

IV. FORMS – APPLICATIONS - PERMITS

**FORMS
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Note: Copies of all forms listed above will be provided on computer disk upon request. Please call MSD Planning and Development for details.

OWNER'S AGREEMENT

PROJECT NAME: _____

PROJECT LOCATION: _____

MSD PROJECT #: _____

ALLOCATION #: _____

PIN#: _____

NOTE: This agreement must be executed and returned to MSD as part of the plan submittal package. Plan approval will not be issued until a fully executed agreement is on file with the Planning and Development/Engineering department as part of the project file. Copies of all correspondence will be forward to the party signing this agreement.

I _____, hereby certify that I am the project owner and the party contractually obligated for all costs associated with installation of the sewer system. This includes the acquisition of any and all on-site and off-site sewer easements that may be required and all other required documentation to complete sewer system transfer to MSD. Construction of and documentation for said sewer system will be provided in accordance with prevailing MSD standards and specifications for developer constructed sewer systems. Issuance of building permits for this project will require evidence of approval by MSD. **A certificate of occupancy will not be issued until the following MSD requirements have been satisfied.**

1. As-built drawings
2. Easement/System transfer documents
3. Engineer's certification
4. Contractor's certification
5. MSD inspection approval

By my signature below, I acknowledge and agree to the terms outlined in this Owner's Agreement.

This the _____ day of _____, 20_____.

Signature of owner: _____

Project Owner Name: _____

Address: _____

Telephone: _____

Fax: _____



Metropolitan Sewerage District

OF BUNCOMBE COUNTY, NORTH CAROLINA

Wastewater Allocation Request

Complete all appropriate items and return to:

MSD / Planning and Development
2028 Riverside Drive
Asheville, NC 28804

Attention: Kay Farlow

1) Person requesting allocation - (party to receive allocation letter)

Name: _____
Address: _____
Phone: _____
Company: _____

2) Name and location information

Name of project: _____
PIN #: _____
Street: _____

3) Scope of project and connection point with manhole number _____

Brief description of project: _____

Residential: # of unit's _____ # of bedrooms _____

Non-residential: # of employee's _____ # of seats _____ square footage _____

Estimate Discharge: _____ GPD * (100 gallons per bedroom) *

4) Connection information

Tap size: (circle) 4 6 8 Other _____

5) Water Source _____

Must provide the following information:

- A site plan showing properties to be served
- Plan showing proposed route to existing MSD sewer
- Connection point to MSD sewer and Manhole number

The Metropolitan Sewerage District will only consider gravity sewer extensions to the existing District sewerage system.

Return completed application and a **\$170.00** non-refundable check payable to **MSD of Buncombe County** to MSD Planning and Development, **Attention: Kay Farlow**.

The District reserves the right, in its sole and absolute discretion, to approve or decline all allocation approval requests.

Name: _____ Date: _____

Signed

Contact David Monteith @ 828-254-9646 if additional information is needed.

~Protecting Our Natural Resources~

DOMESTIC WASTEWATER SEWER SERVICE APPLICATION

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA

MSD must approve all new connections to the District Sewerage System in accordance with North Carolina Law. "New sewer connections" include any new construction to be connected to the District Sewerage System, mobile homes to be connected to the District Sewerage System and additions or alterations to existing wastewater flow. The applicant for wastewater service is responsible for obtaining any necessary rights of way (deeded easements) for sewer service between the applicant's property and the connection to the District Sewerage System. If there are any sewer lines located on the property, it is the owner's responsibility to identify and locate the sewer lines to ensure that no structures or other improvements are located in violation of North Carolina Law. Contact MSD for assistance in locating the sewer lines. MSD reserves the right to rescind any approval of this application and any allocation of wastewater flow if any information on this application is incorrect or if MSD is prohibited by the State of North Carolina or EPA from accepting additional flows.

