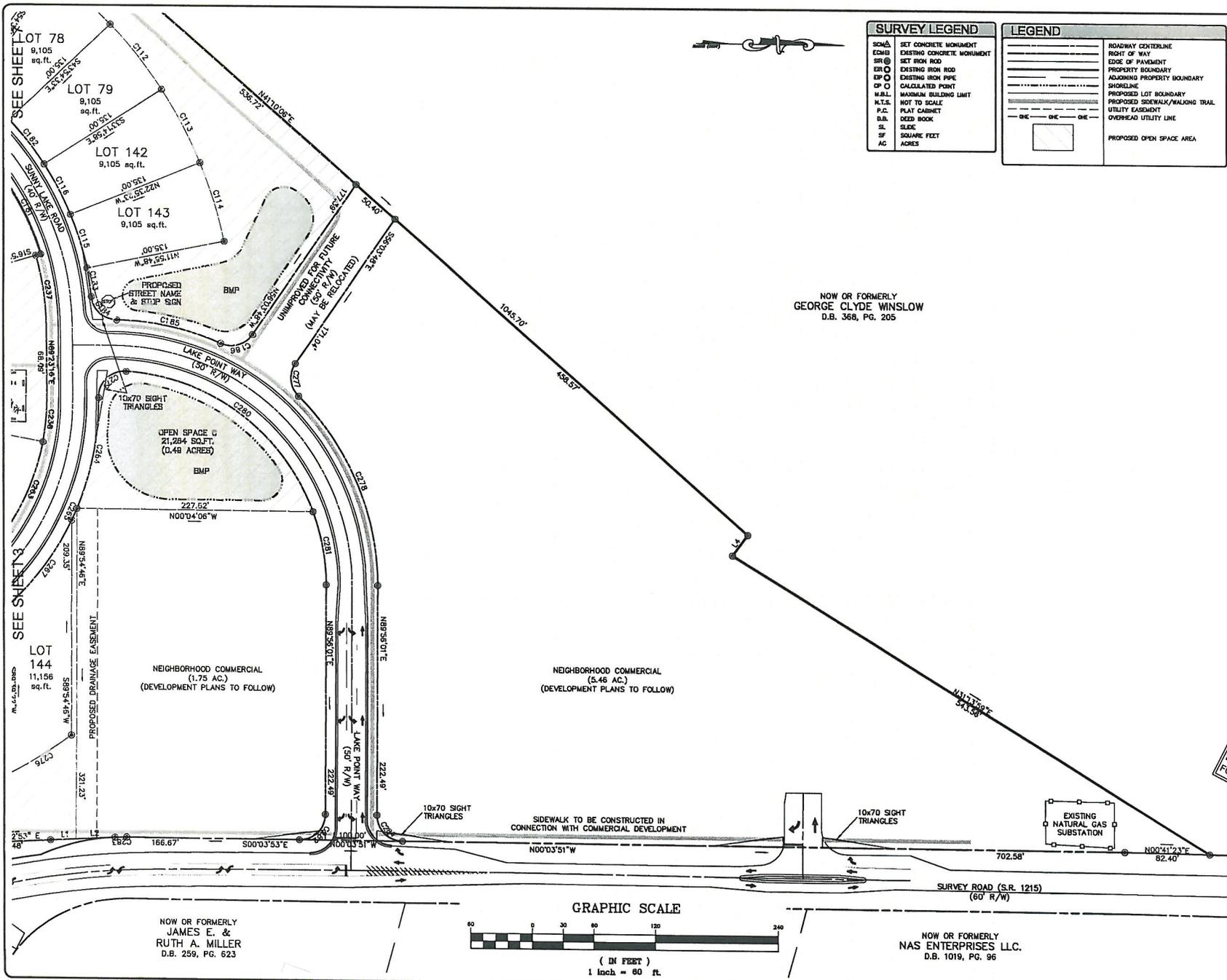
**BISSELL**  
 PROFESSIONAL GROUP  
 Engineers, Planners, Surveyors  
 and Environmental Specialists

PROJECT  
**LAKE VIEW AT CURRITUCK**  
 SUBDIVISION PLAT  
 CURRITUCK COUNTY NORTH CAROLINA  
 MOYOCK TOWNSHIP  
 AMENDED PRELIMINARY PLAT

REVISIONS				
NO.	DATE	DESCRIPTION	BY	CHK
1	07/15/09	REVISED PER	DMK	DMK
2	02/24/14	REVISED PER	DMK	DMK
3	07/27/14	REVISED PER	DMK	DMK
4	07/27/14	REVISED PER	DMK	DMK
5	07/27/14	REVISED PER	DMK	DMK
6	07/27/14	REVISED PER	DMK	DMK
7	07/27/14	REVISED PER	DMK	DMK

**PRELIMINARY**  
 FOR REVIEW PURPOSES ONLY

DATE: 04-22-14	SCALE: 1" = 60'
DRAWN: BPG	CHECKED: DMK
DATE: M08	APPROVED: BPG
SHEET: 7 OF 9	
CAD FILE: 431900PP2	
PROJECT NO: 4319	



SURVEY LEGEND		LEGEND	
SCM	SET CONCRETE MONUMENT	ROADWAY CENTERLINE	
ECM	EXISTING CONCRETE MONUMENT	RIGHT OF WAY	
SR	SET IRON ROD	EDGE OF PAVEMENT	
ER	EXISTING IRON ROD	PROPERTY BOUNDARY	
EP	EXISTING IRON PIPE	ADJOINING PROPERTY BOUNDARY	
CP	CALCULATED POINT	SHOWLINE	
N.L.	NATHAN BUILDING LIMIT	PROPOSED LOT BOUNDARY	
N.T.S.	NOT TO SCALE	PROPOSED SIDEWALK/WALKING TRAIL	
P.C.	PLAT CABINET	UTILITY EASEMENT	
B.R.	BEED BROOM	OVERHEAD UTILITY LINE	
SL	SLICE		
SF	SQUARE FEET		
AC	ACRES		
		PROPOSED OPEN SPACE AREA	

**BUSSELL**  
 PROFESSIONAL SURVEYORS  
 Buswell Professional Group  
 10000 Highway 100  
 P.O. Box 1808  
 Currituck County, Virginia 27946  
 (252) 391-3268  
 (252) 391-3269  
 FAX (252) 261-1740

PROJECT:  
**LAKE VIEW AT CURRITUCK**  
 SUBDIVISION PLAT  
 CURRITUCK COUNTY NORTH CAROLINA  
 MOYOCK TOWNSHIP  
 AMENDED PRELIMINARY PLAT

NO.	DATE	DESCRIPTION	BY
1	12/17/20	REVISED PER	DMK
2	02/21/21	REVISED PER	DMK
3	07/09/21	ENTRANCE LOCAL	DMK
4	08/02/21	REVISED PER	DMK

**PRELIMINARY**  
 FOR REVIEW PURPOSES ONLY

DATE:	04-22-14	SCALE:	1" = 60'
DRAWN BY:	BPG	CHECKED BY:	DMK
APPROVED BY:	MDB	APPROVED BY:	BPG
SHEET:	8	OF	9
CAD FILE:	431900PP2		
PROJECT NO.:	4319		

NOW OR FORMERLY  
 JAMES E. &  
 RUTH A. MILLER  
 D.B. 259, PG. 623

NOW OR FORMERLY  
 NAS ENTERPRISES LLC.  
 D.B. 1019, PG. 96

NOTE : THESE LINE AND CURVE TABLES APPLY TO SUBDIVISION PLAT SHEETS 3 THROUGH 7 ONLY

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C4	8.41	525.00	8.41'	N00°06'54"E	0°55'03"
C5	57.53	525.00	57.53'	N03°42'47"E	6°16'44"
C6	57.53	525.00	57.53'	N03°39'32"E	6°16'44"
C7	15.53	525.00	15.53'	N10°38'44"E	1°14'41"
C8	14.83	475.00	14.83'	S13°58'55"W	1°47'20"
C9	72.62	475.00	72.62'	S08°38'28"W	8°45'31"
C10	72.61	475.00	72.61'	S08°06'04"E	8°45'31"
C11	72.61	475.00	72.61'	S08°51'35"E	8°45'31"
C12	18.86	475.00	18.86'	S14°22'36"E	2°16'30"
C13	40.32	525.00	40.31'	N11°31'50"W	4°24'01"
C14	57.53	525.00	57.51'	N07°58'28"W	6°16'44"
C15	41.15	525.00	41.14'	N02°35'22"W	4°29'28"
C16	54.25	1260.26	54.25'	N02°37'04"E	2°27'59"
C17	57.53	525.00	57.51'	N08°43'07"E	6°16'44"
C18	57.53	525.00	57.51'	N14°59'52"E	6°16'44"
C19	22.59	525.00	22.59'	N18°27'12"E	2°27'55"
C20	40.97	475.00	40.96'	S10°07'53"W	4°56'32"
C21	72.61	475.00	72.54'	S11°16'52"W	8°45'31"
C22	72.61	475.00	72.54'	S02°31'21"W	8°45'31"
C23	41.97	475.00	41.95'	S04°23'16"E	5°03'43"
C24	72.61	475.00	72.54'	S11°17'54"E	8°45'31"
C25	48.53	475.00	48.51'	S18°29'02"E	5°36'46"
C26	18.62	525.00	18.62'	N02°17'26"W	2°01'57"
C27	57.53	525.00	57.51'	N18°07'05"W	6°16'44"
C28	57.53	525.00	57.51'	N09°50'21"W	6°16'44"
C29	58.24	525.00	58.21'	N03°31'18"W	6°21'21"
C30	29.56	300.00	29.55'	N02°28'44"E	5°38'44"
C31	55.81	300.00	55.73'	N10°37'54"E	10°39'35"
C32	55.81	300.00	55.73'	N17°17'28"E	10°39'35"
C33	55.81	300.00	55.73'	N31°07'28"E	10°39'35"
C34	55.81	300.00	55.73'	N37°02'32"E	10°39'35"
C35	26.74	435.00	26.74'	N33°02'32"E	3°31'21"
C36	80.93	435.00	80.81'	N31°57'04"E	10°39'35"
C37	80.93	435.00	80.81'	N21°17'28"E	10°39'35"
C38	80.93	435.00	80.81'	N10°37'54"E	10°39'35"
C39	42.86	435.00	42.85'	N02°28'44"E	5°38'44"
C40	68.81	660.00	68.78'	N03°42'47"E	6°16'44"
C41	72.33	660.00	72.29'	N08°50'21"W	6°16'44"
C42	72.33	660.00	72.29'	N16°07'05"W	6°16'44"
C43	23.41	360.00	23.41'	N20°16'26"W	2°01'57"
C44	51.97	340.00	51.92'	S18°29'02"E	5°36'46"
C45	51.97	340.00	51.92'	S11°17'54"E	8°45'31"
C46	51.97	340.00	51.92'	S11°16'52"E	8°45'31"
C47	29.33	340.00	29.32'	S18°07'53"W	4°56'32"
C48	28.40	360.00	28.40'	N19°27'12"E	2°27'55"
C49	72.33	660.00	72.29'	N14°58'52"E	6°16'44"
C50	72.33	660.00	72.29'	N08°43'07"E	6°16'44"
C51	68.23	660.00	68.20'	N02°37'04"E	5°55'23"
C52	72.33	660.00	72.29'	N02°35'22"W	4°29'28"
C53	72.33	660.00	72.29'	N07°58'28"W	6°16'44"
C54	50.69	360.00	50.67'	N11°31'50"W	4°24'01"
C55	13.50	340.00	13.50'	S14°22'36"E	2°16'30"
C56	51.97	340.00	51.92'	S08°31'35"E	8°45'31"
C57	51.97	340.00	51.92'	S00°06'04"E	8°45'31"
C58	52.12	340.00	52.07'	S08°40'10"W	8°46'57"
C59	72.33	660.00	72.29'	N03°42'47"E	6°16'44"
C60	72.33	660.00	72.29'	N08°39'32"E	6°16'44"
C61	10.57	660.00	10.57'	N00°06'54"E	0°55'03"
C62	39.27	250.00	35.36'	S04°11'49"E	9°00'00"
C63	39.27	250.00	35.36'	N85°48'12"E	8°00'00"
C64	29.59	250.00	29.58'	N37°24'44"E	6°46'56"
C65	89.55	250.00	89.07'	N23°45'33"E	20°31'28"
C66	70.00	250.00	70.00'	N84°32'26"E	13°21'29"
C67	13.61	115.00	13.60'	N37°24'44"E	6°46'56"
C68	41.19	115.00	40.97'	N23°45'33"E	20°31'28"
C69	73.01	475.00	72.97'	N03°58'57"W	7°18'38"
C70	42.20	25.00	37.36'	N56°00'38"W	86°42'44"
C71	7.26	275.00	7.26'	N76°23'23"E	1°30'47"
C72	54.55	275.00	54.46'	N82°48'43"E	11°21'52"
C73	54.55	275.00	54.46'	S84°24'26"E	11°21'52"
C74	54.55	275.00	54.46'	S74°26'33"E	11°21'52"
C75	54.55	275.00	54.46'	S63°04'41"E	11°21'52"
C76	39.39	275.00	39.36'	S53°17'31"E	8°12'27"
C77	44.81	275.00	44.76'	S43°11'41"E	9°20'07"
C78	54.55	275.00	54.46'	S34°10'18"E	11°21'52"
C79	54.55	275.00	54.46'	S24°28'23"E	11°21'52"
C80	54.55	275.00	54.46'	S14°26'33"E	11°21'52"
C81	54.55	275.00	54.46'	S04°04'39"E	11°21'52"
C82	30.01	275.00	30.00'	S08°43'53"W	6°15'13"

