



ORANGE WATER & SEWER AUTHORITY

Quality Service Since 1977

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ATTACHMENT 1

January 2, 2007

Mr. Bill Webster
Interim Director
Town of Chapel Hill – Parks and Recreation Department
200 Plant Road
Chapel Hill, NC 27514

Subject: OWASA Cleland Drive Pump Station Phase Out Project
Request for Easement with the Town of Chapel Hill

Dear Mr. Webster:

Orange Water and Sewer Authority (OWASA) is preparing a design to remove the existing Cleland Drive Pump Station by installing approximately 2,600 lf of new 12-inch diameter gravity sewer line along Cleland Drive between Burning Tree Drive and the Rogerson Drive Pump Station. The gravity sewer line will collect wastewater from the surrounding residences that are currently served by the Cleland Drive Pump Station. Existing 8-inch diameter sewers along this route (Kendall Drive and Whitley Drive) will be connected to the new sewer line, and several residences will need new sewer service lines installed to provide sewer service from the front of the property. The new sewer line will convey the collected wastewater to the wetwell of one of OWASA's regional pump stations, the Rogerson Drive Pump Station. When the new sewer line is completed, the existing Cleland Drive Pump Station will be decommissioned and removed. The existing forcemain will be abandoned in place.

Because the new gravity line will disrupt an existing water line, the project also includes replacing an existing asbestos cement water line with a new 8-inch diameter ductile iron water line from Rogerson Drive to Burning Tree Drive. The new line will be located approximately 5-feet off the edge of the pavement of Cleland Drive for the majority of the project area.

It is one of OWASA's long term goals to replace pump stations and force mains with gravity flow systems. The phase out of pump stations eliminates potential wastewater spills and overflows associated with power outages as well as reducing OWASA's electrical and maintenance costs, which in turn provides a savings to our customers.

Enclosed is a vicinity map showing the project area and the proposed water and sewer alignments and the adjacent property owners. As part of this project, OWASA is requesting an easement along the proposed sewer alignment for the Town of Chapel Hill property located between Cleland Drive and the Rogerson Drive Pump Station, as shown in the enclosed easement plat. OWASA is requesting a 30-ft wide construction easement

and 10-foot wide permanent easement for the sewer line in this area. The total easement area requested is 3,982 square feet, as shown on the enclosed easement plat.

OWASA is requesting this easement from the Town of Chapel Hill because there is insufficient space in the existing easement between Cleland Drive and Rogerson Drive Pump Station to accommodate the proposed gravity line in addition to existing and planned future utilities that service the Rogerson Drive Pump Station. Second, the slope of the proposed gravity line is restricted by elevation of existing storm drain utilities in the area. To minimize headloss in the gravity line, the proposed gravity line route was selected to provide the most direct route from Cleland Drive to the Rogerson Pump Station Drive, while minimizing tree and wetland impacts. The Rogerson Drive Pump Station is surrounded by wetlands on the Cleland Drive side and any other access points to the pump station would involve stream crossings, which are avoided by using this alignment. The proposed line location is through an area that has previously been cleared or timbered and will therefore minimize deforestation requirements.

Construction along this easement will result in temporary disturbance of approximately 0.2 acres of wetlands located within the parcel. HDR Engineering, Inc. has completed a wetlands survey of the area and has prepared a Section 404 Nationwide 12 permit application for disturbance of the wetlands. To minimize disturbance of wetlands, OWASA has reduced the permanent easement for this area to 10 feet.

Due to elevations in the project area, the proposed water and sewer line alignments are located within the Resource Conservation District (RCD). Per the Town of Chapel Hill's planning requirements, OWASA is submitting a Resource Conservation District Encroachment Zoning Compliance Permit for this project.

If you have any questions, please call me at 537-4276.