APPLICANT NAME: _____

PIN #: _____
(REQUIRED)

MAILING ADDRESS: _____
(WITH ZIP CODE)

CONTACT PERSON: _____

SERVICE ADDRESS: _____
(WITH ZIP CODE)

CONTACT PHONE: _____

WORK, MOBILE, PAGER, FAX, HOME

DIRECTIONS TO PROPERTY: _____

ALTERNATE PHONE: _____

WORK, MOBILE, PAGER, FAX, HOME

PROJECT NAME: _____

LOT #: _____

ALLOCATION #: _____

CHECK IF APPLICABLE: FOOD SERVICE ASHEVILLE CITY LIMITS OTHER _____

TAP CONNECTION STATUS: TO BE INSTALLED EXISTING (It is the APPLICANT's responsibility to verify existing tap.)

- CONNECT TO: MSD SEWER PRIVATE SEWER SYSTEM _____
(List name of responsible homeowner, developer, etc.)
- TAP IS NEEDED: ASAP WILL CALL (828) 255-0061 WHEN READY

SEWER TAP SIZE: _____ INCH NUMBER OF NEW WATER ACCOUNTS: _____ WATER METER SIZE: _____ INCH

WATER SOURCE: ASHEVILLE BILTMORE FOREST BLACK MOUNTAIN CHRISTMOUNT MONTREAT
 RIDGECREST WEAVERVILLE WELL WOODFIN OTHER

NUMBER OF UNITS	RESIDENTIAL or COMMERCIAL (Briefly describe proposed project)	NUMBER OF BEDROOMS	AMOUNT OF FACILITY FEE

SUBTOTAL : _____

MSD-INSTALLED TAP FEE: **\$650** NUMBER OF TAPS REQUIRED: _____ TOTAL AMOUNT OF TAP FEES: _____

DEVELOPER-INSTALLED TAP INSPECTION FEE: **\$140** NUMBER OF TAPS: _____ TOTAL AMOUNT OF INSPECTION FEES: _____
(To be filled in by MSD Personnel only)

BORE/PAVEMENT DISTURBANCE FEE: **\$2,200** NUMBER OF BORES: _____ TOTAL AMOUNT OF BORE FEES: _____

TOTAL FEES: _____

SIGNATURE: _____ DATE SIGNED: _____

Application must be COMPLETELY filled out.

(Updated 02/07/11)

Effective 07/01/2011

FACILITY FEE PRICE LIST

RESIDENTIAL

Addition only (with or without footprint change)-----	\$ 0
Mobile home-----	\$ 1,740
Residence (per unit)-----	\$ 2,500

***Affordable Housing**

Residence (per unit, AFTER refund)-----	\$ 670
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**Where a governmental agency has provided certification acceptable to the District that the residential unit is part of a program of "Affordable Housing", the facility fee will be \$670.00, after a refund of \$1,830 is issued by MSD.*

NON-RESIDENTIAL

Addition only – 1 to 10 fixtures (Up to 1,400 GPD)-----	\$ 870
Addition only – Over 10 fixtures (Over 1,400 GPD)-----	\$ 2,500

Meter Size (Installing new or upgrading existing)

5/8"-----	\$ 2,500
3/4"-----	\$ 2,830
1"-----	\$ 5,560
1 1/2"-----	\$ 11,350
2"-----	\$ 20,000
3"-----	\$ 45,000
4"-----	\$ 87,500
6"-----	\$225,400
8"-----	\$237,500

ALLOCATION FORMS: A sewer Allocation is required for any residential project greater than two single-family residences. All new commercial projects require an Allocation, and occasionally an Allocation is needed for commercial upfits or tenant change-outs. The Allocation fee is \$170.00. If you have questions regarding this form, please call David Monteith (828-225-8276) or Kay Farlow (828-225-8272).

RELEASE OF CERTIFICATE OF OCCUPANCY (C/O'S): MSD will hold final inspections (Certificate of Occupancy or Completion) for projects where the sewer system has not been transferred to MSD, or for projects where required sewer work has not yet been completed. If you have questions, please call Kevin Johnson (828-225-8289).

