

TOWN OF CHAPEL HILL

ORANGE COUNTY

(60)

NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s) Orange Water and Sewer Authority having applied to the Town of Chapel Hill for a Special Use Permit for the use and development of the property hereinafter described, the same was granted by the Town of Chapel Hill on April 13, 1981, the terms of which are as follows:

NAME OF PROJECT: Mason Farm Wastewater Treatment Plant

TYPE OF SPECIAL USE: Sewage Treatment Plant

NAME OF DEVELOPER: Orange Water and Sewer Authority

DESCRIPTION OF PREMISES

LOCATION: South side of Old Mason Farm Road

TAX MAP REFERENCE: Chapel Hill Township Tax Map 66, part of Lot 9 and Lot 12

AREA OF PROPERTY: approximately 23 acres

DESCRIPTION OF DEVELOPMENT

NUMBER OF BUILDINGS: N/A NUMBER OF DWELLING UNITS: N/A

FLOOR AREA: N/A NUMBER OF PARKING SPACES: 35

SPECIAL TERMS AND CONDITIONS

Refer to plans dated February 6, 1981 and March 25, 1981 and approved by the Council on April 13, 1981 subject to the following:

1. That detailed sign plan, lighting plan, and a site plan showing the location of landscaped areas within the OWASA site, and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit. Such site plan shall show landscaping around buildings and other available areas as is determined to be appropriate, given the available space on the site and the functional requirements of the sewer plan. Evergreen trees of medium height such as Carolina Laurel Cherry and Red Cedar are suggested for consideration.
2. That as much significant planting as possible be retained on the OWASA site and that such planting be shown on the above referred to site plan. Existing planting shall be protected during construction by appropriate fencing or barriers. Provisions for such protection shall be shown on the site plan.
3. That a detailed landscape/planting plan be submitted to and approved by the Appearance Commission within 60 days of completion of construction of the proposed OWASA berm. No final certificate of occupancy shall be issued until the detailed landscape plan is approved by the Appearance Commission. In preparation of the detailed landscape plan consideration shall be given to planting an evergreen screen consisting of tall trees around the outside of the OWASA property on the northwest and southwest sides. Tall evergreen trees such as Canadian Hemlock and Magnolia Grandiflora are suggested for consideration. Landscaping along the side adjoining Finley Golf Course and the southeast side of the OWASA property shall be worked out in consultation with the University of North Carolina. Where space is not available on OWASA property for planting trees around the periphery of the OWASA berm, consideration shall be given to obtaining permission from adjoining property owners to plant such trees on their property.
4. That any and all planting which dies during the life of the special use permit be replaced with planting of the same species and approximately the same size (as when originally planted) by the end of the next planting season.

(continued)

DRAFTED: ALB

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5. That a pedestrian and non-motorized vehicle easement be dedicated as space permits, along the frontage of the OWASA property with Morgan Creek. Such easement shall be recorded by deed or map prior to issuance of the final certificate of occupancy.
6. That utility plans be reviewed and approved by the Town Manager prior to construction of such improvements.
7. That an erosion and sedimentation control plan be submitted to and approved by the Sediment and Erosion Control Division of the Orange County Planning Department prior to the start of any grading or construction.
8. That the site be provided with police and fire protection as approved by the Town Manager, perhaps best by annexation.

*** END ***

NORTH CAROLINA
ORANGE COUNTY

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IN WITNESS WHEREOF, the Town of Chapel Hill has caused this instrument to be executed in its name as evidence of the issuance of said permit, and the undersigned being all of the property owners of the property above described, have executed this instrument in evidence of their acceptance of said Special Use Permit as a covenant running with the land.

ATTEST
David B. Roberts
Town Clerk

The Town of Chapel Hill
BY [Signature]

ACCEPTED

Owner (Seal)

Owner (Seal)

ATTEST
Wade Degraffenreidt
Secretary-Treasurer
Wade Degraffenreidt

ORANGE WATER AND SEWER AUTHORITY
Corporate Name
BY W. Everett Billingsley
Title - Executive Director
W. Everett Billingsley

NORTH CAROLINA
ORANGE COUNTY

I, Deanne H. Burnett, a Notary Public in and for said County and State do hereby certify that Raymond E. Simon, Town Manager of the Town of Chapel Hill, and David B. Roberts, Town Clerk, duly sworn says each for himself that he knows the corporate seal of the Town of Chapel Hill and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Chapel Hill, that Raymond E. Simon, Town Manager of said Town of Chapel Hill, and David B. Roberts, Town Clerk for the Town of Chapel Hill, subscribed their names thereto; that the corporate seal of the Town of Chapel Hill was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the 5th day of June, 19 81.

Deanne H. Burnett
Notary Public
My commission expires: 12/7/83

NORTH CAROLINA
ORANGE COUNTY

I, _____, a Notary Public in and for said State and County do hereby certify that _____ owners, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Notarial Seal, this the _____ day of _____, 19 ____.

FILED
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Notary Public
My commission expires: _____

NORTH CAROLINA
ORANGE COUNTY

THIS 29th day of June, 19 81, personally came before me, Joan Gilgor, Secretary Public of Orange County, North Carolina, who is legally duly sworn, says that he knows the common seal of the OWASA, and is acquainted with W. Everett Billingsley, who is Exec. Director of said corporation and he, Wade Degraffenreidt, who is Secretary of said corporation, and saw the Exec. Director sign the foregoing instrument and he, the said Secretary, signed his name in attestation of the execution of said instrument in the presence of said Exec. Director of said corporation.

WITNESS my Hand and Notarial Seal, this the 29th day of June, 19 81.



Joan Gilgor
Notary Public
My commission expires: May 14, 1985

(Not valid until fully executed and recorded)