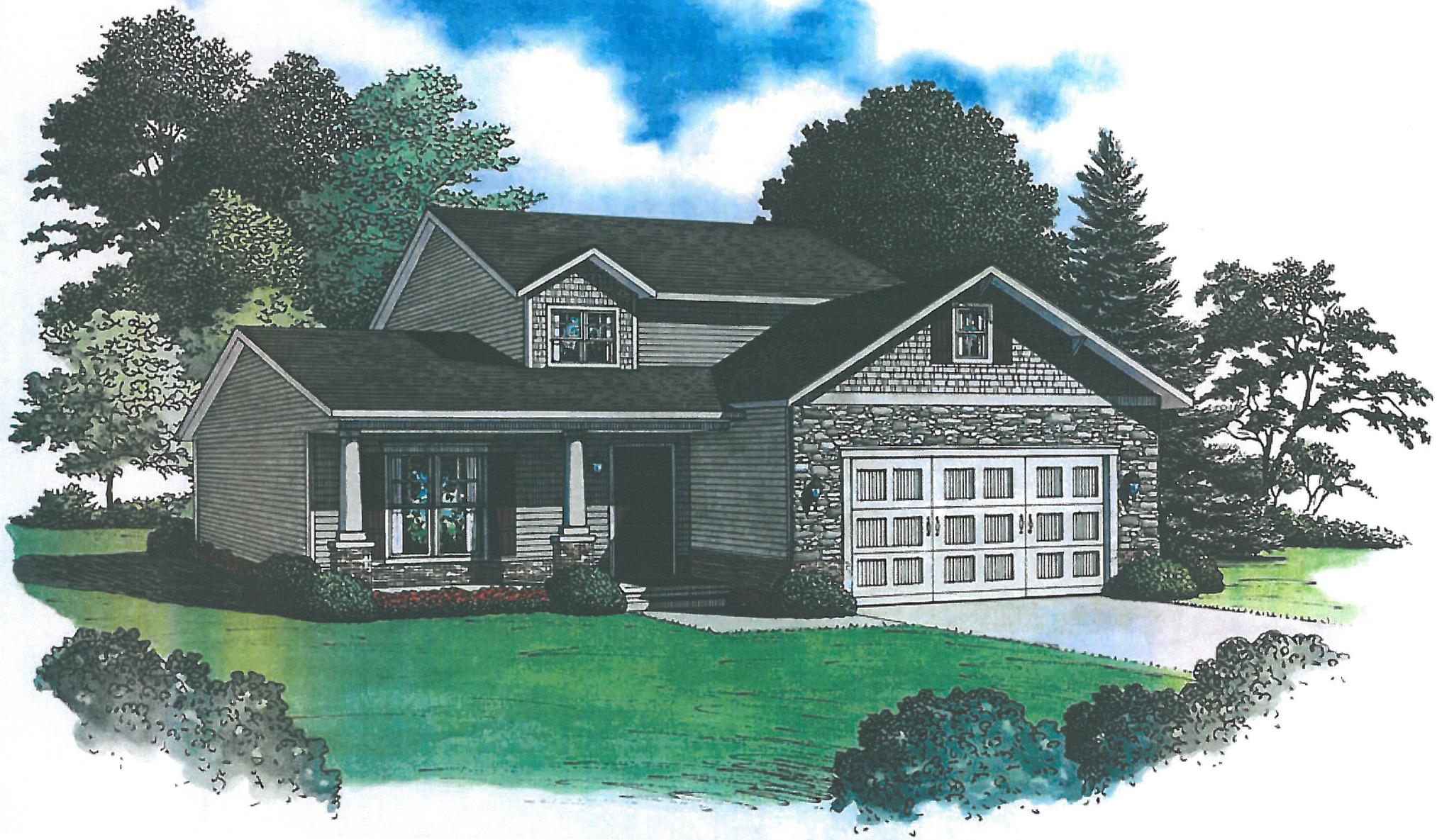
CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C87	65.38	975.00	65.37'	N10°00'49"E	5°50'32"
C88	65.92	975.00	65.90'	N06°08'21"E	3°52'25"
C89	65.92	975.00	65.90'	N02°16'56"E	3°52'25"
C90	65.92	975.00	65.90'	N01°35'29"W	3°52'25"
C91	65.92	975.00	65.90'	N08°27'53"W	3°52'25"
C92	50.48	975.00	50.48'	N08°53'06"W	2°58'00"
C93	12.84	1025.00	12.84'	S10°00'23"E	0°43'25"
C94	58.43	1025.00	58.42'	S08°00'41"E	3°15'59"
C95	58.43	1025.00	58.42'	S04°44'43"E	3°15'59"
C96	46.28	1025.00	46.28'	S01°49'07"E	2°35'13"
C97	34.02	1025.00	34.02'	S00°28'33"W	1°54'06"
C98	58.43	1025.00	58.42'	S03°20'35"W	3°15'59"
C99	30.00	1025.00	30.00'	S05°28'53"W	1°40'37"
C100	58.43	1025.00	58.42'	S07°57'11"W	3°15'59"
C101	22.11	1025.00	22.11'	S10°12'15"W	1°14'09"
C102	39.55	975.00	39.55'	N09°39'35"E	2°18'28"
C103	65.92	975.00	65.90'	N06°33'39"E	3°52'25"
C104	65.92	975.00	65.90'	N02°41'14"E	3°52'25"
C105	65.92	975.00	65.90'	N01°11'11"W	3°52'25"
C106	66.83	975.00	66.81'	N05°05'12"W	3°55'38"
C107	54.07	295.00	54.00'	S01°47'56"E	1°30'08"
C108	54.88	295.00	54.80'	S08°46'55"W	10°39'35"
C109	54.88	295.00	54.80'	S19°26'30"W	10°39'35"
C110	54.88	295.00	54.80'	S30°08'05"W	10°39'35"
C111	54.88	295.00	54.80'	S40°45'40"W	10°39'35"
C112	80.00	430.00	79.88'	S51°25'15"W	10°39'35"
C113	80.00	430.00	79.88'	S62°04'49"W	10°39'35"
C114	80.00	430.00	79.88'	S72°44'24"W	10°39'35"
C115	54.88	295.00	54.80'	S82°04'49"W	10°39'35"
C116	54.88	295.00	54.80'	S90°08'05"W	10°39'35"
C117	60.00	430.00	59.88'	S30°08'05"W	10°39'35"
C118	80.00	430.00	79.88'	S40°45'40"W	10°39'35"
C119	80.00	430.00	79.88'	S51°25'15"W	10°39'35"
C120	80.00	430.00	79.88'	S62°04'49"W	10°39'35"
C121	78.82	430.00	78.71'	S01°47'56"E	1°30'08"
C122	57.57	840.00	57.56'	N05°05'12"E	3°55'38"
C123	56.79	840.00	56.78'	N01°11'11"W	3°52'25"
C124	56.79	840.00	56.78'	N02°41'14"E	3°52'25"
C125	56.79	840.00	56.78'	N06°33'39"E	3°52'25"
C126	34.08	840.00	34.08'	N09°39'35"E	2°18'28"
C127	25.02	1160.00	25.02'	S10°12'15"W	1°14'09"
C128	66.13	1160.00	66.12'	S07°57'11"W	3°15'59"
C129	66.13	1160.00	66.12'	S03°20'35"W	3°15'59"
C130	38.50	1160.00	38.50'	S01°49'07"E	2°35'13"
C131	52.38	1160.00	52.37'	S00°28'33"W	1°54'06"
C132	66.13	1160.00	66.12'	S04°44'43"E	3°15'59"
C133	66.13	1160.00	66.12'	S08°00'41"E	3°15'59"
C134	14.65	1160.00	14.65'	S10°00'23"E	0°43'25"
C135	43.49	840.00	43.49'	N08°53'06"W	2°58'00"
C136	56.79	840.00	56.78'	N02°16'56"E	3°52'25"
C137	56.79	840.00	56.78'	N01°35'29"W	3°52'25"
C138	56.79	840.00	56.78'	N08°27'53"W	3°52'25"
C139	56.79	840.00	56.78'	N08°53'06"W	2°58'00"
C140	56.88	840.00	56.87'	N10°01'56"E	3°52'47"
C141	81.32	410.00	81.19'	S00°04'39"E	1°12'52"
C142	81.32	410.00	81.19'	S11°26'31"E	1°12'52"
C143	81.32	410.00	81.19'	S22°48'23"E	1°12'52"
C144	81.32	410.00	81.19'	S34°31'14"E	1°12'52"
C145	66.80	410.00	66.73'	S44°31'14"E	1°12'52"
C146	58.43	410.00	58.68'	S53°17'31"E	8°12'27"
C147	81.32	410.00	81.19'	S63°04'41"E	1°12'52"
C148	81.32	410.00	81.19'	S74°26'33"E	1°12'52"
C149	81.32	410.00	81.19'	S85°48'28"E	1°12'52"
C150	81.32	410.00	81.19'	N87°49'43"E	1°12'52"
C151	66.12	135.00	66.11'	N31°18'24"E	3°52'25"
C152	95.59	235.00	95.90'	N83°41'36"E	16°07'13"
C153	64.60	235.00	64.40'	S75°03'50"E	15°02'00"
C154	82.96	235.00	82.53'	S39°04'31"E	20°13'34"
C155	95.59	235.00	94.94'	S17°16'32"E	23°18'24"
C156	72.15	235.00	71.86'	S03°08'23"E	17°35'25"
C157	30.00	1015.00	30.00'	N10°19'24"E	1°41'37"
C158	58.42	1015.00	58.41'	N07°46'35"E	3°17'51"
C159	58.42	1015.00	58.41'	N04°31'48"E	3°17'51"
C160	58.42	1015.00	58.41'	N01°13'57"E	3°17'51"
C161	58.42	1015.00	58.41'	N02°03'55"W	3°17'51"
C162	58.42	1015.00	58.41'	N05°21'46"W	3°17'51"
C163	58.42	1015.00	58.41'	N08°39'37"W	3°17'51"
C164	65.65	892.00	65.64'	S08°31'07"E	4°12'58"
C165	65.85	957.67	65.84'	S04°41'42"E	3°58'23"
C166	38.76	985.00	38.76'	S01°59'09"E	2°51'17"

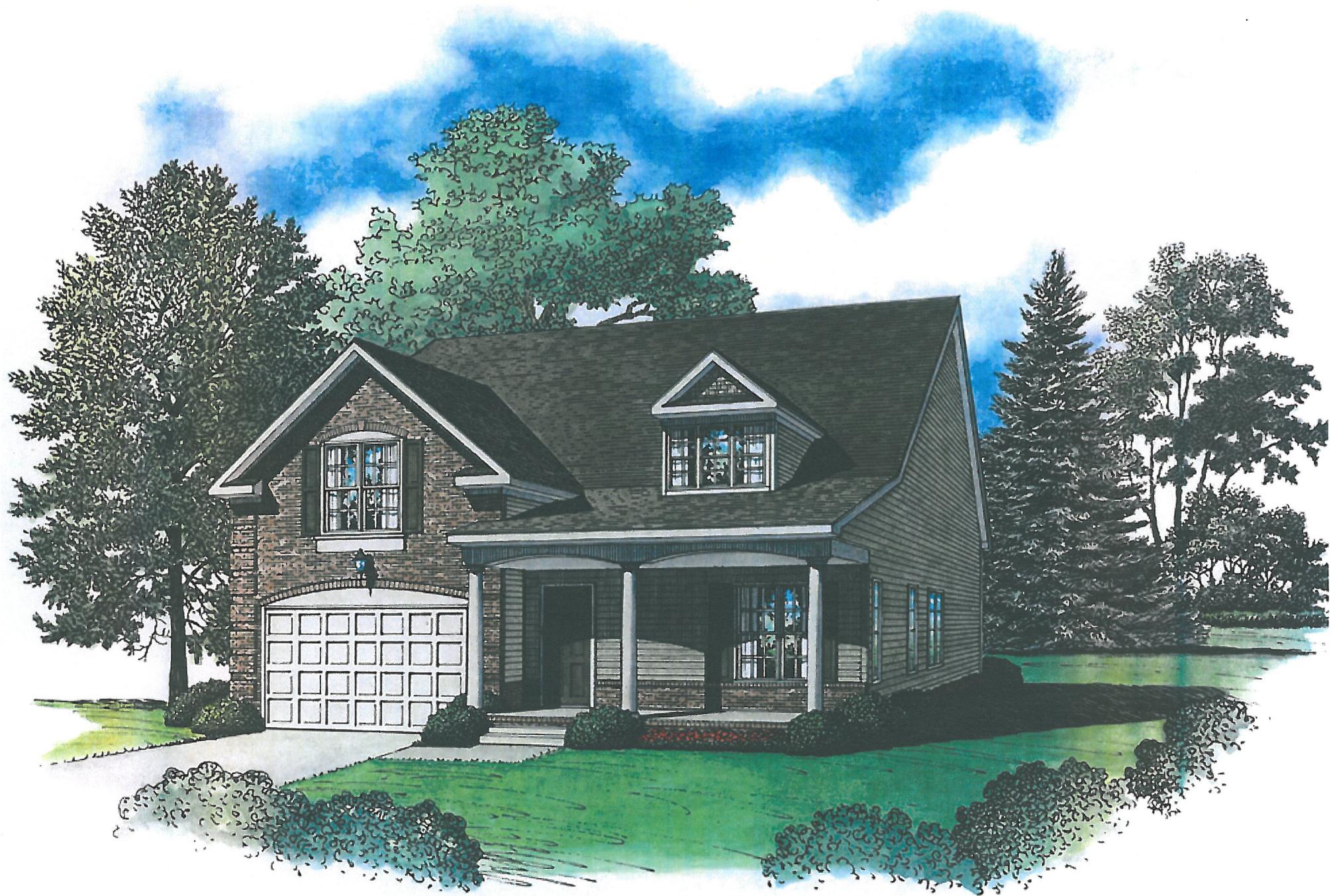
CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C167	51.73	985.00	51.73'	S00°58'46"W	3°03'33"
C168	65.85	985.00	65.84'	S04°23'57"W	3°49'49"
C169	34.77	985.00	34.76'	S07°19'32"W	2°01'20"
C170	42.73	985.00	42.72'	S09°34'46"W	2°29'07"
C171	18.38	1015.00	18.38'	N10°16'29"E	1°05'40"
C172	58.42	1015.00	58.41'	N08°04'33"E	3°17'51"
C173	58.42	1015.00	58.41'	N04°48'53"E	3°17'51"
C174	58.42	1015.00	58.41'	N01°29'00"E	3°17'51"
C175	58.42	1015.00	58.41'	N01°48'51"W	3°17'51"
C176	58.42	1015.00	58.41'	N05°06'42"W	3°17'51"
C177	51.51	1015.00	51.37'	N06°54'19"W	0°17'22"
C178	82.86	286.77	82.50'	S02°15'32"E	18°29'18"
C179	9				