Please remit to: *Buncombe County One-Stop
MSD Satellite Office / Attn: Cecelia
30 Valley Street
Asheville, North Carolina 28801
Phone: (828) 250-5345 - Fax: (828) 252-5370 - E-mail: cecelia@msdbc.org*

Application must be COMPLETELY filled out.



**METROPOLITAN SEWERAGE DISTRICT
"RECORD" OR "AS-BUILT" DRAWING CHECK LIST**

DRAWINGS INDICATE THE ACTUAL FIELD CONDITIONS FOR:

PROJECT NAME: _____ PROJECT #: _____

Gravity Sewer System

1. Plan and Profile View of "As-Built" Sewer Line to include:
 - Type, Length, and Diameter of Pipe
 - Percent of Grade (Pipe Slope)
 - North Arrow and Symbols Legend (Plan View Only)
 - All Utility Crossings (Show pipe material transition points where applicable)
 - Easement Overlay (Plan View Only)
 - Top of manhole elevations (MSL Datum)
 - Manhole in and out invert elevations (MSL Datum)
2. North Carolina State Plane Coordinates (NAD 83) for all manholes.
3. North Carolina State Plane Coordinates (NAD 83) for each cleanout to be maintained by the MSD.
4. MSD manhole number or coordinates of existing tie-in manhole.
5. Show "as-built" service lines from sewer main to first cleanout.
6. Provide a CD or e-mail containing digital comma delimited text (.txt) file to include:
 - Point Number
 - Northing to four decimal places
 - Easting to four decimal places
 - Top Elevation to two decimal places (Manholes Only)
 - Invert Out Elevation to two decimal places (Manholes Only)
 - Description shall be
 - CO for cleanouts
 - MH for manholes
 - EMH for existing manhole
7. Provide a printed table on as-built/record drawing with same information as detailed in item #6 above.
8. Provide one (1) signed, sealed, and dated 24" x 36" paper copy and one (1) digital (.pdf) optically scanned copy of the signed, sealed, and dated final "as-built/record" drawing. This may be submitted on the same CD as text file or via e-mail.
9. All as-built/record drawings must be sealed by a NC Professional Engineer and comply with all NCBELS requirements.

Pump Station Additional Requirements

10. Provide coordinates for force mains / air release point elevations (**Pump Station Only**).
11. Manufacturer, model numbers, and specifications for all pumps, motors, generators, telemetry equipment, etc. (**Pump Station Only**).

All aforementioned information shall be added to the final as-built/record drawings. Easement Plat may be combined with As-Built/Record Drawings provided document is sealed, signed and dated by both Engineer and Surveyor.

I, _____, am the Engineer for this project and do hereby certify all the above information is submitted to form and is correct.

Engineer's Signature

Date



**METROPOLITAN SEWERAGE DISTRICT
REQUIREMENTS FOR EASEMENT SURVEY PLATS
RELATED TO DEVELOPER CONSTRUCTED SEWER SYSTEMS**

All easement survey plat formats must include the following information:

- _____ 1. The sewer line must be centered within the easement within the easement in accordance with the required Easement Width Chart (see copy at the end of this section). The limit of the permanent easement area must be delineated.
- _____ 2. Provide bearings and distance on centerline of sewer.
- _____ 3: Show all property boundaries. Field surveying, however, is only required for property boundaries intersecting sewer easements. The remaining boundary lines are to be shown as dashed lines referencing the deed.
- _____ 4. Show the location of proposed sewer lines and appurtenances and any existing active sewer lines and appurtenances, clearly indicating whether existing or proposed.
- _____ 5. Contain a revision block showing number of revision, revision description, and date of revision.
- _____ 6. Survey title must include, "Easement Across the Property of.....".
- _____ 7: Property's Owner's name, including deed book and page of title acquisition for each property easement crosses.
- _____ 8. Parcel Identification Number for each property the easement crosses.
- _____ 9. Street name / number designation and legal width for all public rights of way.
- _____ 10. Seal of surveyor, surveyor's name, company and address.
- _____ 11. North Arrow.
- _____ 12. Grid tie to center line of sewer using 1983 datum.

