



REQUEST FOR BOARD ACTION

ITEM NO. 28

DATE OF MEETING: April 4, 2016

REQUESTED BY: Michael G. Mack, Utilities Director

SHORT TITLE: Resolution by the Board of Directors of the Rocky Point/Topsail Water and Sewer District Accepting the Deed of Dedication for the Conveyance of Title to the Water Distribution System Properly Installed to Serve the Following Project;

- The Villages at Olde Point – Phase 1A

BACKGROUND: In accordance with the Pender County Water and Sewer Ordinance, Article XII, Subsection II, 5.a: submission of a Deed of Dedication is required for acceptance of any new water and/or sewer extensions constructed to serve any structure within a subdivision prior to the commencement of water and/or sewer service by the District. With acceptance of these improvements, the conveyance of title to these infrastructure improvements will occur and the District will become responsible for the permanent maintenance of these improvements. Staff is recommending acceptance of the respective project infrastructure improvements listed below;

- The Villages at Olde Point – Phase 1A: 1,015 LF 8” watermain on Waldorf Way, 164 LF 8” watermain on Bramble Drive, 2 fire hydrants, valves, and related water appurtenances.

All of the above improvements have been inspected, engineer certified, and issued Final Approval by the NCDENR – Public Water Supply Section.

SPECIFIC ACTION REQUESTED: The Board of Directors of the Rocky Point/Topsail Water and Sewer District is requested to adopt a resolution accepting the Deed of Dedication and Affidavit for the Water Distribution improvements installed to serve The Villages at Olde Point – Phase 1A.

DEED OF DEDICATION

STATE OF NORTH CAROLINA

COUNTY OF PENDER

THIS DEED OF DEDICATION, made and entered into this the _____ day of ____, 20 __, by and between Mungo Homes of North Carolina, Inc., of Irmo, South Carolina, party of the first part, hereinafter referred to as "Owner", and ROCKY POINT/TOPSAIL WATER AND SEWER DISTRICT, a municipal corporation duly created and existing under the laws of the State of North Carolina, party of the second part, hereinafter referred to as Grantee;

WITNESSETH:

That whereas Mungo Homes of North Carolina, Inc. is/are the owner(s) of a tract or parcel located in Topsail Township, Pender County, North Carolina, known as The Villages at Olde Point, Phase 1A ;

And whereas Owner has caused to be installed water distribution lines under and along the road rights-of-way hereinafter described and referenced;

And whereas Owner wishes to obtain water from Grantee for the property and to make water from Grantee's system available to individual owners;

And whereas, in order to obtain water for said community subdivision, Owner must convey title to the water distribution system to Grantee through an instrument of dedication acceptable to Grantee;

NOW THEREFORE, Owner, in consideration of Grantee accepting said water lines and making water available to said community subdivision, does hereby convey to Grantee, its lawful successors and assigns, the following described property;

Water Distribution System, North Carolina

See map of water system on the Utility As-Builts attached as Exhibit A hereto

TO HAVE AND TO HOLD said water lines and equipment above described together with the privileges and appurtenances thereto belonging to Grantee forever.

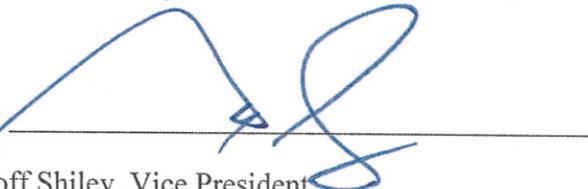
Together with non-exclusive easements over, along and upon the entire area of the streets and cul-de-sacs [and right of way] depicted on the maps and serving the areas referenced above for purposes of entry into the subdivision for maintenance, repair and upkeep of the water distribution systems and for connecting the same to the individual lots developed or to be developed lying adjacent to said streets and cul-de-sacs [and right of way] reserving unto Owners, its successors and assigns, equal rights of easement and easement over, in, along, and upon said streets and cul-de-sacs for purposes of installing and maintaining such utilities as may be required for the development of said subdivision, including, but not limited to, electric, gas, telephone, cable and sewer.

