

Item Title: Conveyance of an Easement Option Agreement to be Granted to Lennar Carolinas, LLC for Proposed Easements on Wake County Properties for the Carolina Springs Housing Development

Specific Action Requested:
That the Board of Commissioners:

- 1. Approves the conveyance of the Easement Option Agreement to Lennar Carolinas, LLC; and**
- 2. Authorizes the Chairman to execute the Easement Option Agreement to Lennar Carolinas, LLC (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. NC General Statute 160A-274 authorizes the Board of Commissioners to convey any interest in real property to other governmental agencies.

Background: Lennar Carolinas, LLC has requested that Wake County convey multiple permanent and temporary easements to the Town of Holly Springs, Duke Energy and NCDOT in order to provide sewer connectivity and the required roadway improvements for the Carolina Springs Planned Housing Development. The impacted Wake County parcels are located at 3705 & 3921 Old Holly Springs Apex Road, Holly Springs, NC and contain the South Wake Landfill and the Firearms Training Center. The purpose of this Easement Option Agreement is to allow the Town of Holly Springs to move forward with approving Lennar Carolinas, LLC's site plan while easement design details and conveyance documents are finalized between Wake County and Lennar Carolinas, LLC.

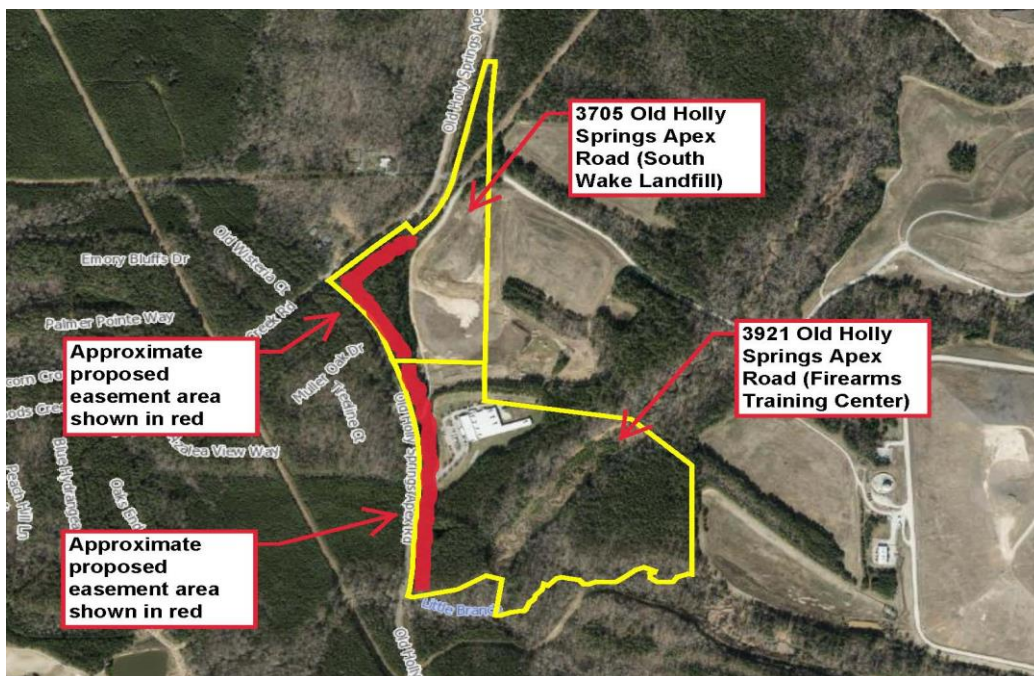
Board Goal: This action supports routine County operations.

Fiscal Impact: Under the option agreement, the County anticipates receiving \$143,600 once the easements are conveyed. The actual conveyance of easements will be brought back to the board for approval in a future item and the anticipated compensation would be appropriated at that time.

Additional Information:

In January of 2020, Lennar Carolinas, LLC, a housing developer, contacted the County regarding the upcoming project and potential easement request. In April of 2020 the County received a formal easement request for a permanent sewer easement and a temporary construction easement which was subsequently redesigned in August of 2020 to include right-of-way, electric utility easements and a permanent drainage easement. Design of the project on the County properties is nearing completion and the County is continuing to work with all entities involved to finalize analysis of impacts to County property as well as the easement conveyance documents. However, in order for Lennar Carolinas, LLC stay on their projected schedule and obtain site plan approval from the Town of Holly Springs prior to the conveyance of the requested County easements an Easement Option Agreement is required to be in place between the County and Lennar Carolinas, LLC. This Easement Option Agreement is not a conveyance of property or property rights and does not bind the County to convey the proposed easements.

The map below displays the Wake County properties and approximate location of the proposed easements in red. The scope of the project on County property will be grading, clearing and boring for the installation of the new sewer line as well as the relocation of existing power poles and construction of a new turn lane in the right-of-way being obtained from the County along with the installation of a new drainage inlet. More detailed plans showing the proposed sewer improvements are attached, (Construction Plans).



The proposed project plans are currently under review by County staff from Facilities Design & Construction, General Services Administration and Solid Waste. At this time, Staff expects that this conveyance will have no impact to the future use of this property.

Staff recommends approval of the Easement Option Agreement conveyance subject to terms and conditions acceptable to the County Attorney.

Attachments:

1. Property Maps
2. Combined Easement Exhibit
3. Duke Energy Easement Exhibit
4. Roadway Construction Plans
5. Force Main Plans
6. Duke Energy Relocation Plans
7. Easement Option Agreement