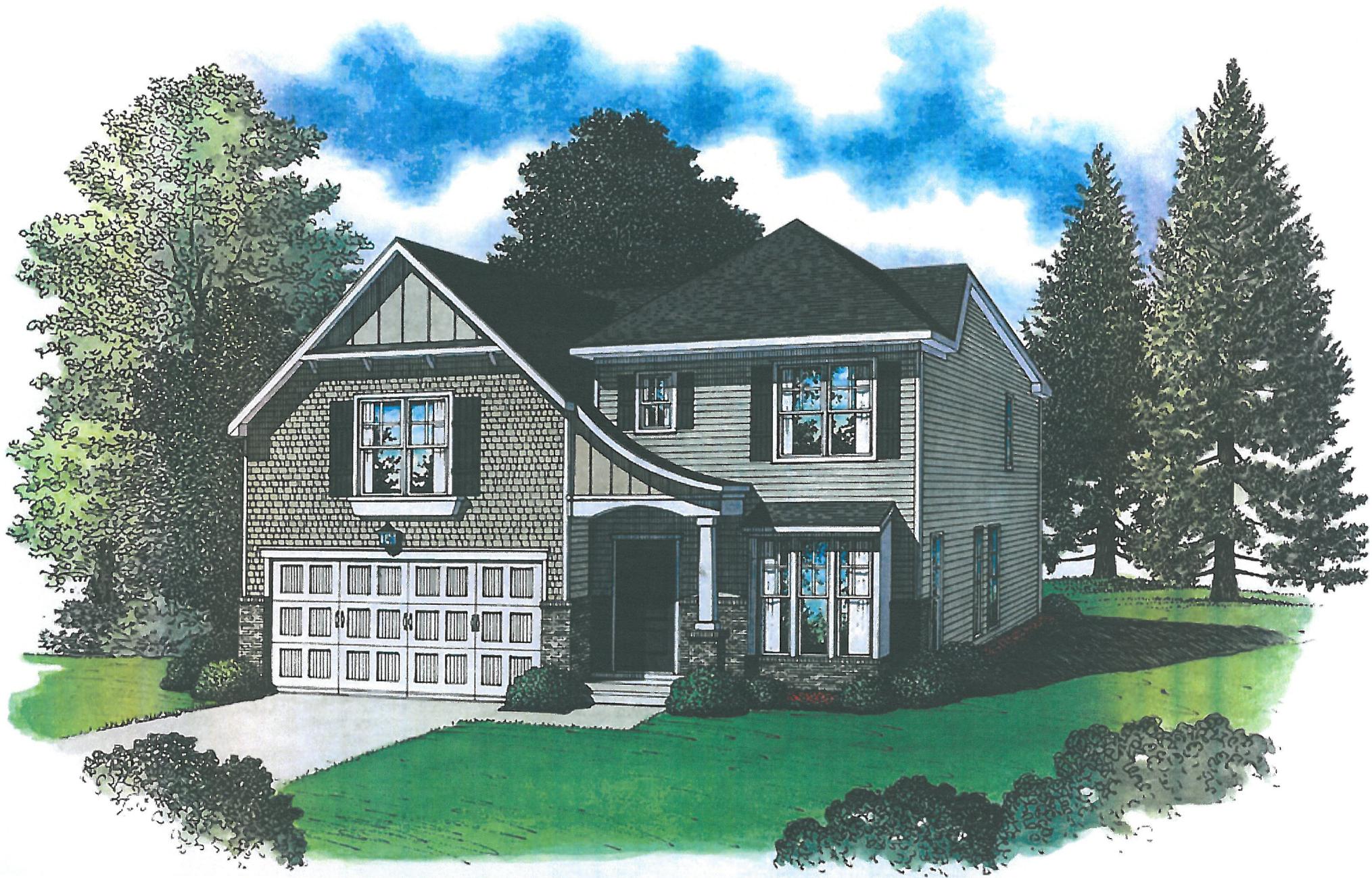
# Exhibit “D”

Typical Building Elevations



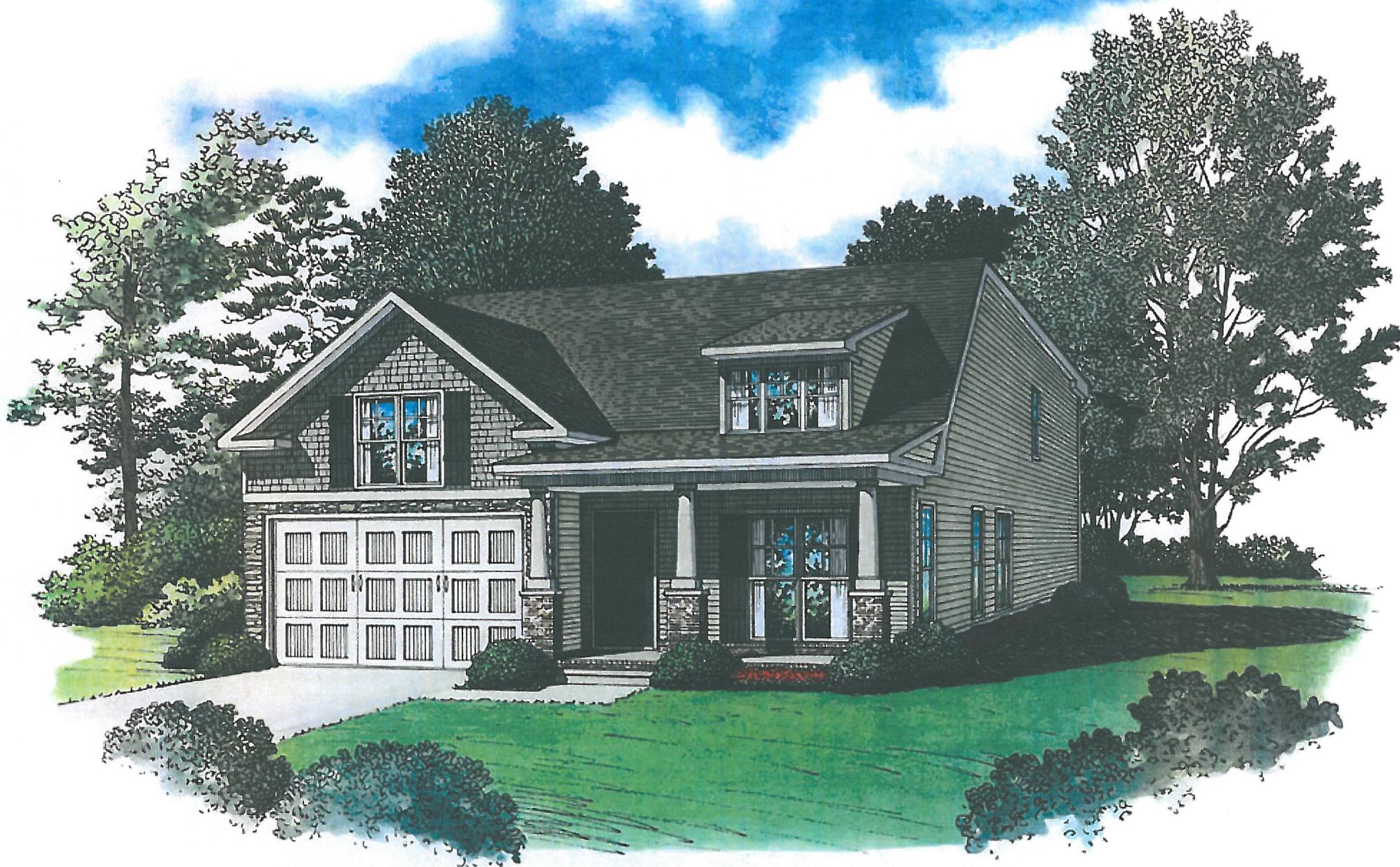












## Exhibit "E"

Phase and Development schedule.

**EXHIBIT "E"**  
**PHASE and DEVELOPMENT SCHEDULE**

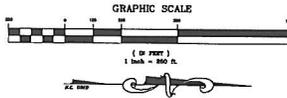
The following is the Developer's proposed schedule for completing the Development that is the subject of this Agreement:

<b><u>Activity</u></b>	<b><u>Proposed Schedule</u></b>
Permitting	Nov. 2014 - Dec. 2014
Construction of Phase 1	Commence Jan. 2015 (Subject to permitting)
Record Phase 1	2015
Record Phase 2	2016
Record Phase 3	2017
Record Phase 4	2018

## Exhibit "F"

Project Phasing Plan and WWTP Connection

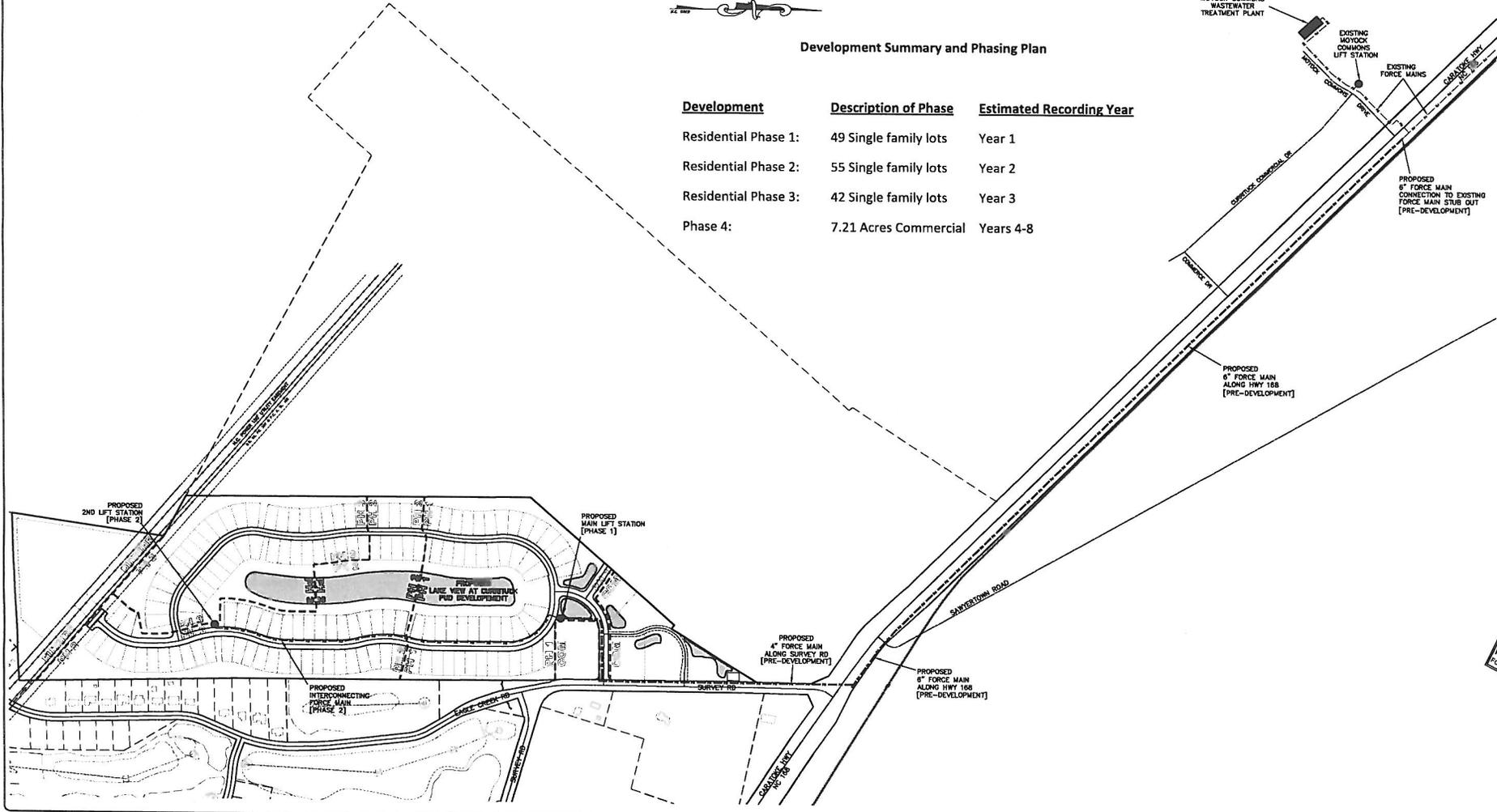
# LAKE VIEW AT CURRITUCK PLANNED UNIT DEVELOPMENT



