

Item Title: Easement Request at Woods Creek Elementary School

Specific Action Requested:
That the Board of Commissioners:

- 1. Approves the conveyance of the Right-of-Way and Easements to CC Yield North, LLC and/or their successors and assigns; and**
- 2. Authorizes the Chair to execute the Right-of-Way and Easement deeds to CC Yield North, LLC and/or their successors and assigns (along with any other supporting documentation), subject to the terms and conditions acceptable to the County Attorney.**

Item Summary:

Purpose: The Board of Commissioners must approve all property and easement conveyances by the County.

Background: CC Yield North, LLC (“Developer”) has requested that Wake County convey a permanent drainage easement, permanent right-of-way and a temporary construction easement to provide off-site infrastructure improvements to the Crescent Communities-Goodwin Development. The impacted Wake County parcel is located at 7451 Woods Creek Road, Apex, NC and is the site of the Wake County Public School System’s Woods Creek Elementary and future Woods Creek Middle Schools.

The County owns the Property, and the Wake County Board of Education leases the Property from the County pursuant to the Limited Obligation Bond (“LOB”) program that supports ongoing school construction financing. The school system is authorized to construct and operate schools on the property but is not authorized to grant third party easements that would encumber tracts of land that are titled in the name of the County. The purpose of this conveyance is to allow the Developer to move forward with satisfying Town of Holly Springs site development plan approval conditions.

Strategic Plan: This action supports routine County operations.

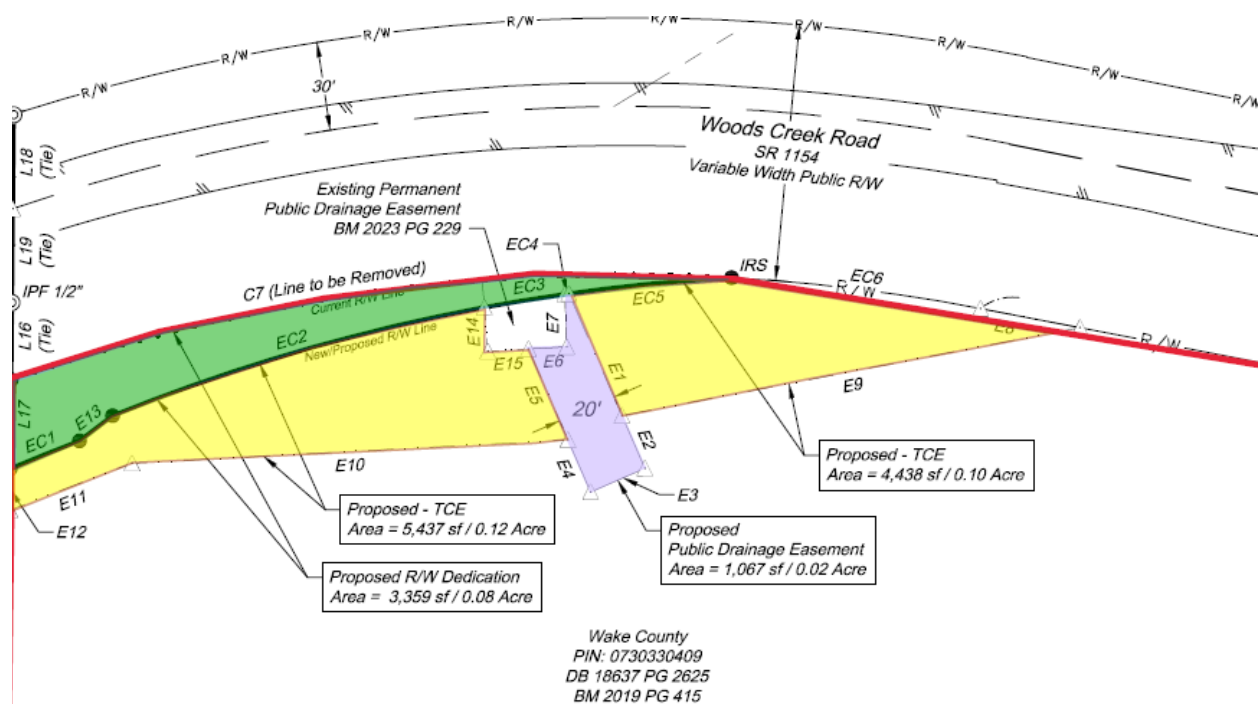
Fiscal Impact: The Developer agrees to compensate the County in the total amount of \$12,070.00 for the necessary easements and right-of-way. The easement compensation proceeds received from the Developer will flow back to the County and be deposited back to capital project as the County provided debt funding for Woods Creek ES. This amount was determined based on the tax value of the property.

Additional Information:

In March 2025, CC Yield North, LLC, a housing developer, through its consultant, TELICS Right of Way Services, reached out to the Board regarding their upcoming project and a potential easements and right-of-way request. As the Board does not hold title to the Property and the easement request has no relation to Board construction efforts, it was determined that these requested third-party easements and right-of-way do not fall under those contemplated under the Construction and Acquisition Agreement entered between the County and Board which grants agency authority to the Board to independently acquire easements that are needed to support school construction projects. Upon review by the Board, County and Bond counsel, it was determined that the County would have to grant the easements and right-of-way.

Additionally, because this is a mortgaged site, the County will need to get the consent of the lender for any permitted encumbrance based on the language in the deed of trust.

Because of the limited impact to the northwest corner of the site (shown below), the easements and right-of-way will not impair the use of the school site.



Attachments:

1. TELICS Letters of Request
2. Survey Exhibit
3. Proposed Easement Documents
4. Lender Consent & Subordination Agreement