And Owner does hereby covenant that it is seized of said water lines and equipment described above in fee simple and has the right to convey the same in fee simple, that the same are free and clear of encumbrances, and that it will warrant and defend the title to the same against all persons whomsoever.

IN WITNESS WHEREOF, the Grantor [Owner] has caused this instrument to be duly executed, the day and year first above written.

Mungo Homes of North Carolina, Inc.

(Name of Owner)

By: 

Geoff Shiley, Vice President

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, a Notary Public of the County and State aforesaid, do hereby certify that Geoff Shiley personally came before me this day and acknowledged that he (or she) is Vice President (title of corporate officer/Member or Manager of LLC) of Mungo Homes (name of corporation/LLC), being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this the 16th day of March, 2016.

Sarah Humphrey

Signature of Notary Public

Sara Humphrey

Printed or Typed Name of Notary Public



My Commission Expires: 11/13/2016

ACCEPTANCE OF DEED

This Deed of Dedication and accompanying Affidavit for (Name of Owner) was accepted by the Pender County Board of Commissioners on the _____ day of _____, 20____.

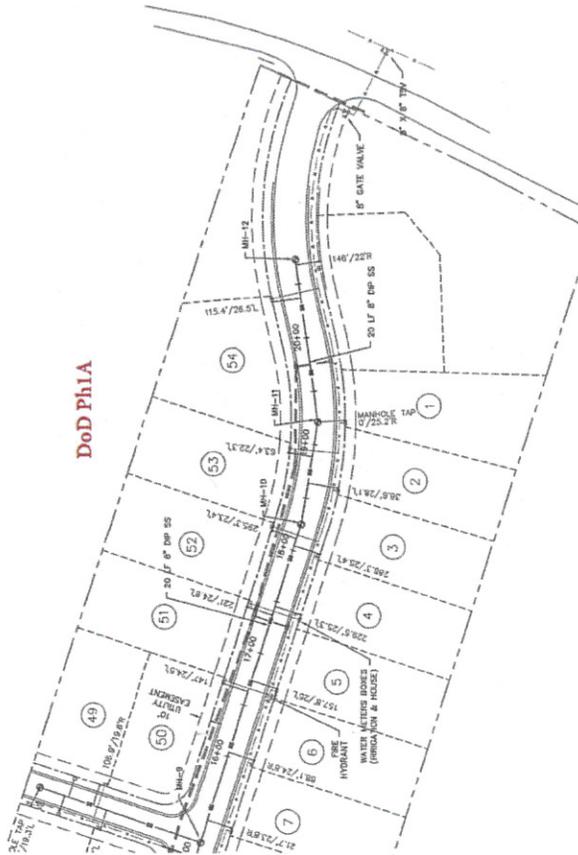
Pender County Board of Commissioners

(Chairman)

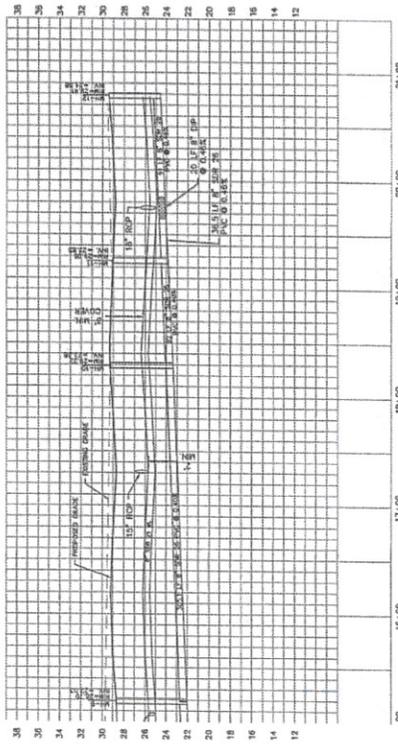
Melissa Pedersen
Deputy Clerk to the Board