Sincerely,

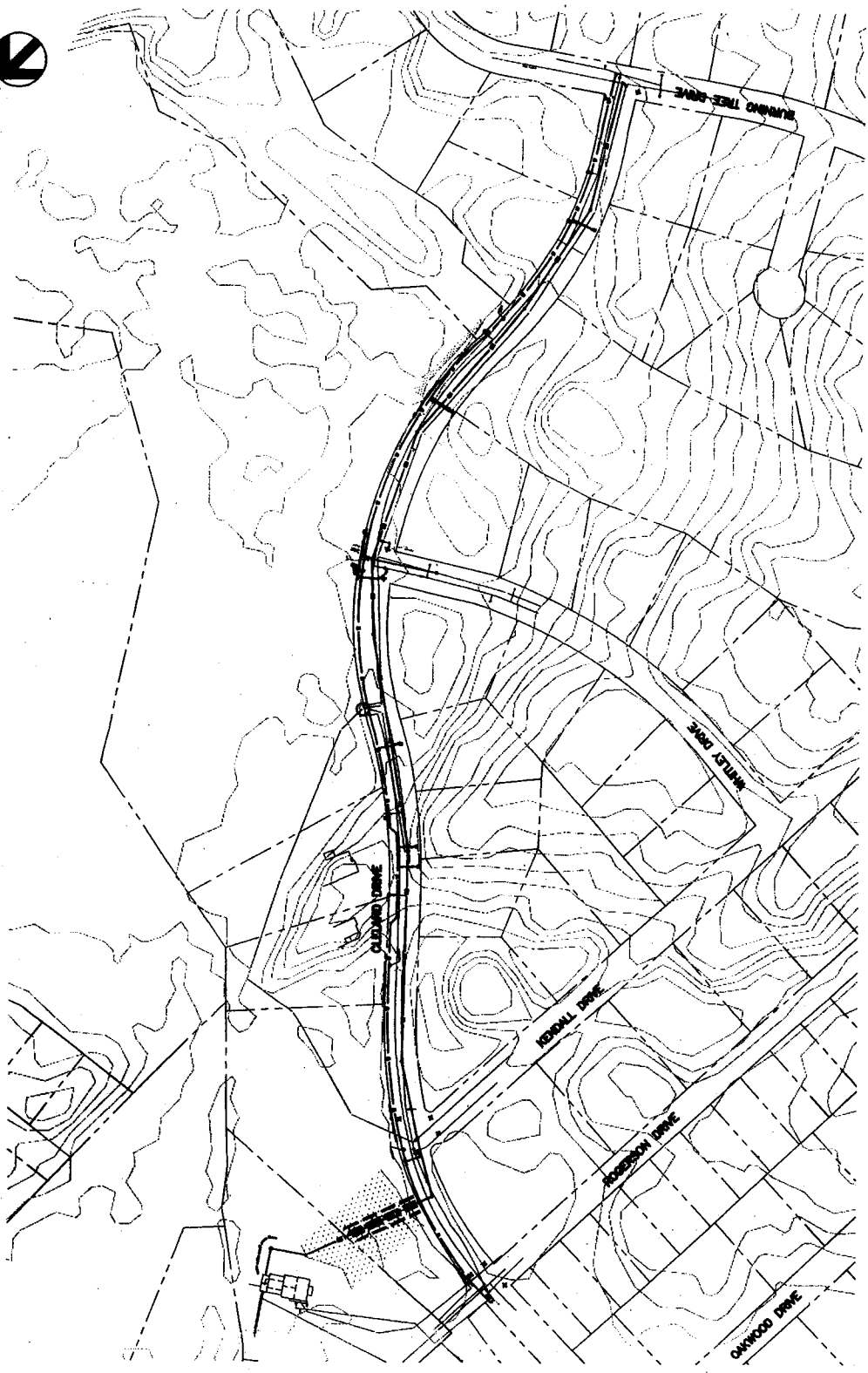




E. Alexandra Jones, P.E.
Utilities Engineer

Cc: Stuart Carson, P.E., OWASA
Erika L. Bailey, P.E., HDR Engineering, Inc.

Enclosures

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	ORIENTATION PLAN																													
	FILENAME 000-01.DWG SCALE 1" = 100' SHEET G-01																													
Orange Water and Sewer Authority  Cleveland Drive Pump Station Phase Out North Carolina Carthage																														
																														