LEGEND	
[Symbol]	ROADWAY CENTERLINE
[Symbol]	RIGHT OF WAY
[Symbol]	PROPERTY LINE
[Symbol]	PROPOSED LOT LINE
[Symbol]	EXISTING TRAILING TRAIL
[Symbol]	ADJOINING PROPERTY
[Symbol]	UTILITY EASEMENT
[Symbol]	PROPOSED PROJECT PHASING SCHEMATIC
[Symbol]	EXISTING FORCE MAINS AS NOTED
[Symbol]	PROPOSED FORCE MAINS AS NOTED

## Development Summary and Phasing Plan

Development	Description of Phase	Estimated Recording Year
Residential Phase 1:	49 Single family lots	Year 1
Residential Phase 2:	55 Single family lots	Year 2
Residential Phase 3:	42 Single family lots	Year 3
Phase 4:	7.21 Acres Commercial	Years 4-8



Prepared by: **BASSELL**  
 2000 North Carolina Highway 101  
 Raleigh, NC 27601  
 Tel: 919 286-1100  
 Fax: 919 286-1100

**BASSELL**  
 ENGINEERS, ARCHITECTS  
 AND ENVIRONMENTAL SCIENTISTS

PLANNED UNIT DEVELOPMENT  
 AMENDED SKETCH PLAN  
 PROJECT NUMBER: 17-17-14  
 PREPARED BY: BASSELL ENGINEERS, ARCHITECTS AND ENVIRONMENTAL SCIENTISTS  
 DATE: 7-17-14

LAKE VIEW AT CURRITUCK  
 CURRITUCK COUNTY  
 MOYOCK TOWNSHIP  
 MOYOCK WWTP CONNECTION & PHASING

NO.	DATE	REVISIONS
1	7-17-14	ISSUE FOR REVIEW
2	7-17-14	REVISED PER COMMENTS
3	7-17-14	REVISED PER COMMENTS
4	7-17-14	REVISED PER COMMENTS
5	7-17-14	REVISED PER COMMENTS
6	7-17-14	REVISED PER COMMENTS
7	7-17-14	REVISED PER COMMENTS
8	7-17-14	REVISED PER COMMENTS
9	7-17-14	REVISED PER COMMENTS
10	7-17-14	REVISED PER COMMENTS

DATE:	7-17-14	SCALE:	1" = 200'
DESIGNER:	NSB	CHECKER:	NSB
DRAWN:	NSB	PROJECT NO.:	4319
SHEET:	7	TOTAL SHEETS:	7
PROJECT NAME:	LAKE VIEW AT CURRITUCK		

## Exhibit "G"

Proposed amended SUP



## **COUNTY OF CURRITUCK**

Planning and Community Development Department  
*Planning and Zoning Division*  
153 Courthouse Road, Suite 110  
Currituck, North Carolina 27929  
Telephone (252) 232-3055 / Fax (252) 232-3026

### **SPECIAL USE PERMIT GRANTED**

On the date(s) listed below, the Board of Commissioners for the County of Currituck met and held a public hearing to consider the following application:

Owner: Survey Road, LLC  
3500 Virginia Beach Blvd., Suite 528  
Virginia Beach, VA 23452

Developer: South Moyock Development, LLC  
616 Village Drive, Suite G  
Virginia Beach, VA 23454

Applicant: Bissell Professional Group  
PO Box 1068  
Kitty Hawk, NC 27949

Property Location: 120 Survey Road and adjacent to Eagle Creek subdivision

Project: PB 07-10 South Ridge, PUD – Preliminary Plat Extension

Proposed Use: ~~146 Single Family Patio-Home Lots, 5.46~~ 7.21 Acres of ~~Limited Business-Hotel Designation, Commercial Allocation~~ 1.75 Acre County Dedicated Community Facility Site

Meeting Dates: January 12, 2010 – Planning Board Recommendation  
February 1, 2010 – Board of Commissioners' Public Hearing/Action  
November 5, 2012 – Board of Commissioner's Extension  
November **X**, 2014 – Board of Commissioners Modification

Having heard all the evidence and argument presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Currituck County Unified Development Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved subject to all applicable provisions of the Unified Development Ordinance and the following conditions:

- (A) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning Department.
- (B) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
- (C) This permit is valid for two years and will expire on **INSERT DATE** if work has not begun on the project at that time. Once work has begun and the use begins, this special use permit shall remain valid so long as the conditions under which it was granted are met.
- (D) Other conditions:

1. The pre-construction plans shall meet and address all NCDOT traffic engineer comments and recommended changes.
- ~~2. The right-of-way and legal instrument granted by Eagle Creek Property Owner's Association for the South Ridge subdivision entrance shall be resolved and recorded with the pre-construction submittal.~~
- ~~3. Documentation regarding the Eagle Creek open space reduction (right-of-way dedication) shall be provided with the pre-construction submittal.~~
4. The proposed, improved access connection to the adjacent property does not extend to the property line. This access will not be used by a property owner until such time as the interconnection is made; staff recommends the developer posting a bond for installation in lieu of paving the connection to the property line.
- ~~5. The proposed wastewater treatment and disposal provides two options for South Ridge development. The first option includes wastewater treatment and disposal within the boundaries of South Ridge development. The South Ridge utility plan shall also include any required green area, and must be submitted with the pre-construction submittal. The second option includes treatment and disposal within the Eagle Creek development. In order to proceed with the second option (Eagle Creek) the following information must be submitted with the pre-construction submittal:~~
  - ~~a. A summary of available capacity for the Eagle Creek system. The summary should include all existing demands as well as committed demands (platted lots).~~
  - ~~b. The basis and DWQ approval for residential flow reduction based on peak usage.~~
  - ~~c. A detailed green area map. Any modifications to green area must be approved by Currituck County and NC DWQ prior to implementation.~~
  - ~~d. A detailed narrative of necessary improvements to the Eagle Creek wastewater treatment or disposal areas to accommodate anticipated capacity of South Ridge (residential and commercial/county dedication) and financial responsibility for system upgrades.~~
6. Wheelchair ramps shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with NCDOT standards. Please provide a curb cut detail with the submittal pre-construction plans.
7. On street parking, if installed, shall be provided in accordance with the variance issued by the Board of Commissioners.
8. The pedestrian loop trail system must be located a minimum of 10 feet from all exterior property lines and shall be located such to provide safe movement.
9. A Dominion Power encroachment agreement is required to allow roads, pedestrian trails, required landscape buffers, and wastewater treatment infiltration pond within their 150 foot utility easement. The agreement must be provided at the pre-construction submittal.
10. Pedestrian easements shall be provided on the final plat where the sidewalk extends beyond the street right-of-way and on private lots. (Development Review Manual)
11. Given the relatively small size of the proposed lots, deed restrictions or restrictive covenants shall restrict parking of boats and recreational vehicles on individual lots or a boat/rv parking area shall be provided.

12. The development impact statement references the pedestrian related active recreation element. In the interest of providing a complete and safe active recreation system, the applicant shall provide sidewalks along Survey Road frontage, and between the proposed residential and nonresidential uses.
- ~~13. The applicant shall provide the following information regarding the waste water treatment system at pre-construction submission:
 
  - ~~a. A detailed explanation of who shall be responsible for the perpetual maintenance and upkeep of the facility;~~
  - ~~b. State approval of the proposed system; and,~~
  - ~~c. The expected life of the facility and the establishment of a reserve fund to support the continued maintenance, upkeep, and replacement of the facility.~~~~
14. The required improvements shall be installed and accepted prior to submission of final plat approval for each phase.
- ~~15. In accordance with the UDO, the applicant shall create a sewer district for the proposed development prior to final plat submission.~~
16. The applicant shall submit a home and building design template that will be incorporated with the approval. Residential structures shall be designed with:
  - a. Variation in exterior architectural materials (siding, roofing);
  - b. Vertical and horizontal relief in buildings (roof lines, eaves, bump outs);
  - c. Variation in house styles/types;
  - d. Inclusion of front porches, projecting bays, vestibules; and,
  - e. The units shall have proportional attributes including overall height to width ratios of existing building facades, doors, windows, projecting canopies, and other architectural features with in the vernacular of the area.
- ~~17. In keeping with Policy WS7 of the 2006 Land Use Plan, the wastewater system shall be designed so as to facilitate assimilation into a centralized system at a future date.~~
18. All open space areas surrounding the lake shall be stabilized with grass, vegetation, and proposed landscaping prior to recordation of the first phase.
19. All visual relief open space within each phase shall be stabilized and vegetated with grass and proposed landscaping buffer.
20. Low impact development techniques should be integrated in the project to manage treatment of stormwater. (WQ3, WQ6, WQ7)
21. Internal pedestrian circulation shall be required for all commercial areas through the use of clearly defined walkways. (CD8, CD9)
22. In commercial areas, parking located between a commercial building and street rights-of-way shall be screened with a Type B Bufferyard. (CA3, CD7, CD8)
23. Dumpsters or similar solid waste receptacles, HVAC equipment, commercial mechanical units, or similar appurtenances shall be screened from view using a combination of solid landscaping or opaque fencing. (LUP CA3)
24. Landscape islands shall be incorporated into the commercial parking areas. (LUP CD7, CD8, CA3)
25. In commercial areas pedestrian plazas or similar shaded outdoor seating areas shall be provided. (LUP CD7, CD8, CD9)
26. Neighborhood serving commercial development shall integrate pedestrian scale and design (proportional relationship of buildings and spaces to pedestrians). Retail, office, and entertainment uses shall be appropriately designed, small-scale businesses. (LUP CD1, CD5, CD6, CD7, CD8, CD9).
27. The maximum amount of pond aeration devices allowed by NC DWQ shall be installed.
28. A complete downstream analysis shall be included with the pre-construction submittal.
29. The driveways shall be two vehicle deep parking (including garage).
30. The slope of ponds shall be considered.
31. Cluster mailboxes shall be used.
32. The building pad elevations shall be raised a minimum of 18 inches.

33. A solid vegetative buffer and fencing between shall be provided to the adjacent agricultural properties.

IN WITNESS WHEREOF, the County has caused this permit to be issued in its name, and the property owners/applicants of the property above described, do hereby accept this Special Use Permit together with all its conditions, as binding on them and their successors in interest.

ATTEST:

\_\_\_\_\_(Seal)  
Clerk to the Board

\_\_\_\_\_  
Chairman  
Board of Commissioners

\_\_\_\_\_  
Date

(NOT VALID UNTIL FULLY EXECUTED)

## Exhibit "H"

### Required Permits

**EXHIBIT "H"**  
**LIST OF REQUIRED PERMITS**

The following local permits and approvals are necessary for the development of Lake View of Currituck, PUD. A status of each (secured or not yet secured) is provided:

<b><u>Permit</u></b>	<b><u>Status</u></b>
Sketch Plan Approval	Secured
Preliminary Plat Approval	Secured
Special Use Permit Approval	Secured
County Water System Approval	Not yet secured
N.C. Water System Approval	Not yet secured
County Force Main Review	Not yet secured
NCDENR Sewer Line Approval	Not yet secured
County Stormwater Approval	Not yet secured
NCDENR Stormwater Approval	Not yet secured
NCDENR Erosion Control Approval	Not yet secured
NCDOT Driveway Approval	Not yet secured
NCDOT Encroachment Agreement	Not yet secured
Pre-Construction Approval	Not yet secured
Commercial Site Plan Approval	Not yet secured
Final Plat Approval	Not yet secured



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

Whalehead Trust Advisory Board Appointment

## Brief Description of Agenda Item

Nomination and approval of appointees for vacant position on the Whalehead Preservation Trust

## Board Action Requested

Action

## Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

## Presenter of Agenda Item

## Board Appointments

WHALEHEAD PRESERVATION TRUST BOARD OF DIRECTORS  
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Cliff Scott	District 1	*	Aydlett	6/3/2013	2nd Term 5/1/2016
				Eff. 5/1/2010	
<b>Andy Newbern*</b>	<b>District 2</b>	*	<b>Griggs</b>	<b>3/1/2010</b>	<b>1st Term 5/1/2015</b>
				<b>Eff. 5/1/2010</b>	
Carl Ross	District 3	*	Petrey	10/3/2011	1st Term 5/1/2016
				Eff. 5/1/2010	
Jeanne Meiggs	District 4	*	McCord	3/1/2010	1st Term 5/1/2016
				Eff. 5/1/2010	
Steven Kesler	District 5	*	Gilbert	3/1/2010	1st Term 5/1/2016
				Eff. 5/1/2010	
Don Cheek	At-Large	*	Martin	6/3/2013	1st Term 5/1/2016
				Eff. 5/1/2013	
Sharon Twiddy	At-Large	*	O'Neal	3/1/2010	1st Term 5/1/2015
				Eff. 5/1/2010	
Travis Morris		**	**	6/3/2013	2nd Term 5/1/2016
				Eff. 5/1/2013	
Penny Leary-Smith		**	**	6/3/2013	1st Term 5/1/2016
				Eff. 5/1/2010	
		**		<b>6/3/2013</b>	<b>Unexpired Term</b>
				<b>Eff. 5/1/2010</b>	
Kimberlee Hoey		**		3/1/2010	1st Term 5/1/2015
				Eff. 5/1/2010	

**\*Needs Replaced**

**Commissioner Griggs**

\* 7 Members Must Be County Residents

\*\* 4 Members May Be Non-Residents



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

Approval of Minutes

## Brief Description of Agenda Item

Approval of minutes for Regular meeting of the Board of Commissioners, October 20, 2014.