**ALL EASEMENT SURVEY PLATS MUST BE REVIEWED BY THE DISTRICT
PRIOR TO RECORDING.**



Metropolitan Sewerage District

OF BUNCOMBE COUNTY, NORTH CAROLINA

PROJECT NAME: _____

**PUBLIC GRAVITY/ PUMP COLLECTION SYSTEM
PLAN SHEET CHECKLIST FOR SUBMITTAL PRIOR TO APPLICATION
for
NON-DISCHARGE PERMIT**

Plan Requirements

- _____ 1. Plans consist of Cover Sheet(s), Plan-Profile Sheet (s) and Detail Sheet(s)

- _____ 2. Each Sheet:
 - _____ a. Has a title block:
 - _____ 1. With the project name consistent with the project name on the application.
 - _____ 2. With the engineer's job number, sheet number, date, revision dates, scale and drawn by.
 - _____ b. Has been signed, sealed and dated by a North Carolina licensed Professional Engineer.
 - _____ c. Sheet size: 24" x 36"

- _____ 3. Cover Sheet(s):
 - _____ a. Indicating the name, address and phone number of the developer and engineer.
 - _____ b. Vicinity map at not less than 1" = 2000 with North arrow.
 - _____ c. Schematic site plan with sheet index indicated.
 - _____ d. Symbols legend.
 - _____ e. Topography - Minimum USGS with drainage area to actual low points of boundary indicating zoning by types and acreage of each.
 - _____ f. MSD project number as issued on allocation approval

- _____ 4. Plan-Profile Sheets:
 - _____ a. North arrow on plans.
 - _____ b. At a scale of not less than 1" = 50' horizontal and 1" = 10' vertical.
 - _____ c. Plan and profile views run in the same direction (left to right) upstream with profile directly beneath corresponding plan view.
 - _____ d. All existing utility poles and existing underground utilities with sizes are shown with faded or thin inked lines. All locations were determined by field survey. Existing utilities include the tie-in Manhole and the next downstream manhole with 27 or 83 NC Grid Coordinates.

 - _____ e. All proposed utility poles and underground utilities with sizes are shown with bold or

shaded inked lines.

f. Proposed Manholes:

- _____ 1. Top and invert elevations shown to mean sea level datum in accordance with MSD design criteria.
- _____ 2. Within the 100 year storm flood plain are two feet higher than the flood elevation or have been provided with a sealed locking cover and vent as required to the higher elevation and have been indicated on this plan, profile and data sheet.
- _____ 3. That have drop connections have been indicated as such on the plan, profile sheets and have been used where the invert "In" is greater than 36" higher than the invert "Out".
- _____ 4. Spacing is 400' or less.
- _____ 5. Stationing is shown on the plan and profile along centerline of sewer.
- _____ 6. Angle of flow is noted at each manhole.

g. Proposed Lines

- _____ 1. That are to be publicly maintained are a minimum of 8" in diameter, (except service lines with rights-of-way and easements) and have been sized in accordance with the MSD design criteria.
- _____ 2. Are ductile iron and indicated on the plan, profile and data sheet where:
 - _____ a. Less than 3' of cover is available.
 - _____ b. Less than 2' of vertical clearance is available between line and storm drain.
 - _____ c. Sewer crosses over water lines or where less than 18" of vertical clearance water over sewer is available.
 - _____ d. Slopes or velocities required.
 - _____ e. Where traffic loadings require the additional strength.
 - _____ f. Where depth required the additional strength.
 - _____ g. At creek crossings.
- _____ 3. Are 100' from water supplies or meet MSD design criteria.
- _____ 4. Meet MSD design criteria for horizontal separation from other utilities.
- _____ 5. Crossing or within 10' of other existing or proposed utilities have been shown in plan and profile views with horizontal and vertical clearances indicated.
- _____ 6. Where required horizontal separation from other utilities is not available, special provisions have been made and indicated on the plans for the protection of sewer maintenance personnel.
- _____ 7. Concrete anchors for ductile iron pipe have been shown on the plan and profile views when slopes are:
 - Between 20% and 35% at 36' intervals
 - Between 36% and 50% at 24' intervals
- _____ 8. That are to be bored have been indicated on the plan and profile views showing the type of pipe and casing with length.
- _____ 9. Road crossings indicate the type and width of pavement for mains and services.
- _____ 10. Indicate the proposed pipe size, type, direction of flow and length between manholes in plan view.
- _____ 11. Indicate the pipe size, type, length between manholes, and percent of grade in profile view.