<table border="1"> <tr><td>PROJECT MANAGER</td><td>ORSA, WALKER, PE</td></tr> <tr><td>DESIGNED BY</td><td>ORSA, WALKER, PE</td></tr> <tr><td>CHECKED BY</td><td>J. MILLER, PE</td></tr> <tr><td>DRAWN BY</td><td>FRANK J. POWERS</td></tr> </table>	PROJECT MANAGER	ORSA, WALKER, PE	DESIGNED BY	ORSA, WALKER, PE	CHECKED BY	J. MILLER, PE	DRAWN BY	FRANK J. POWERS	<table border="1"> <tr><td>DATE</td><td>12/04</td></tr> <tr><td>DESCRIPTION</td><td>DESIGN FOR CONSTRUCTION</td></tr> <tr><td>DATE REVIEWED BY</td><td>ORSA</td></tr> <tr><td>ALLOTTMENT REVIEWED BY</td><td>ORSA</td></tr> <tr><td>PROJECT NUMBER</td><td>01148-1885-018</td></tr> </table>	DATE	12/04	DESCRIPTION	DESIGN FOR CONSTRUCTION	DATE REVIEWED BY	ORSA	ALLOTTMENT REVIEWED BY	ORSA	PROJECT NUMBER	01148-1885-018	<table border="1"> <tr><td>DATE</td><td>07/04</td></tr> <tr><td>DESCRIPTION</td><td>FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION</td></tr> <tr><td>DATE REVIEWED BY</td><td>ORSA</td></tr> <tr><td>ALLOTTMENT REVIEWED BY</td><td>ORSA</td></tr> <tr><td>PROJECT NUMBER</td><td>01148-1885-018</td></tr> </table>	DATE	07/04	DESCRIPTION	FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION	DATE REVIEWED BY	ORSA	ALLOTTMENT REVIEWED BY	ORSA	PROJECT NUMBER	01148-1885-018
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NORTH CAROLINA

ORANGE COUNTY

DEED OF EASEMENT

THIS DEED, made and entered into this the _____ day of _____, 20____, by and between TOWN OF CHAPEL HILL hereinafter referred to as GRANTOR, and ORANGE WATER AND SEWER AUTHORITY, a public body and body politic and corporate created and existing under Article 1, Chapter 162A of the General Statutes, with its principal office at 400 Jones Ferry Road in Carrboro, North Carolina hereinafter referred to as GRANTEE;

WITNESSETH:

THAT WHEREAS, the ORANGE WATER AND SEWER AUTHORITY has constructed and proposes to construct a sewage system for the use of its citizens and for that purpose has constructed and proposes to construct lines of pipe and mains necessary for the proper transmission of sewage:

NOW, THEREFORE, in consideration of the sum of One and No/100 (\$1.00) Dollar and other good and valuable considerations paid to the GRANTOR, the receipt of all of which is hereby fully acknowledged, the said GRANTOR does hereby give, grant, quitclaim, and convey unto the ORANGE WATER AND SEWER AUTHORITY, its successors and assigns, the right,

privilege, and perpetual easement to go in and upon a strip of land described herein and owned by the GRANTOR, lying and being in the Town of Chapel Hill, Orange County, North Carolina, the said strip of land being more particularly described as follows:

BEING ALL OF THAT AREA OF LAND SHOWN AS THE SEWER EASEMENT AREA LOCATED ON GRANTOR'S LOT AS SHOWN ON THAT SURVEY PREPARED BY CHARLES R. BILLINGS, DATED JANUARY 16, 2006, ATTACHED HERETO AS EXHIBIT PLAT AND INCORPORATED HEREIN, TO WHICH SURVEY REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAID EASEMENT.

And, the ORANGE WATER AND SEWER AUTHORITY, GRANTEE, shall have the right to construct and maintain in, under and/or above, along and through said strip of land one or more lines of pipe and manholes for the purpose of transmitting sewage as aforesaid, together with the right to construct and maintain in, under, above, and along said easement such mains and manholes as shall be necessary in connection with the proper construction and operation of said sewage line; GRANTEE shall also have the right of ingress and regress through, over, and across the land of the GRANTOR to and from said strip at such times as GRANTEE deems it necessary for the purpose of constructing, maintaining, and inspecting said lines and of making all necessary alterations and repairs thereto; the lines of pipe shall be located at such point or points, elevation or elevations below or above the surface of the earth as shall be necessary, for proper operation of the system, and shall be established at the proper grade for running said lines and for conveying sewage as aforesaid, and said mains and manholes, if any, shall be at such point below or above the surface of the earth as may be necessary for the proper operation of said pipe line or lines; and GRANTEE shall have the right, privilege and easement to tap the line or lines and construct sewer laterals from the main to the outside boundary of the right-of-way over which this easement and privilege extends; and, GRANTEE shall have the privilege, easement, and right to permanently clear and keep cleared that part of of the easement located within 5 feet

of the center line of the pipe of and from brush, plants, trees, and any and all other materials, obstructions, structures, and encroachments of any kind;

The owner of the fee shall retain the right to cultivate the ground lying within the boundaries of the easement, provided that such cultivation shall not interfere with the right of the GRANTEE herein named of ingress and egress to said easement for the purpose of maintenance and repair of said sewer main or mains or the construction and repair of sewer laterals and connections, and such cultivation shall not interfere with GRANTEE's maintenance operation or installation of the lines; GRANTEE shall also have the right at such times as may be convenient to its purposes of ingress and egress to and from the said easement over GRANTOR's land adjacent to the said easement to any adjoining lands or public rights of way; and provided further that in all cases where there are roads or streets across the tract of land sufficient for the purpose of convenient egress, ingress, and regress, in, to, and from said strip of land, such roads or streets shall be used by the said ORANGE WATER AND SEWER AUTHORITY when it is necessary to come in and upon said strip of land for the purposes aforesaid.