## Board Action Requested

Action

## Person Submitting Agenda Item

Leeann Walton, Clerk to the Board

## Presenter of Agenda Item

Consent Agenda



## CURRITUCK COUNTY NORTH CAROLINA

October 20, 2014  
Minutes  
Meeting of the Board of Commissioners

The Board of Commissioners met at 7:00 PM for a regularly scheduled meeting in the Board Meeting Room of the Historic Courthouse with the following members present: Board Chairman Paul O'Neal, Vice-Chairman Paul Martin and Commissioners Marion Gilbert, Vance Aydlett, Butch Petrey, Paul Beaumont, and David Griggs. Staff included County Manager Dan Scanlon, County Attorney Ike McRee and Planning Director Ben Woody.

Chairman O'Neal called the meeting to order at 7 PM,

- A) Invocation**
- B) Pledge of Allegiance**

Reverend Frank Custer of Mt. Zion United Methodist Church gave the invocation and led the Pledge of Allegiance.

### **C) Approval of Agenda**

Commissioner Gilbert moved to approve the agenda. Commissioner Martin seconded and the motion carried unanimously.

### **Approved Agenda**

REVISED

#### **7:00 pm Call to Order**

- ~~A) Invocation-Reverend Dan Bergey, New Life Church~~ **Rev. Frank Custer, Mt. Zion UMC**
- ~~B) Pledge of Allegiance-Reverend Dan Bergey, New Life Church~~ **Rev. Frank Custer**
- C) Approval of Agenda
- D) Public Comment

***Please limit comments to items not appearing on the regular agenda; please limit comments to 3 minutes.***

#### **Administrative Reports**

- A) **Mr. Manly West, North Carolina Farm Bureau-Support for Installation of Highway Safety Signage for Farm Equipment**
- B) **Derek Kelly, CenturyLink-Presentation and Discussion of Current Products, Service and Future Expansion Plans**

**C) Planning Department Presentation and Discussion of Moyock Wastewater and Small Area Plan**

**Public Hearings**

- A) **Public Hearing and Action:** PB 14-14 CASP, Inc.: Request for a conditional rezoning of 37 acres from Light Industrial (LI) to Conditional District- Single Family Mainland (CD-SFM) on property located in Moyock on Inventors Drive which is located on the east side of Caratoke Highway, Tax Map 9, Parcels 26A And 26B, Moyock Township.
- B) **Public Hearing and Action:** PB 14-18 Currituck County: A request to amend the Unified Development Ordinance to clarify and revise miscellaneous sections of the Ordinance. The revisions correct and clarify the identified sections in the UDO as it relates to nonconformities, accessory uses and structures, stormwater management, setback and building height standards, sidewalk standards, minor subdivision definition, public meeting notification requirements, subdivision infrastructure maintenance, private access roads, variance findings of fact, and nonresidential design standards.
- C) **Public Hearing and Action:** PB 14-21 Currituck County: A request to amend the Unified Development Ordinance Chapter 6: Required Infrastructure to revise the water supply standards to require all new subdivisions and nonresidential development to be connected and serviced by the county water supply system when located within the formulated distance for connection and require performance guarantees when the proposed development exceeds the formulated connection distance.

**New Business**

- A) **Consideration & Action for a 5-year fuel purchasing contract from Eastern Aviation Fuels, Inc**
- B) **Board Appointments:**
1. Economic Development Advisory
- C) **Consent Agenda:**
1. Approval of Minutes for Regular meeting for October 6, 2014, and Special Meeting/Worksession Minutes, September 25, 2014
  2. Budget Amendments
  3. Consideration and Ratification of Public Safety 800 MHz System Usage Agreement Between Currituck County and Volunteer Fire Departments
  4. Project Ordinance - Connecting Corolla
  5. Disposal of Records: Finance Dept and Administration
  6. Request for Approval of Permit Officer III Position and Job Description
- D) **Commissioner's Report**
- E) **County Manager's Report**

**Closed Session**

According to GS 143-318.11(4) to discuss matters relating to the location or expansion of industries or other businesses-Project Move

**Adjourn**

## **D) Public Comment**

Chairman O'Neal opened the public comment period.

Mary Etheridge, Shawboro, discussed litigation her family has been in with the county since 2011 regarding the approval of a junkyard behind her home. She stated Commissioner Martin did not vote in favor of it. She showed a picture of what she believes to be a junkyard and asks the public to decide whether it is a junkyard or a recycling center and whether she was treated fairly. Chairman O'Neal asked Attorney McRee to review again the court decisions, which he did. He stated the picture is a non-conforming junkyard and not the operation being discussed.

Josh Bass, President, Currituck Chamber of Commerce, thanked the Fire, Police, EMS and 911 personnel for their assistance and quick response to the fire emergency at the Twiford Law office, which is adjacent to the Chamber office. He also thanked the Planning and Inspections Department and the outpouring of support from the County and the citizens of Currituck.

Both Chairman O'Neal and Commissioner Aydlett acknowledged the fine job of the volunteer fire fighters and encouraged citizens to consider volunteering.

With no one else wishing to speak, Chairman O'Neal closed the Public Comment period.

## **Administrative Reports**

### **A) Mr. Manly West, North Carolina Farm Bureau-Support for Installation of Highway Safety Signage for Farm Equipment**

Manly West from the Farm Bureau Board of Directors spoke to the need and their support for signage on our highways that denote the presence of slow-moving vehicles or equipment in an effort to prevent accidents and spoke of a related death two years ago.

Commissioner Aydlett moved to instruct the staff to see what needs to be done to have the signage installed on our roads. Commissioner Griggs seconded and the motion carried unanimously.

Mr. West began discussing installation of mile marker signs on the highways. The Board motion was amended by Commissioner Aydlett to add mile marker installation signs as well. The amended motion was seconded by Commissioner Griggs and carried unanimously.

Mr. West stated his opinion that anyone wishing to ride ATVs on private property should require the written consent of the property owner. Commissioner Gilbert announced Mr. West was elected President of the Soil and Water Conservation District.

### **B) Derek Kelly, CenturyLink-Presentation and Discussion of Current Products, Service and Future Expansion Plans**

Mr. Kelly introduced himself as the Marketing and Development Manager for CenturyLink and presented a powerpoint discussing our area's customer base, voice service and internet access. He addressed Chairman O'Neal's concern that many school children do not have access to internet, reviewing the service map with expansion plans and increasing internet speed with addition of fiber lines. He addressed marketing materials, explaining that the mass amount of materials will unfortunately be received by some where service is not available. Mr. Kelly explained the Connect America fund and said he felt Currituck could get funding, reviewed the process, and asked for Board support in getting the FCC to relax some of the stringent requirements for the program. Commissioner Aydlett asked about funding for services in Gibbs

Woods. Mr. Kelly said if funding could be secured it is about twelve months to begin install. Commissioner Aydlett asked the County Manager to write a letter compelling Cox cable to supply service to the area. Chairman O’Neal asked if petitions can spur installation of service. Mr. Kelly said usually petitions don’t help, as it is about the math and the cost of providing service. Commissioner Petrey said Currituck should be looked at as a whole instead of having pockets without service. Mr. Kelly said service is available to 96% now and feels it is a good number.

**C) Planning Department Presentation and Discussion of Moyock Wastewater and Small Area Plan**

Ben Woody, Director of Planning and Inspections, presented a summary for the public based on information discussed in prior work sessions. Work sessions included topics such as land use, density, wastewater, zoning and the Moyock Small Area Plan. Mr. Woody explained the Land Use Plan as a policy document that looks to the future. He explained land use categories and using zoning as a flexible tool for implementation of the land use plan. He discussed density and how it is calculated, showing examples of plats with different design components offering similar densities. Opinions differed amongst the Board allowing continued discussion of lot sizes and minimum lot size and density requirements, and what constitutes “rural character”. The Board thanked Mr. Woody at the close of his presentation for his help in painting a clear picture for everyone.

**Public Hearings**

**A) Public Hearing and Action: PB 14-14 CASP, Inc.:** Request for a conditional rezoning of 37 acres from Light Industrial (LI) to Conditional District- Single Family Mainland (CD-SFM) on property located in Moyock on Inventors Drive which is located on the east side of Caratoke Highway, Tax Map 9, Parcels 26A And 26B, Moyock Township.

**CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
DATE: October 20, 2014  
PB 14-14 CASP, Inc.**

---

<b>ITEM:</b>	PB 14-14 CASP, Inc.: a conditional rezoning of 37 acres from Light Industrial (LI) to Conditional District- Single Family Mainland (C-SFM).
<b>LOCATION:</b>	Moyock – Inventors Drive, off Caratoke Highway
<b>TAX ID:</b>	0009000026A0000 0009000026B0000
<b>OWNER:</b>	CASP, Inc. PO Box 39 Moyock, NC 27958
<b>APPLICANT:</b>	Hidden Acres Currituck, LLC PO Box 743 Moyock, NC 27958

**LAND USE/ZONING OF SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Agricultural/Undeveloped Residential	AG
<b>SOUTH</b>	Assisted Living/Undeveloped Residential	GB
<b>EAST:</b>	Residential Open Space (County Owned)	SFM
<b>WEST:</b>	Fuel Supply Facility/Vacant	GB

**LAND USE PLAN CLASSIFICATION:**

The 2006 Land Use Plan classifies the site as Full Service within the Moyock subarea.

The policy emphasis of the Moyock sub-area is on properly managing the increased urban level of growth that this area is sure to experience over the next decade and beyond. Residential development densities should be medium to high depending upon available services. In areas where on-site wastewater is proposed and other County services are limited, development density should be limited to 1-2 units per acre. However in areas where central sewer is proposed or existing, additional services are available and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered through the use of overlay zones.

**MOYOCK SAP:**

The Moyock Small Area Plan classifies the property as Full Service.

Full Service designations are focal points in the community where high amounts of activity occur. Mixed use development with both residential and commercial components will be present in these areas. In addition, clustered or planned commercial and residential areas with diversity in housing types are preferred. Typical densities in full service designations range from 1.5 – 3 units per acre depending on surrounding land uses. All development should encourage human scale development and interconnected transportation systems that support both vehicles and pedestrians.

Policies supporting the request include:

**Policy FLU 1** Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. This is achieved through design and includes larger setbacks, landscaped or forested strips, transition zones, fencing, screening, density and/or bulk step downs, or other architectural and site planning measures that encourage harmony.

**CURRENT ZONING:**

Light Industrial (LI)

**PROPOSED ZONING:**

Conditional District - Single Family Mainland (C-SFM)

**CURRENT USE:**

Undeveloped

**SIZE OF SITE:**

37+/- acres

**ZONING HISTORY:**

Agricultural (A) – 1989 Zoning Map  
Light Manufacturing (LM) - 1999 Zoning Map

**UTILITIES:**

County water is available to serve this development. The developer is requesting connection to the Moyock Central Sewer System.

**TRANSPORTATION:**

The proposed development has access to Caratoke Highway through an existing unimproved right-of-way. There is an existing rail crossing located at the property's development entrance. The proposed road and

rail crossing serving the development will be improved to NCDOT standards.

**FLOOD ZONE:** The proposed development is located in the Shaded X flood zone (500-year).

**WETLANDS:** The county wetland inventory maps indicate the property has wetland characteristic; however, a wetland delineation is not required until submittal of the subdivision.

**SOILS:** The proposed development is located on Roanoke soils, which are considered poorly drained. The development is proposing to manage wastewater through off-site treatment and disposal.

**PLAN REQUEST:** Conservation subdivision with 74 residential lots (2 du/acre) and 14.84 acres of open space (40%).

**PROPOSED ZONING CONDITIONS:**

1. Use: conservation subdivision
2. Maximum of 74 homes
3. Minimum lot size of 10,000 square feet
4. Existing trees will be protected and preserved to the greatest degree practicable
5. Buffers to surrounding properties will exceed Currituck County requirements

**COMMUNITY MEETING:**

A community meeting was held on May 15, 2014 at the Moyock Library. Mark Bissell presented a brief summary of the development proposal, along with a conceptual plan of the development. No adjacent property owners attended the meeting.