Exhibit A

DoD PhIA



MANHOLES #9 - #12
1" = 30'



NOTE:
WATER SYSTEM SHALL COMPLY WITH PENDER COUNTY
STANDARD SPECIFICATIONS AND STANDARD
DETAILS.
SEWER SYSTEM SHALL COMPLY WITH PEMBER'S
STANDARD SPECIFICATIONS AND STANDARD DETAILS.
ALL WATER AND SEWER LINES SHALL BE A MINIMUM OF
2' BELOW THE 1/4" LINE.
ALL FIRE HYDRANTS SHALL BE NO MORE THAN 15'
FROM THE 1/4" LINE.

PROFILE
1" = 30' (HORZ.)
1" = 5' (VERT.)



NOTE:
A RECONSTRUCTION MEETING IS REQUIRED BEFORE
BEGINNING WORK. THE MEETING MUST BE SCHEDULED
AT LEAST 14 DAYS BEFORE THE MEETING DATE.
THE MEETING MUST INCLUDE THE SELECTED
CONTRACTOR, THE ENGINEER, THE LOCAL
GOVERNMENT'S SUPERVISOR, AND THE CONSULTING
ENGINEER.
POLYESTER WATERMAIN PIPE RESTRAINED METHOD
IS THE ONLY TYPE OF WATERMAIN ALL ATTN.
CONTRACTORS MUST BE AWARE OF THE
RESTRAINED LENGTH WILL BE REQUIRED BASED ON
FIELD CONDITIONS.
CONTRACTOR SHALL BE RESPONSIBLE FOR ALL
CONDUITS TO BE USED IN THE CASE OF
CONDUITS WHERE A CLOSING TERMINATES UNDER CURB
OR THROUGH A WALL. ALL CONDUITS MUST BE
INSULATED AND PROTECTED FROM DAMAGE.
CONDUIT INSTALLATIONS MUST BE INSPECTED BY
POU PRIOR TO BACK-FILL.



UTILITY AS-BUILTS

SANITARY SEWER PLAN/PROFILE
MANHOLES (#9 - #12)

PORT CITY CONSULTING
ENGINEERS, PLLC
6216 STONEMARSH ROAD
WILMINGTON, NC 28403
910.399.3744 FAX: 910.399.4192

TRASK LAND COMPANY, INC.
1202 EASTWOOD ROAD
WILMINGTON, NC 28403

VILLAGES AT OLDE POINT

NORTH CAROLINA

PENDER COUNTY

Owner	Trask Land Company, Inc.
Drawn By	Port City Consulting Engineers, PLLC
Checked By	Port City Consulting Engineers, PLLC
Date	05/20/2014
Scale	AS SHOWN
Sheet	1
Total	1