h. Plan Views Indicate:

- _____ 1. Existing and proposed structures or lots to be served by gravity with existing or

proposed floor elevations and locations. For vacant lots a spot elevation near the center of the lot has been shown.

- _____ 2. Note existing and proposed structures or lots that can not be served by gravity.
- _____ 3. At least one bench mark per sheet with location and mean sea level elevation and description.
- _____ 4. Flood limits of 100 year flood elevation.
- _____ 5. Location of work within NCDOT rights-of-way and distance to nearest intersection in feet.
- _____ 6. Location of work within railroad rights-of-way and distance to nearest mile post in feet.
- _____ 7. By note that the specifications and requirements of the Metropolitan Sewerage District supersede all others in the installation of the proposed extension.

i. Right-of-Way Plan Requirements:

- _____ 1. Current record owner(s) of subject site, including deed book and page of title acquisition.
- _____ 2. Parcel Identification Number (PIN).
- _____ 3. Developer contact information.
- _____ 4. Easement overlay for all areas proposed for transfer to MSD in accordance with required easement width chart. This includes all areas whether on private property or within a public Right-of-Way.
- _____ 5. Street name/number designation and legal width of all public rights of way.
- _____ 6. Boundary line information for subject site.
- _____ 7. Ownership (deed book/page of title acquisition) and boundary delineation for all off site areas effected by the proposed sewer line easement.
- _____ 8. Owner's Agreement.

j. Profile Views:

- _____ 1. Indicate the 100 year flood elevation at the end of the profile or a note to the effect that area is outside the 100 year flood plain.

k. Detail Sheet(s):

- _____ 1. Details are in accordance with those approved by the District.
- _____ 2. Details required by others have been indicated.
- _____ 3. Details are clear and legible.

1. Special Requirements of Pump Stations and Force Mains Plans

- _____ a. Force Mains have been provided with Air-release valves at high points where elevation differences are ten feet or greater.
- _____ b. Pump Station:
 - _____ 1. Site plan with topography rights-of-way, easements and property lines.
 - _____ 2. Complete plan and sectional drawings of pump station.
 - _____ 3. Has been protected from flooding and buoyancy.
 - _____ 4. Mechanical joint fittings and ductile iron pipe for all yard piping.
 - _____ 5. Wet well and piping inverts are shown.
 - _____ 6. Wet well capacity indicated.
 - _____ 7. All piping is shown in plan and profile views.
 - _____ 8. Complete electrical control and telemetry schematics.

- _____ 9. Auxiliary generators must provide power for all equipment.
- _____ 10. Wet well vented with screen.
- _____ 11. Fillets in wet well.
- _____ 12. Check valves and gate valves.
- _____ 13. Security fencing with 12' access gate.
- _____ 14. Lockable wet well cover.
- _____ 15. Area light.
- _____ 16. Alarms and auto dialer as required by MSD.
- _____ 17. 110 Volt electrical convenience outlet provided.
- _____ 18. Domestic water service has been provided.
- _____ 19. Typical section drawing of access road. Access roads will be reviewed according to site conditions.
- _____ 20. Design calculations and system curve included.
- _____ 21. Multiple alternating pumps capable of pumping 2.5 times the ADF with one pump out of service.
- _____ 22. 480 – 240 – 208 volts (3-phase power)
- _____ 23. Automatic transfer switches must have disconnect on service main.
- _____ 24. Swing arm check valves.
- _____ 25. One (1) set of spare parts.
- _____ 26. Three (3) sets of 'O and M' manuals.
- _____ 27. All electrical conduit sealed from wet well.
- _____ 28. Normal maintenance performable without bodily entry to wet well (floats – pulling pumps – valves).
- _____ 29. No electrical junction boxes or splices in wet well.
- _____ 30. All metal material shall be of proper corrosion resistancy.
- _____ 31. Engineer approved pump pulling hoist.
- _____ 32. Optional landscaping and fencing details for appearance sensitive areas.
- _____ 33. 115 Volt Receptacle.
- _____ 34. Air release valve (all points where elevation difference exceeds 10 feet).