No building or structure of any kind, except such as constructed by ORANGE WATER AND SEWER AUTHORITY, shall be located or erected upon the above described easement.

It is understood and agreed by the parties that the execution and delivery of this deed of easement by the GRANTOR and its acceptance by the Authority shall not obligate the GRANTEE to construct a sewer line or permit connections to its sewer system. And, it is further understood and agreed that failure of the GRANTEE to construct improvements within the said strip of land and/or to clear or keep cleared said strip of land shall not impair in any way the rights, privileges and easements conveyed to the GRANTEE hereunder.

TO HAVE AND TO HOLD all singular the rights, privileges, and easements as aforesaid, in, along, upon, and through said premises to the said ORANGE WATER AND SEWER AUTHORITY, and its successors and assigns forever.

And the GRANTOR covenants with the GRANTEE that it is seized of the premises in fee simple, has the right to convey the rights, privileges and easements which are granted herein,

that title is free and clear of all liens and encumbrances which may affect the said rights, privileges and easements conveyed herein, and the said GRANTOR will warrant and defend the title to said easements against the claims of all persons or parties whomsoever.

IN WITNESS WHEREOF, the Town of Chapel Hill has caused this instrument to be executed the day and year first above written.

TOWN OF CHAPEL HILL

By: _____(SEAL)
Town Manager

ATTEST :

Town Clerk
(CORPORATE SEAL)

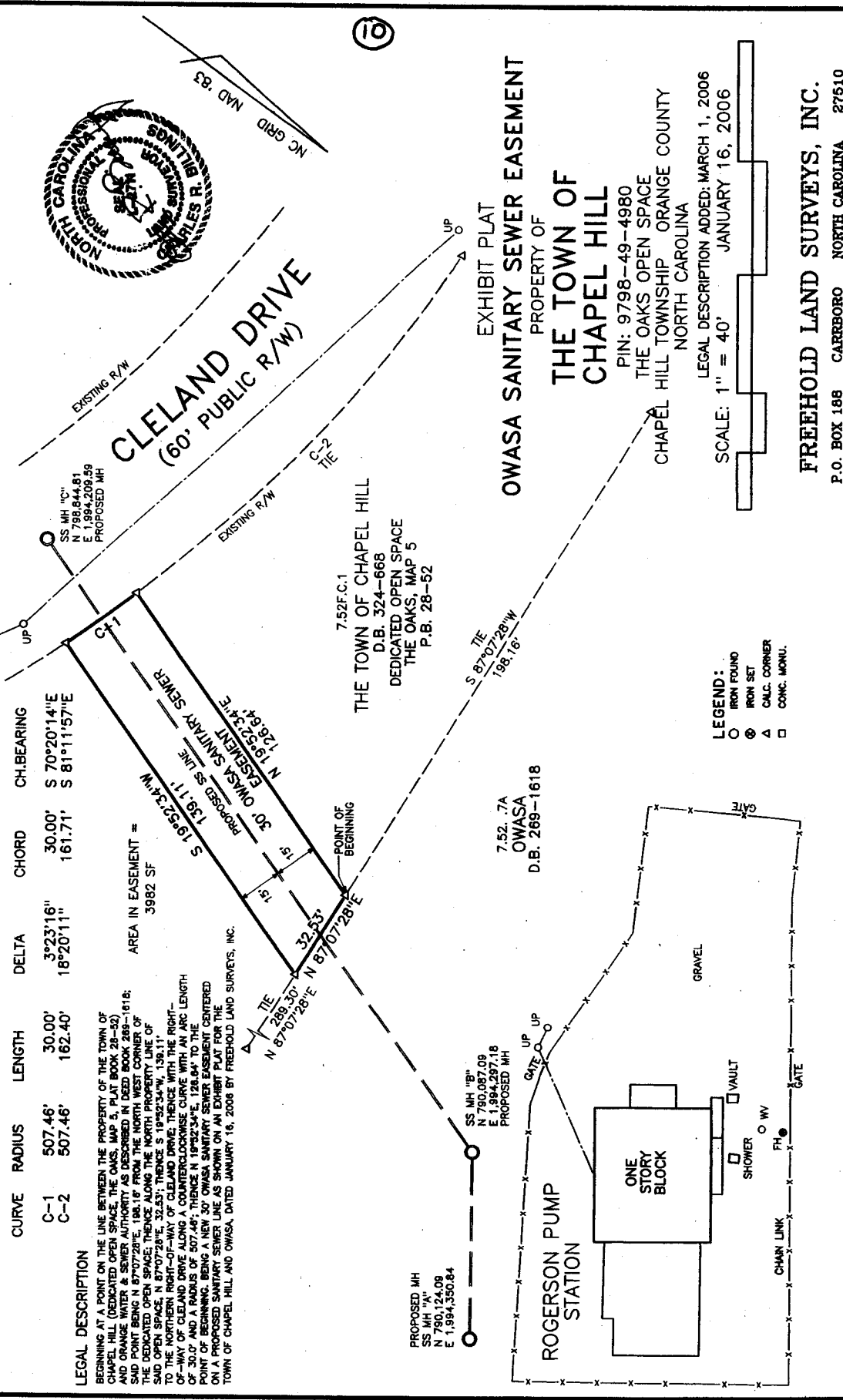
STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, a Notary Public in and for the county and state aforesaid, do certify that _____ personally appeared before me this day and acknowledged that he/she is the Town Clerk of the Town of Chapel Hill, N.C., a North Carolina Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Town Manager, sealed with its corporate seal and attested by him/her as its Town Clerk.