**TECHNICAL REVIEW COMMITTEE RECOMMENDATION:**

The conditional zoning process provides an opportunity for an applicant to propose use limitations or development conditions that ensure development proposals are consistent with the policies set forth in adopted plans. The TRC *recommends approval* of the proposed request. The conditional rezoning request is consistent with the goals, objectives, and policies of the Land Use Plan and Moyock Small Area Plan, and is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and uses for the land.

Additional Staff Comments:

Larger lot subdivisions exist to the north and south of the land subject to the application; however, the adjacent lots proposed to the south are not platted and the adjacent lots located to the north are platted but no dwelling units have been constructed. The subject property's retention of the existing perimeter wooded buffer will help promote compatibility with adjoining properties.

**PLANNING BOARD RECOMMENDATION:**

The Planning Board *recommended approval* of the development agreement as presented with technical review committee recommendation.

**BOARD OF COMMISSIONS (9-15-14)**

The Board of Commissions continued this request pending additional discussion of the railroad and sewer.

**PLANNING BOARD DISCUSSION (8/12/14)**

Mr. Cooper asked if the Railroad Company has to give permission for them to cross.

Mr. Woody said liability insurance will have to be paid for this crossing and they will have to have an agreement with the Railroad Company.

Mr. Bissell said there is an existing approved crossing, but not to the Department of Transportation (DOT) standards. They are working with the Railroad Company and the Homeowners Association will maintain it until DOT takes it over. This project will have sidewalks on both sides of the street. Mr. Bissell provided pictures of the future site and provided an overview of the project.

Mr. Clark closed the public hearing.

### **ACTION**

Mr. Cooper moved to approve PB 14-14 due to its consistency with the goals, objectives, and policies of the 2006 Land Use Plan and Moyock Small Area Plan, and is compatible with existing and proposed uses surrounding the land, and is the appropriate zoning district and uses for the land. Ms. Overstreet seconded the motion and motion carried unanimously.

Mr. Woody presented and recounted the tabling of the request at the last meeting. He deferred to Mark Bissell of Bissell Professional Group, who presented a powerpoint which enabled the Board to see the plat with surrounding land and subdivisions. Mr. Bissell described amenities, setting, and said the lot sizes were increased, thereby reducing the total number of lots, from 74 to 67. He said the railroad issues were addressed, meeting all standards and requirements. Commissioner Martin verified approximate square footage of homes would be 2,000 square feet. Commissioner Gilbert asked about sidewalk interconnectivity with adjacent subdivisions and was told by Mr. Bissell that the sidewalks could adjoin neighboring subdivisions.

Commissioner Petrey voiced concern about approving a subdivision that will face the same issues and challenges with the railroad as Shingle Landing subdivision did, which are still not resolved. Commissioner Martin asked if it was possible to resolve the railroad issues prior to approval of the subdivision in an effort to protect buyers. Mr. Bissell said the contract with the railroad can be created after subdivision approval and the subdivision plan is developed. There was some discussion of being proactive with negotiations with the railroad and disclosure statements being required from each buyer.

Chairman O'Neal opened the public hearing.

Jim Wheeler of Moyock is opposed due to the amount of children he anticipates. Schools are at 95% capacity in Moyock, he said, and we need industry more than houses.

JoAnne Gourmenis of Moyock said condo's, townhouses, apartments or small homes on slabs are not compatible with surrounding area of custom homes. She said small homes draw low income owners who don't maintain their homes and that builders are all about making money. She wants to see half acre lots with crawlspaces. Ms. Gourmenis also asked for help with a resolution to the railroad issue with Shingle Landing and roads being turned over to DOT.

Susan Davis of Moyock said she does not wish to deny approval, but asks the lot sizes to be increased to 22,000 square feet. She believes wastewater should be for businesses only, and she discussed the high cost of insurances and fees with respect to the railroad.

Mr. Kim Old, Moyock, asked the Board to approve the rezoning. As a realtor, he sees the vast majority of buyers being military. Mr. Old said a nice home can be built on a small lot. His son, Justin Old, is the builder and he employs a lot of local people.

Kevin McCord, Moyock, supports approval, stating that North Carolina is the seventh fastest growing state in the country. He said Justin Old is a good builder who lives and hires locally and is an active participant in the community. Commercial won't come without rooftops, he said, and growth is coming. It must be planned and monitored.

Chris Smith is not a resident of Currituck, but works at Griggs Lumber, a Currituck business. He said Justin Old's business, Quality Homes, is one of their biggest customers and they employ locals, unlike some other developers who come down from Virginia. He asks for approval of the request.

Jody Turner, Moyock, asks the Board to consider the amount of money nearby residents have spent on their homes, and wants the quality of homes to be considered.

Bob Crocker asked what the price points would be. He also has concerns with drainage and recommends silt venting. Mr. Bissell said the state will require erosion control and stormwater control permits. Mr. Bissell said the water runoff will actually decrease from the current condition. Kim Old said the market will dictate pricing, but will most likely start at mid \$200,000 range and up.

Mark Sherwood, Elizabeth City, said he is employed by Mr. Olds and he in turn employs six workers, all who utilize Currituck businesses. He said all developers can't be held to task for one bad one.

Mr. Wheeler spoke again on lot sizing and schools.

Commissioner Griggs spoke to prohibiting development and asked Attorney McRee to explain the Board's authority. Mr. McRee said a subdivision can't be denied based on the lack of services or facilities. A plan must be implemented to supply adequate facilities for development. The Board cannot keep someone from utilizing their land.

Commissioner Beaumont stated a steady decline in the number of school students is predicted over the next ten years. Mr. Woody added the four-year grouping statistics are not showing any increases currently.

Commissioners discussed growth, with Commissioner Petrey stating 540 homes are planned for the Moyock area. Chairman O'Neal recalled the rapid growth in the 1990's and the adequate facilities ordinance to address that growth. Commissioner Gilbert added that the County has been proactive in looking at sites for future construction of schools.

Chairman O'Neal said we can't ask developers to meet the requirements of the Small Area and Land Use plans approved by the Board and then jerk the rug out from under them when they do. He said if Commissioners don't like the rules they need to change them. Commissioner Petrey said the members of the Board did discuss lot size in the past, and there were some who agreed with his minimum size argument. Chairman O'Neal feels it is not up to the Board to determine how much grass someone has to mow, and the free market will determine if people want small lots or large lots because people won't buy what they don't want.

With no one else wishing to speak, Chairman O'Neal closed the public hearing and asked for a motion. Commissioner Petrey moved to deny. The motion failed due to lack of a second.

Commissioner Beaumont moved to approve due to the request's consistency with the Moyock Small Area Plan, adding a full disclosure regarding the railroad issues is to be provided. With the applicant consenting to the railroad disclosure, Commissioner Martin seconded. The motion carried six to one, with Commissioner Petrey voting against.

**B) Public Hearing and Action:** PB 14-18 Currituck County: A request to amend the Unified Development Ordinance to clarify and revise miscellaneous sections of the Ordinance. The revisions correct and clarify the identified sections in the UDO as it relates to nonconformities, accessory uses and structures, stormwater management, setback and building height standards, sidewalk standards, minor subdivision definition, public meeting notification requirements, subdivision infrastructure maintenance, private access roads, variance findings of fact, and nonresidential design standards.

Ben Woody presented by reviewing the items and the reasons for the recommendations, and answered questions from the Board for clarification purposes. Mr. Woody stated the Planning Board recommended approval.

To: Board of Commissioners  
From: Planning Staff  
Date: September 15, 2014  
Subject: PB 14-18 UDO Housekeeping Amendment 2014

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The enclosed text amendment submitted by the Currituck County Planning and Community Development Department is intended to clarify and revise miscellaneous sections of the Unified Development Ordinance (UDO). The revisions correct and clarify the identified sections in the new UDO as it relates to:

Item 1

Allows for the continued use, and minor expansion, of existing warehouse buildings in the General Business zoning district.

Item 2

Clarifies when nonconforming structures must be brought into compliance with today's standards.

Item 3

Clarifies how setback requirements affect nonconforming structures.

Item 4

Allows small accessory structures in existing mobile home parks and on existing camper lots.

Item 5

Modifies the soil type used to determine pre-development runoff design.

Item 6

Clarifies that accessory dwelling units are allowed with a zoning compliance permit.

Item 7

Allows land application of sludge or septic in the Single-Family Isolated (SFI) zoning district with a use permit.

Item 8

Allows for a dune deck or beach access way on vacant oceanfront lots.

Item 9

Clarifies allowable setback encroachments and building height requirements.

Item 10

Reduces setback requirements for industrial zoning districts.

Item 11

Clarifies that minor subdivisions are exempt from sidewalk requirements.

Item 12

Corrects the definitions of minor and family subdivision.

Item 13

Modifies information required for sign notification of public meetings and hearings.

Item 14

Removes requirement that HOA president sign affidavit accepting infrastructure maintenance.

Item 15

Adds detail of alternate design of the private access road.

Item 16

Adds additional finding of fact for approving variance applications.

Item 17

Clarifies applicability of the nonresidential design standards.

The Planning ***recommended approval*** of PB 14-18 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development, and tabling #14 (Mining standards, including the information required for hydrological studies) for further discussion. Motion carried unanimously.

## **PLANNING BOARD DISCUSSION (9/9/14)**

Mr. Schuler provided an overview of each revision.

The Planning Board discussed nonconforming warehouse uses.

Mr. Simpson said Frito-Lay has a warehouse which is located at 139 Fox Knoll Drive. The property was purchased about 10 years ago and they built a warehouse which is 6,400 sq. ft. Mr. Simpson said when the property was purchased he was told he would be allowed to developed 65% of it because Frito-Lay was going to grow. Mr. Simpson said presently they need to make the warehouse 1,200 sq. ft. larger, which would fall under the 25%. The problem he has with this is they will continue to grow, and will not be able to expand under the present Unified Development Ordinance (UDO).

Mr. Schuler said the property owner can request the property be rezoned to light industrial.

Mr. Cartwright asked if #14 (mining standards, including the information required for hydrological studies) be tabled until the next Planning Board meeting so he can talk with some of the miners and engineers.

Mr. Clark closed the public hearing.

## **ACTION**

Mr. Cartwright moved to approve PB 14-18 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development, and tabling #14 (Mining standards, including the information required for hydrological studies) for further discussion. Mr. Craddock seconded the motion and motion carried unanimously.

Chairman O'Neal opened the public hearing.

Victor White, Kitty Hawk, discussed expansion of existing metal buildings. He stated he had spoken previously to Mr. Woody expressing that a 25% expansion was not enough for many of the businesses to complete their planned business expansions. Mr. White asked for 50% to be allowed for existing metal buildings to expand. Mr. Woody suggested options such as applying for a rezoning, or possibly a variance before the Board of Adjustment.

With no one else wanting to speak Chairman O'Neal closed the public hearing.

Commissioner Aydlett moved to approve PB14-18 due to its consistency with the Land Use Plan, to include increasing Item 1 expansion from 25% to 50%. A second was made by Commissioner Gilbert and the motion carried unanimously.

**C) Public Hearing and Action:** PB 14-21 Currituck County: A request to amend the Unified Development Ordinance Chapter 6: Required Infrastructure to revise the water supply standards to require all new subdivisions and nonresidential development to be connected and serviced by the county water supply system when located within the formulated distance for connection and require performance guarantees when the proposed development exceeds the formulated connection distance.

Mr. Woody presented and reviewed the request with the Board, stating staff and Planning Board recommend approval being effective immediately upon passage.

To: Board of Commissioners  
From: Planning Staff  
Date: October 6, 2014  
Subject: PB 14-21 Water Supply Standards Text Amendment

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The enclosed text amendment initiated by the Currituck County Board of Commissioners is intended to amend the county's recently adopted water supply standards text amendment. The Board adopted an ordinance at their August 4, 2014 meeting that requires all new subdivisions and multifamily development to connect to the county water supply system (excluding family subdivisions and lots in the Fruitville and Moyock-Gibbs Woods Townships). This ordinance was adopted with an effective date of March 1, 2015.

The enclosed revision to the mandatory connection ordinance will restore the connection formula that was included in the original water supply ordinance. The connection formula creates a proportional connection requirement based on total number of lots and proximity to the county water system. If a development is not required to connect under the formula requirement, a cash

deposit is required to cover the proportional cost of the future connection to the county water supply system.

The purpose of the amendment is to establish a policy for potable water main extensions and connections that provides customers with a safe, high quality and reliable water supply while adequately maintaining existing infrastructure and services. Additionally it is the intent of this proposed ordinance to:

- Ensure water main extensions occur in a manner that support sound fiscal management and economic growth while protecting the county's rural character;
- Support development with sufficient potable water and fire suppression infrastructure capacity to serve existing customers while sustaining the ability to serve projected future growth;
- Ensure the costs of infrastructure, facilities and services related to the demand created by new growth and development is borne, in equal proportion, by those creating the additional demand; and
- Encourage development in targeted growth areas, adequately served by existing or planned infrastructure, consistent with the Land Use Plan.