No.	Revision	Date	By

DATE: 05/20/2014
TIME: 10:00 AM

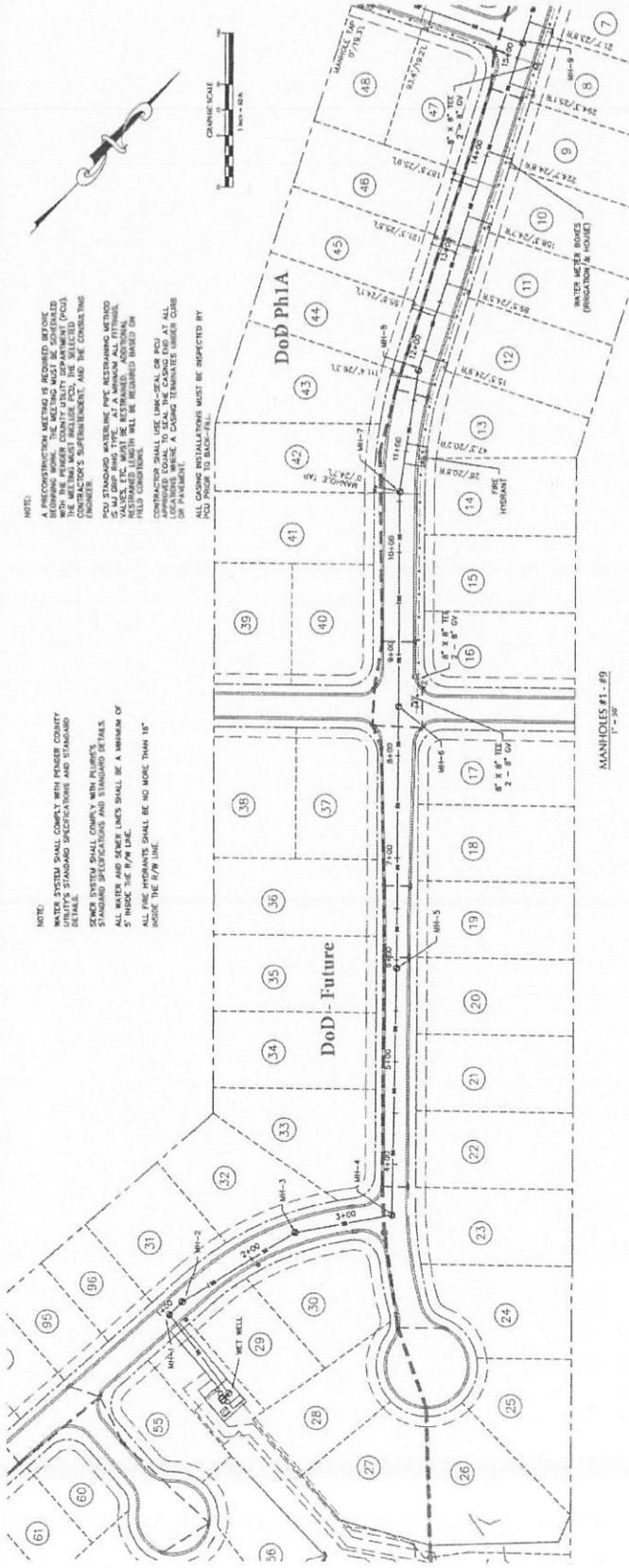
C-6.3



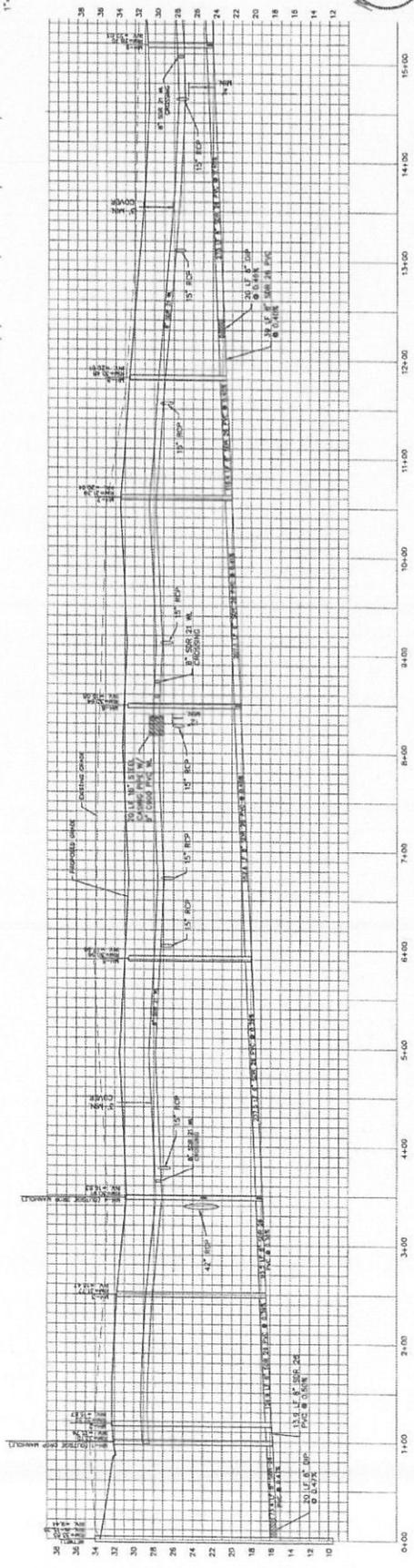
GRAPHIC SCALE
1" = 50'