EXPLAIN ANY ITEMS NOT CHECKED. Provide additional sheets as necessary.

Engineer's Signature: _____ Date: _____

MSD FINAL INSPECTION APPROVAL

(THIS DOCUMENT NOT TO BE USED FOR CERTIFICATE OF OCCUPANCY RELEASE)

PROJECT NAME: _____

MSD PROJECT NUMBER: _____

MSD PERMIT NUMBER: _____

Inspection staff has monitored construction on a periodic basis and has found construction to be in substantial compliance with the standards as set forth by the Metropolitan Sewerage District.

FIELD INSPECTOR

DATE

FORM: IA001

**ENGINEER'S CERTIFICATE OF COMPLETION
TO
METROPOLITAN SEWERAGE DISTRICT
OF
BUNCOMBE COUNTY, NORTH CAROLINA**

I, the undersigned, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe (weekly, daily, full time) the construction of the project.

_____, _____,
Name of Project Perm it # (if applicable)

for _____ (the Applicant, the Permittee), hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the permit (if applicable), the approved plans and specifications, and other supporting materials (including MSD design criteria).

The (estimated actual) cost of sewer construction for this project was \$_____.

Signature of Professional Engineer Date

Name of Firm

License Number Seal

EASEMENT REQUIREMENTS



1. Off Site Easements

Acquisition of all offsite easements are the sole responsibility of the developer. These easements must be acquired using an Easement Agreement with the current record property owner(s) as “Grantor” and the Developer as “Grantee”. An easement survey plat should be prepared in accordance with “Requirements for Easement Survey Plat” included in this section. Subsequently, these easements will be transferred/assigned to the Metropolitan Sewerage District via a Conveyance of Sewer System and Easement Agreement (see sample in this section).

2. Relocation of an Existing MSD Sewer Line

At times, it may become necessary to relocate a portion of the existing MSD sewer system in order to accommodate development of a particular parcel. In these situations, an easement survey plat must be prepared in accordance with easement survey plat requirements and a conveyance document prepared transferring easement rights to the new easement area and ownership of physical elements of the relocated portion of line. You may contact MSD Planning and Development to determine the appropriate form(s) for the site and situation.

NOTE: TRANSFER DOCUMENTS WILL BE REQUIRED PRIOR TO BEGINNING CONSTRUCTION FOR ALL RELOCATION PROJECTS

3. Pump Stations

Pump station easements must be transferred to MSD using the Conveyance of Sewer System and Easement Agreement form example included in this section. The location and dimensions of the required easement areas will be determined on a case by case basis. Pump station easements will require an easement survey with the easement area defined by metes and bounds around the pump station site. Conveyance of an access easement may also be required.

4. Others

For all other projects, easement survey plat requirements may be combined or incorporated into the subdivision plat, the final as-built, or as a separate easement survey as long as all of the required MSD easement survey plat information is shown. Upon review and approval by the District to ensure conformance with MSD easement survey plat requirements, the document may be recorded. A Conveyance of Sewer System and Easement Agreement (sample enclosed) is then prepared with specific reference to the recorded plat.

5. Document Sequence

- a) Easement survey plat is prepared in appropriate format
- b) Easement survey plat is submitted for review by the District as to conformance with plat requirements
- c) Easement survey plat is recorded
- d) Conveyance document is prepared by the Developer’s attorney and submitted to the District for review prior to recording. Must include a copy of the supporting survey plat for verification of information
- e) Conveyance document recorded

NOTE: CERTIFICATE OF OCCUPANCY WILL BE HELD PENDING RECEIPT OF ALL FINAL TRANSFER DOCUMENTS

PREPARED BY AND RETURN AFTER RECORDING TO:

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT, made this ___ day of _____, 20____, by and between _____, hereinafter referred to as Grantor, and _____, hereinafter referred to as Grantee (the designations Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine and neuter as required by context).