Planning staff recommends **approval** because the proposed text amendment is consistent with the land use plan; because it continues to focus water service in existing developed areas and in nearby targeted growth areas (POLICY WS3); and results in a logical and orderly development pattern.

The Planning Board **recommended approval** of the text amendment as presented.

#### **PLANNING BOARD DISCUSSION (9-9-14)**

Ms. Glave provided an overview of the memo to the Planning Board.

Mr. Clark closed the public hearing.

#### **ACTION**

Mr. Clark moved to approve PB 14-21 as presented, to remove the requirement that all new developments must connect to county water, replacing that language with the current formula in the Unified Development Ordinance (UDO) based on the distance that new development is to an existing county waterline, and an effective date of March 1, 2015. Mr. Craddock seconded the motion and motion carried unanimously.

Chairman O'Neal opened the Public Hearing. With no one signed up to speak, the Public Hearing was closed.

Commissioner Gilbert moved to approve PB 14-21, with a second by Commissioner Beaumont. The motion carried unanimously.

#### **New Business**

##### **A) Consideration & Action for a 5-year fuel purchasing contract from Eastern Aviation Fuels, Inc**

County Manager Dan Scanlon reviewed the current status of purchasing fuel, including the fuel truck rental of \$7,200 annually. He explained entering into a five year contract will reduce the

fuel truck rental to \$100, saving a considerable amount of money. He said there is a cap on the fuel cost and recommends approval.

Commissioner Martin moved to approve entering into the 5 year contract with Eastern Aviation Fuels, with a second by Commissioner Gilbert. The motion carried unanimously.

**B) Board Appointments:**

1. Economic Development Advisory

The following appointments were approved for the Economic Development Advisory Board: Raju Uppalapati, John Harris, Roger Lambertson, and Keith Hall.

**C) Consent Agenda:**

1. Approval of Minutes for Regular meeting for October 6, 2014, and Special Meeting/Worksession Minutes, September 25, 2014
2. Budget Amendments
3. Consideration and Ratification of Public Safety 800 MHz System Usage Agreement Between Currituck County and Volunteer Fire Departments
4. Project Ordinance - Connecting Corolla
5. Disposal of Records: Finance Dept and Administration
6. Request for Approval of Permit Officer III Position and Job Description

Mr. Scanlon gave explanations of item 4, the Ordinance to approve funds for the engineering and design line item for Connecting Corolla, and for item 3, the need for a user agreement being in place for the ISO inspection.

Commissioner Aydlett moved to approve the Consent Agenda, seconded by Commissioner Gilbert. The motion carried unanimously.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
60808-532001	Supplies Sewer	\$ 7,000	
60808-557100	Software License Fee	\$ 211	
60808-590001	Capital Outlay - Sewer	\$ 28,726	
60808-532000	Supplies - Water		\$ 2,500
60808-516001	Repairs & Maintenance - Sewer		\$ 15,000
60808-514500	Training & Education		\$ 2,000
60808-588000	Contingency		\$ 16,437
		\$ 35,937	\$ 35,937

**Explanation:** Ocean Sands Water & Sewer District (60808) - Transfer funds for pump

replacement and unanticipated supplies for repairs.

**Net Budget Effect:**

Ocean Sands Water & Sewer District (60) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
14460-545000	Contract Services	\$ 74,000	
	Fund Balance		
14390-499900	Appropriated		\$ 74,000
		<u>\$ 74,000</u>	<u>\$ 74,000</u>

**Explanation:** Carova Beach Service District (14460) - Increase appropriations to carry forward fund balance from last fiscal year for road improvements in the Carova Beach Service District.

**Net Budget Effect:**

Carova Beach Service District (14) - Increased by \$74,000.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10775-503000	Salaries - Part time	\$ 1,448	
10775-505000	FICA	\$ 111	
10775-506001	Unemployment Insurance	\$ 15	
10775-507000	Retirement	\$ 180	
	Contract Services -		
10775-545000	Nutrition		\$ 1,754
		<u>\$ 1,754</u>	<u>\$ 1,754</u>

**Explanation:** Senior Center (10775) - Transfer funds to hire replacement position for the Knotts Island Senior Center.

**Net Budget**

Operating Fund (10) - No change.

**Effect:**

**D) Commissioner's Report**

Commissioner Gilbert expressed appreciation for all involved with Friday night's fire in Moyock. She reminded everyone that early voting starts October 23rd and urged everyone to get out and vote.

Commissioner Petrey announced Sharon United Methodist's fried chicken dinner from 5 PM till 7 PM Saturday night.

Commissioner Aydlett explained that his missed Board meetings due to sickness stems from his medications required for his kidney transplant, and the fact they suppress his immune system. He added this is the reason he does not attend many functions anymore, as he gets sick very easily.

Commissioner Beaumont hailed the prompt response by County volunteers as well, stating Friday's Moyock office fire could have been much worse.

**E) County Manager's Report -**

No Report.

**Closed Session**

Commissioner Gilbert moved to enter into Closed Session pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industry or businesses within the county and pursuant to G.S. 143-318.11 (a)(3) to consult with the county attorney and to preserve the attorney-client privilege. Commissioner Petrey seconded, the motion carried unanimously, and the Board moved into Closed Session.

**Adjourn**

After returning from closed session and there being no further business, Commissioner Martin moved to adjourn, with a second by Commissioner Petrey. The motion carried unanimously and the meeting was adjourned.

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of November 2014, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2015.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> Decrease Revenue or Increase Expense	<u>Credit</u> Increase Revenue or Decrease Expense
56868-590005	Complete Car. Water Wells	\$ 229,991	
56868-590001	0.75 MGD Conventional		\$ 34,102
56868-590004	Piping Distribution		\$ 185,761
56868-596100	Professional Services		\$ 10,128
		\$ 229,991	\$ 229,991

**Explanation:** SOB Water (66868) - Transfer within the construction budget to complete the Corolla Light Deep Well for the SOBWS RO Plant Expansion in Corolla.

**Net Budget Effect:** Operating Fund (10) - No change.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 3rd day of November 2014, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2015.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> <u>Decrease Revenue or</u> <u>Increase Expense</u>	<u>Credit</u> <u>Increase Revenue or</u> <u>Decrease Expense</u>
10450-545000	CONTRACTED SERVICES	\$ 1,700	
10450-532000	SUPPLIES		\$ 1,700
		\$ 1,700	\$ 1,700

**Explanation:** Tax (10450) - Transfer funds for upgrade to online services in order to properly display maps.

**Net Budget Effect:** Operating Fund (10) - No change.

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Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

## BUDGET AMENDMENT

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<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> <u>Decrease Revenue or</u> <u>Increase Expense</u>	<u>Credit</u> <u>Increase Revenue or</u> <u>Decrease Expense</u>
10790-590000	Capital Outlay	\$ 2,576	
10790-532000	Supplies		\$ 2,576
		<u>\$ 2,576</u>	<u>\$ 2,576</u>

**Explanation:** Library (10790) - Transfer funds to purchase tables for the Barco library

**Net Budget Effect:** Operating Fund (10) - No change.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

September 2014 CDBG Monthly Progress Report

## Brief Description of Agenda Item

Progress report for September activities regarding the Community Development Block Grant (CDBG).

## Board Action Requested

Action

## Person Submitting Agenda Item

Tammy Glave

## Presenter of Agenda Item

Ben Woody



## **COUNTY OF CURRITUCK**

Planning and Community Development  
Department

*Planning and Zoning Division*  
153 Courthouse Road, Suite 110  
Currituck, North Carolina 27929  
Telephone (252) 232-3055 / Fax (252)  
232-3026

### **Memorandum**

TO: Board of Commissioners

FROM: Ben Woody, AICP  
Planning Director

DATE: October 14, 2014

SUBJECT: September 2014 CDBG #11-C-2308 Scattered Site Housing Project Update

The 2011 Community Development Block Grant remained on schedule for the month of September. A summary of September's progress follows:

- Katie Ware's new home was delivered and set up on site. Underpinning was installed.
- Necessary building inspections performed.
- Requested temporary relocation payment for reconstruction Case #4.
- Requested temporary storage facility payments for Case #4.
- Completed requests for checks.
- Finance Director is investigating sales tax issues.
- Processed and forwarded Requisition #7 to the Finance Director.
- HUD 4710 Report submitted.
- Continued on-going general administration and financial management responsibilities.

Thank you.



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

Consent Agenda: Fee Schedule Amendment – Solar Array

## Brief Description of Agenda Item

The Board of Commissioners approved a use permit on June 2, 2014 for a solar array located on NC 34 near Shawboro Elementary School. In anticipation of this project moving forward, staff has identified the need to establish an appropriate building permit fee. Under the current fee schedule a \$100 electrical permit fee would apply to a solar array project – this fee amount is not commensurate with staff resources needed to monitor and inspect such a project, nor is it consistent with fees charged by other jurisdictions.

Staff recommends the Board adopt a revised fee for solar array projects to cover anticipated county costs and to remain competitive with other jurisdictions. Additional information is available in the attached memo.

## Board Action Requested

Action

## Person Submitting Agenda Item

Ben Woody

## Presenter of Agenda Item

Ben Woody



## Currituck County

Planning and Community Development Department  
 Planning and Zoning Division  
 153 Courthouse Road, Suite 110  
 Currituck, North Carolina 27929  
 252-232-3055 FAX 252-232-3026

To: Board of Commissioners

From: Ben Woody  
 Planning & CD Director

Date: October 27, 2014

Subject: Fee Schedule Amendment – Solar Array

The Board of Commissioners approved a use permit on June 2, 2014 for a solar array located on NC 34 near Shawboro Elementary School. In anticipation of this project moving forward, staff has identified the need to establish an appropriate building permit fee. Under the current fee schedule a \$100 electrical permit fee would apply to a solar array project – this fee amount is not commensurate with staff resources needed to monitor and inspect such a project, nor is it consistent with fees charged by other jurisdictions.

The following table outlines the building permit fee structure for other North Carolina jurisdictions. The fee amounts indicated in the table are based on the size and scale of the project approved in Currituck County.

JURISDICTION	FEE SCHEDULE	BUILDING PERMIT FEE BASED ON ECOPLEXUS PLAN 86,400 panels (20 Mega Watts)
Pasquotank County	\$5/panel for first 500 \$1/panel over 500	\$88,400
Pitt County	\$200 + \$0.50/panel	\$43,400
Bertie County	\$0.35 panel + \$1,000 electrical permit	\$31,240
Beaufort County	\$0.25/panel	\$21,600
Montgomery County	\$800 per Mega Watt	\$16,000
Union County	\$775 per MW <5 \$850 per MW 5-10 \$1000 per MW >10	\$15,500
Rutherford County	\$2.50 per \$1,000 of total project cost	\$10,000
Currituck County (recommendations)	\$200 + \$0.15/panel \$200 + \$800 per MW <b>\$200 + \$0.20/panel*</b> \$200 + \$0.50/panel	\$16,000 \$13,160 <b>\$17,480</b> \$43,400

The fee amount set by the Board of Commissioners should cover county costs for administration, inspections, gas, and vehicle maintenance. The inspection process and the number of site visits are based on the type of solar array that is constructed. If the project consists of panels that require concrete pad footings then foundation inspections are needed. If the panels require a helix anchoring system then foundation inspections are not needed and are covered by a special inspection report. Electrical trenches, bonding and connections need to be inspected per the NEC (National Electrical Code). The staff estimates that a solar array project similar in size and scale to the project approved in Currituck County would need a fee structure of \$10,000 - \$20,000 to cover anticipated county costs and remain competitive with other jurisdictions.

\*In the absence of Board direction, the staff recommends adoption of a building permit fee in the amount of \$200 + \$0.20 per panel.



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

Southern Outer Banks Water System – Recommendation of Award – Reverse Osmosis Well Project

## Brief Description of Agenda Item

The Southern Outer Banks Water System (SOBWS) has been expanded as a result of the purchases of the water systems in Corolla Light, Monteray Shores, Currituck Club and Pine Island. The improvements included:

- 1 million gallon/day expansion to the treatment process including building expansion (Complete)
- 1.5 million gallon finished water storage tank located on the treatment plant site (Complete)
- Raw water piping for the swallow wells along Hwy 12 recently acquired in the Monteray Shores system purchase (Complete)

This project is for the installation of a new raw water well and piping to serve the new Reverse Osmosis portion of the treatment plant. The well will be approximately 225' deep and will extend into the Yorktown Aquifer. The well is located in the Corolla Light well field easement along the ocean front and will interconnect to the existing raw water main along Shad Street.

Attached is the recommendation of award from the consulting engineers. Funds are available for the project through the SOBWS expansion capital project. This is the final task to complete the SOBWS water treatment system expansion project.

We recommend awarding the well project to the low bidder, A.C. Schultes, in the amount of \$652,496.00. With your approval of the bid, we will execute the contracts for construction and begin the work.