NOTE:
A PRECONSTRUCTION MEETING IS REQUIRED BEFORE BEGINNING WORK. THE MEETING MUST BE CONVENED AT LEAST 14 DAYS BEFORE THE START OF WORK. THE MEETING MUST INCLUDE THE PROJECT ENGINEER, THE OWNER'S SUPERVISOR, AND THE CONSULTING ENGINEER.
POU STANDARD WATERING PIPE RESTRAINING METHOD IS TO BE USED AT A MINIMUM ALL FITTINGS, RESTRAINING LENGTHS WILL BE INDICATED BASED ON FIELD CONDITIONS.
CONCRETE CURBS SHALL BE 18" HIGH AND APPROVED EQUAL TO SEAL THE CURB JOINT AT ALL JOINTS.
WHERE A CURB TERMINATES UNDER CURB OF PAVEMENT, A CURB TERMINATES UNDER CURB PRIOR TO BACK-FILL.

NOTE:
WATER SYSTEM SHALL COMPLY WITH PENDER COUNTY DETAILS.
SEWER SYSTEM SHALL COMPLY WITH PENDER COUNTY STANDARD SPECIFICATIONS AND STANDARD DETAILS.
ALL WATER AND SEWER LINES SHALL BE A MINIMUM OF 5' UNDER THE P/V LINE.
ALL FIRE HYDRANTS SHALL BE NO MORE THAN 18" ABOVE THE P/V LINE.



MANHOLES #1 - #9
1" = 50'



PROFILE
1" = 50' (HORIZ)
1" = 5' (VERT)



UTILITY AS-BUILTS

SANITARY SEWER PLAN/PROFILE
MANHOLES #1 - #9

PORT CITY CONSULTING
ENGINEERS, PLLC
6345 STANLEY ROAD
WILMINGTON, NC 28403
PHONE: 910.343.1111 FAX: 910.343.1102

TRASK LAND COMPANY, INC.
1202 EASTWOOD ROAD
WILMINGTON, NC 28403

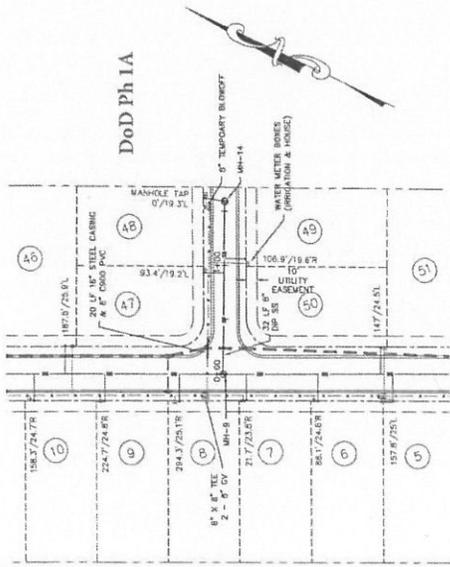
NORTH CAROLINA

VILLAGES AT OLDE POINT

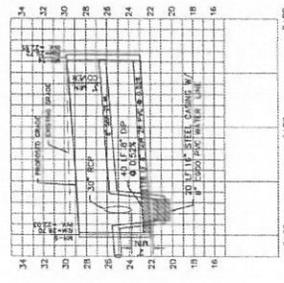
PENDER COUNTY

DATE: 05/20/2014
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
DATE: 05/20/2014

NO.	REVISION	DATE	BY	APP.