Witness my hand and notorial seal this _____ day of _____, 20_____

Notary Public

My commission expires: _____



CURVE	RADIUS	LENGTH	DELTA	CHORD	CH. BEARING
C-1	507.46'	30.00'	3°23'16"	30.00'	S 70°20'14"E
C-2	507.46'	162.40'	18°20'11"	161.71'	S 81°11'57"E

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE LINE BETWEEN THE PROPERTY OF THE TOWN OF CHAPEL HILL (DEDICATED OPEN SPACE, THE OAKS, MAP 5, PLAT BOOK 289-52) AND ORANGE WATER & SEWER AUTHORITY AS DESCRIBED IN DEED BOOK 289-1818; SAID POINT BEING N 87°07'28"E, 198.18' FROM THE NORTH WEST CORNER OF THE DEDICATED OPEN SPACE, THENCE ALONG THE NORTH PROPERTY LINE OF SAID OPEN SPACE, N 87°07'28"E, 32.53'; THENCE S 19°32'34"W, 139.11' TO THE NORTHERN RIGHT-OF-WAY OF CLELAND DRIVE; THENCE WITH THE RIGHT-OF-WAY OF CLELAND DRIVE ALONG A COUNTERCLOCKWISE CURVE WITH AN ARC LENGTH OF 30.00' AND A RADIUS OF 507.46'; THENCE N 19°32'34"E, 128.64' TO THE POINT OF BEGINNING, BEING A NEW 30" OWASA SANITARY SEWER EASEMENT CENTERED ON THE PROPOSED SANITARY SEWER LINE AS SHOWN ON AN EXHIBIT PLAT FOR THE TOWN OF CHAPEL HILL AND OWASA, DATED JANUARY 16, 2006 BY FREEHOLD LAND SURVEYS, INC.

AREA IN EASEMENT =
3982 SF

PROPOSED MH
SS MH "A"
N 780,124.09
E 1,994,350.84

SS MH "B"
N 780,087.09
E 1,984,297.18
PROPOSED MH

7.52 .7A
OWASA
D.B. 269-1618

7.52F.C.1
THE TOWN OF CHAPEL HILL
D.B. 324-668
DEDICATED OPEN SPACE
THE OAKS, MAP 5
P.B. 28-52

CLELAND DRIVE
(60' PUBLIC R/W)

OWASA SANITARY SEWER EASEMENT
PROPERTY OF
THE TOWN OF
CHAPEL HILL

PIN: 9798-49-4980
THE OAKS OPEN SPACE
CHAPEL HILL TOWNSHIP
ORANGE COUNTY
NORTH CAROLINA

LEGAL DESCRIPTION ADDED: MARCH 1, 2006
JANUARY 16, 2006

- LEGEND:**
- IRON FOUND
 - IRON SET
 - △ CALC. CORNER
 - CONC. MONU.

SCALE: 1" = 40'

FREEHOLD LAND SURVEYS, INC.
P.O. BOX 188 CARBORO NORTH CAROLINA 27510