Board Action Requested

Action

Person Submitting Agenda Item

Eric T. Weatherly

Presenter of Agenda Item

Consent Agenda

**BID TABULATION**

**YORKTOWN WATER SUPPLY WELLS AND RAW WATER PIPING**

**Bid Opening: Wednesday, May 14, 2014 at 2:00 pm**

				A.C. Schultes of Carolina, Inc. 3887 S NC 41 Hwy Wallace, NC 28466		Geo. Raper and Son, Inc. P.O. Box 1247 Elizabeth City, NC 27909		T.A. Loving Company P.O. Drawer 919 Goldsboro, NC 27533	
<b>Bid Bond</b>				5%		5%		5%	
<b>Addenda Acknowledged</b>				1		1		1	
<b>BASE BID</b>									
No.	Description	Unit	QTY						
1	Yorktown Well Installation	LS	1	\$833,925.00		\$1,029,849.00		\$1,090,000.00	
				Unit Price	Extended Total	Unit Price	Extended Total	Unit Price	Extended Total
2	Concrete Repair	SY	105	\$60.00	\$6,300.00	\$70.00	\$7,350.00	\$100.00	\$10,500.00
3	Asphalt Repair	SY	105	\$50.00	\$5,250.00	\$220.00	\$23,100.00	\$100.00	\$10,500.00
4	Well Development	Days	3	\$1,500.00	\$4,500.00	\$3,400.00	\$10,200.00	\$6,000.00	\$18,000.00
5	SCADA Integration Allowance	LS	1	\$29,542.00		\$29,542.00		\$29,542.00	
<b>TOTAL BASE BID</b>				<b>\$879,517.00</b>		<b>\$1,100,041.00</b>		<b>\$1,158,542.00</b>	

**CERTIFICATION**

The Bids tabulated herein were opened and read aloud at 2:00 p.m. on the 14th day of May 2014, at the office of Currituck County, 153 Courthouse Road, Currituck, NC 27929. The tabulation is correct in that it contains the bid prices as presented on the original Bid Form of each Bidder.



HAZEN AND SAWYER, P.C.  
David S. Briley, P.E.  
Associate



4011 WestChase Boulevard  
Suite 500  
Raleigh, NC 27607

919 833-7152  
hazenandsawyer.com

October 27, 2014

Mr. Eric T. Weatherly  
County Engineer  
Currituck County  
153 Courthouse Road, Suite 302  
Currituck, NC 27929

**Re: Southern Outer Banks Water System Yorktown Water Supply Wells Project  
Recommendation of Award**

Dear Mr. Weatherly:

On May 14, 2014, Currituck County received three bids for the Yorktown Water Supply Wells project for the Southern Outer Banks Water System. All bids are believed to be both responsive and competitive as set forth in the attached Bid Tabulation.

The lowest responsive bid submitted for the Total Base Bid was submitted by A.C. Schultes of Carolina, Inc. (A.C. Schultes) in the amount of \$879,517.00. All bids exceeded the County's available budget for the project. In accordance with North Carolina General Statutes 143-129, the County entered into negotiations with the low bidder, A.C. Schultes to modify the scope of the project to bring the contract price within the available funds.

A.C. Schultes provided a breakdown of the bid amount for each well so the County and the Engineer could consider construction of one well only. These wells were constructed in 2006 by Carolina Water Services of NC, Inc. and limited information was provided to the County on the yield of each well when these assets were acquired by the County in 2011. To confirm the yield of each well, the County authorized A.C. Schultes to conduct 24-hour pump tests, which were completed on October 17, 2014. The pump tests confirmed that the yield of Deep Well 2 is approximately 800 gpm and will provide the total yield needed for the Phase 1 expansion of the Southern Outer Banks Water System.

Therefore, the County has decided to proceed with the construction of the Deep Well 2 wellhead, piping to connect to the existing raw water transmission mains, and all associated electrical and controls. The total cost for this work is \$652,496.00 based on the bid breakdown provided by A.C. Schultes shown in Table 1.

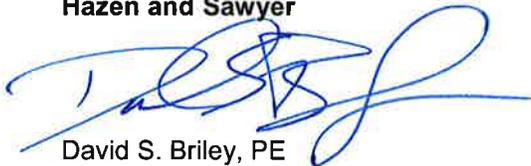
**Table 1. Breakdown of A.C. Schultes Bid**

	<b>Original Bid Deep Wells 1 and 2</b>	<b>Deep Well 1 ONLY</b>	<b>Deep Well 2 ONLY</b>
<b>BID ITEM NUMBER 1</b>			
Deep Well 1	\$ 145,000	\$ 145,000	\$ 0
Deep Well 1 electrical	\$ 65,000	\$ 65,000	\$ 0
Deep Well 2	\$ 163,925	\$ 0	\$ 163,925
Deep Well 2 electrical	\$ 85,000	\$ 0	\$ 85,000
Horizontal directional bore	\$ 305,000	\$ 0	\$ 305,000
10" DRW pipeline	\$ 70,000	\$ 70,000	\$ 70,000
<b>TOTAL BID ITEM NUMBER 1</b>	<b>\$ 833,925</b>	<b>\$ 280,000</b>	<b>\$ 623,925</b>
<b>UNIT PRICE ITEMS</b>			
Bid Item 2 - Concrete Repair	\$ 6,300	\$ 6,300	\$ 6,300
Bid Item 3 - Asphalt Repair	\$ 5,250	\$ 5,250	\$ 5,250
Bid Item 4 - Well Development	\$ 4,500	\$ 2,250	\$ 2,250
<b>TOTAL UNIT PRICE ITEMS</b>	<b>\$ 16,050</b>	<b>\$ 13,800</b>	<b>\$ 13,800</b>
<b>ALLOWANCES</b>			
BID ITEM 5 - SCADA INTEGRATION ALLOWANCE	\$ 29,542	\$ 14,771	\$ 14,771
<b>TOTAL ALLOWANCES</b>	<b>\$ 29,542</b>	<b>\$ 14,771</b>	<b>\$ 14,771</b>
<b>GRAND TOTAL</b>	<b>\$ 879,517</b>	<b>\$ 308,571</b>	<b>\$ 652,496</b>

We have reviewed the documentation submitted by A.C. Schultes and have personal knowledge of the character of their work as well as their capacity to perform. Based on this, we recommend that the County award the Yorktown Water Supply Wells project to A.C. Schultes in the amount of \$652,496.00 for construction of Deep Well 2 only.

If you have any questions or need any additional information from us, please do not hesitate to contact us.

**Very Truly Yours,  
Hazen and Sawyer**



David S. Briley, PE  
Associate

cc: Patrick Irwin, Currituck County  
Benjie Carawan, Currituck County  
Maggie Pierce, Hazen and Sawyer



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

Dominion Right-of-Way Agreement for the Parks & Recreation Maintenance Building

## Brief Description of Agenda Item

This agreement provides Dominion with an easement for underground power lines along College Way, starting at the north driveway of the Regional Aviation and Technical Training Center, moving north to the site of the Parks & Rec Maintenance Building.

### Action Requested:

Board consideration and approval – if approved, authorize County Manager to execute agreement.

## Board Action Requested

Action

## Person Submitting Agenda Item

Michelle Perry, Engineer Technician

## Presenter of Agenda Item

## Consent Agenda



## Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between

COUNTY OF CURRITUCK

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in North Carolina as Dominion North Carolina Power, with its principal office in Richmond, Virginia ("GRANTEE").

### WITNESSETH:

1. That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, **GRANTOR** grants and conveys unto **GRANTEE**, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

Initials: \_\_\_\_\_

**This Document Prepared by Virginia Electric and Power Company and should be returned to: Dominion North Carolina Power, PO Box 99 Roanoke Rapids NC 27870.**

(Page 1 of 5 Pages)  
DNCPIDNo(s). 71-14-0032

Form No. 721043-1 (Aug 2013)  
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## Right of Way Agreement

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as **GRANTEE** may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said easement shall extend TWENTY (20') feet in width across the lands of **GRANTOR**; and

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in CURRITUCK COUNTY, North Carolina, as more fully described on Plat(s) Numbered 71-14-0032 , attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

Initials: \_\_\_\_\_

(Page 2 of 5 Pages)  
DNCPIDNo(s). 71-14-0032

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## Right of Way Agreement

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE's** rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE's** option, for other damage done to **GRANTOR's** property inside the boundaries of the easement (subject, however, to **GRANTEE's** rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE's** facilities, or in the exercise of its right of ingress and egress provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE's** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE's** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE's** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE's** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such of its facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE** shall have the right to assign or transfer, without limitation, to any public service company all or any part of the perpetual right, privilege and easement granted herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: \_\_\_\_\_

(Page 3 of 5 Pages)  
DNCPIDNo(s). 71-14-0032

Form No. 721043-3 (Aug 2013)  
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# Right of Way Agreement

11. GRANTOR covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that they have been duly authorized to execute this easement on behalf of said County.

IN WITNESS WHEREOF, GRANTOR has caused its name to be signed hereto by authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM:

COUNTY OF CURRITUCK

By:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
Title:

\_\_\_\_\_  
(Title)

State of \_\_\_\_\_

County of \_\_\_\_\_, to-wit:

I, \_\_\_\_\_, a Notary Public in and for the State of \_\_\_\_\_ at Large, do hereby certify that this day personally appeared before me in my jurisdiction aforesaid

\_\_\_\_\_  
(Name of officer or agent)

\_\_\_\_\_  
(Title of officer or agent)

on behalf of CURRITUCK County, North Carolina, whose name is signed to the foregoing writing dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and acknowledged the same before me.

Given under my hand \_\_\_\_\_, 20\_\_\_\_\_.

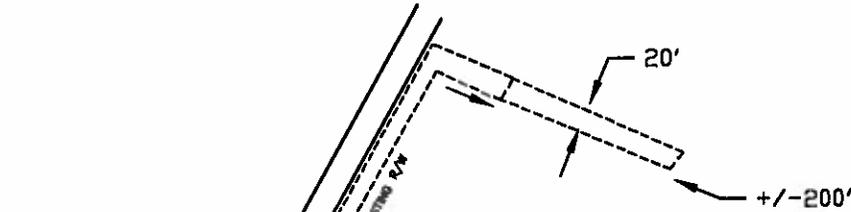
\_\_\_\_\_  
Notary Public (Print Name)

\_\_\_\_\_  
Notary Public (Signature)

My Commission Expires: \_\_\_\_\_

(Page 4 of 5 Pages)

CURRITUCK COMMUNITY PARK  
 MAPLE COMMERCE PARK

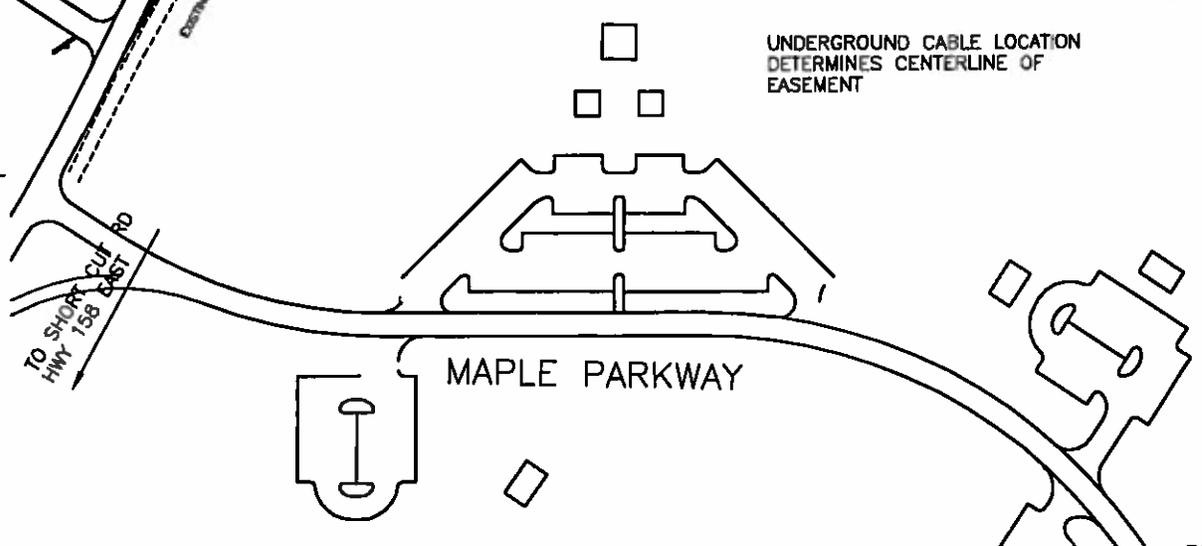


130 COLLEGE WAY

OWNER:  
 COUNTY OF CURRITUCK  
 #8977-84-0404

OWNER INITIALS: \_\_\_\_\_

UNDERGROUND CABLE LOCATION  
 DETERMINES CENTERLINE OF  
 EASEMENT



TO SHORT CUT  
 HWY 158 EAST

MAPLE PARKWAY

NOT TO SCALE

This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.

**Legend**

- Location of Boundary Lines of Right-of-Way 20' in Width
- == Property Line is Right-of-Way Boundary in Width

<b>Plat to Accompany Right-of-Way Agreement</b>		
VIRGINIA ELECTRIC AND POWER COMPANY doing business as <b>Dominion North Carolina Power UG</b>		
District ELIZABETH CITY		
District-Township-Borough CRAWFORD	County-City CURRITUCK	State NC
Office ELIZABETH CITY		Plat Number 71-14-0032
Estimate Number 7615298		Grid Number Q1142
Date: 10/15/14 By: HURST/COOK		