MANHOLES #9 & #14
1" = 30'



BRICKS
1" = 50' (HORIZ.)
1" = 5' (VERT.)

NOTE:
WATER SYSTEM SHALL COMPLY WITH PENDER COUNTY UTILITY'S STANDARD SPECIFICATIONS AND STANDARD DETAILS.
ALL WATER AND SIZES UNITS SHALL BE A MINIMUM OF 2" INSIDE THE 8"/4" LINE.
ALL FIRE HYDRANTS SHALL BE NO MORE THAN 10' INSIDE THE 8"/4" LINE.

NOTE:
A PRECONSTRUCTION MEETING IS REQUIRED BEFORE THE METHOD MUST INCLUDE POI, THE SELECTED CONTRACTOR'S SUBMITTALS, AND THE CONSULTING ENGINEER.
POI STANDING WATERLINE PIPE RESURFACING METHOD SHALL BE USED FOR ALL EXISTING WATER MAINS, SANITARY, ETC. MUST BE RETAINED. ADDITIONAL FIELD CONDITIONS WILL BE REQUIRED BASED ON CONTRACTOR SHALL USE LINK-CAL OR POI APPROVED EQUIPMENT TO SEAL THE CURB END AT ALL POINTS WHERE A CURB TERMINATES UNDER CURB OR PAVEMENT.
ALL CURB INSTALLATIONS MUST BE INSPECTED BY POI PRIOR TO BACK-FILL.



UTILITY AS-BUILTS

SHEET NO. C-6.4	
SANITARY SEWER PLAN/PROFILE MANHOLES (#9 & #14)	
PENDER COUNTY CONSULTING 6216 STONEMBRIDGE ROAD WILMINGTON, NC 28409 910-393-1144 LUTEN No. P-1032	TRASK LAND COMPANY, INC. 1202 EASTWOOD ROAD WILMINGTON, NC 28403
VILLAGES AT OLDE POINT NORTH CAROLINA	
PENDER COUNTY	
DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____	DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____

(LEAVE 3 INCH MARGIN)

AFFIDAVIT

STATE OF NORTH CAROLINA

COUNTY OF

Mungo Homes of North Carolina, Inc., a North Carolina (corporation or LLC), with an office and place of business in Wake County, North Carolina, hereinafter referred to as Affiant, being first duly sworn, hereby deposes and says under oath as follows:

1. That it is the owner of certain property located in Topsail Township, Pender County, North Carolina, known as The Villages at Olde Point, Phase 1A Subdivision, containing lots numbering 1 thru 14 and 42 thru 54, as more particularly described in a Deed of Dedication in favor of Pender County of even date wherewith.
2. That it has caused to be installed water distribution lines under and along the road right-of-ways property hereinafter described and referenced;

See map of water system attached as Exhibit A hereto

3. All the work which has been performed in the construction and installation of said water distribution lines described in paragraph 2, above, has been fully paid for and there are now no liens of any kind including any lien for labor or material against the subdivision property which would in any way jeopardize title of Affiant to the property in said subdivision nor are there any legal actions pending against Affiant or any contractor arising out of any work performed in said subdivision or the water lines installed therein which would in any way jeopardize title to the subdivision or the water distribution system located therein.

IN WITNESS WHEREOF, the Affiant has caused this instrument to be duly executed by its authorized officer(s) this 16th day of March, 2016.

Mungo Homes of North Carolina, Inc.

(Name of Owner)

By: _____

Geoff Shiley, Vice President

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, a Notary Public of the County and State aforesaid, do hereby certify that Geoff Shiley personally came before me this day and acknowledged that he (or she) is Vice President (title of corporate officer) of Mungo Homes (name of corporation), being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this the 16th day of March, 2016.

Sara Humphrey

Signature of Notary Public

Sara Humphrey

Printed or Typed Name of Notary Public



My Commission Expires: 11/13/2016