WITNESSETH:

THAT WHEREAS, the Grantor is the owner of certain property more particularly described in a Deed recorded in Deed Book _____ at Page _____, Buncombe County Registry; and

WHEREAS, the Grantee has requested that the Grantor grant and convey to the Grantee a temporary construction easement and a permanent easement over, upon, across, under and through a portion of the property of the Grantor for purposes of constructing, operating, maintaining, repairing, inspecting and reconstructing sewer lines and accessories and the Grantor has agreed to do so.

NOW, THEREFORE, the Grantor, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, has given, granted and conveyed, and by these presents does give, grant, and convey unto the Grantee, its successors and assigns, the temporary and permanent right, privilege and easement to construct, operate, maintain, repair, inspect and reconstruct sanitary sewer lines and accessories over, upon, across, under and through the above-referenced property of the Grantor, said temporary construction easement and permanent easement being described as follows:

PERMANENT EASEMENT: A nonexclusive permanent easement for purposes of constructing, operating, maintaining, repairing, inspecting and reconstructing sanitary sewer lines, together with such pipes, manholes, fittings, fixtures and other accessories as from time to time may be required, and for purposes of inspecting and performing appropriate tests within said permanent easement, including but not limited to, archaeological and environmental studies, and together with the full right of access to and egress from said permanent easement, said permanent easement being more particularly described as follows:

Legal Description

Said permanent easement consisting of _____ square feet (____ acre), more or less.

TEMPORARY CONSTRUCTION EASEMENT: A temporary construction easement for the purposes of excavation, digging ditches, storing dirt, supplies and materials, moving and using equipment and generally carrying out the completion of the installation of said sanitary sewer lines and accessories, and for the purposes of inspecting and performing appropriate tests within said temporary construction easement, including but not limited to, archaeological and environmental studies, together with the full right of access to and egress from said temporary construction easement for all purposes in connection with said construction and installation, it being understood that this right of use as set out in this paragraph shall terminate upon the final completion of the entire project, said temporary construction easement being more particularly described as follows:

Legal Description

Said temporary construction easement consisting of _____ square feet (___ acre), more or less.

Said permanent easement and temporary construction easement being shown on the Sewer Line Location Drawing for _____, Easement Across the Property of _____, prepared by _____ dated _____, recorded in Plat Book _____ at Page _____, Buncombe County Register of Deeds.

IT IS UNDERSTOOD AND AGREED BETWEEN THE GRANTOR AND THE GRANTEE:

1. That the Grantee shall have the right to clear the permanent easement and temporary construction easement described above and the right but not the obligation to keep the permanent easement clear at all times, and the right to remove from the permanent easement and temporary construction easement all brush, trees and other obstructions, and to go upon said easements whenever necessary for the purpose of clearing the same and removing therefrom all brush, trees and other obstructions of any kind.

2. That the Grantor shall at all times, other than while the sewer lines are under actual construction, have the right to use said permanent easement and said temporary construction easement, in the same manner as has been heretofore done; provided such use shall in no manner interfere with or be inconsistent with the use thereof by Grantee as provided herein. Prohibited uses of the permanent easement by the Grantor include, but are not limited to, the following: the erection of a shed, building, structure or other obstruction within the permanent easement by the Grantor shall not be allowed; the planting of trees within the permanent easement by the Grantor shall not be allowed; additional fill cannot be placed within the permanent easement except after prior written consent from the Grantee; and other utility lines, including but not limited to, electric, gas, telephone, cable, or water lines, cannot be constructed within the permanent easement except after prior written approval by the Grantee.

3. That the Grantee agrees to restore the topography of said easement area after installation of the sewer lines and accessories to approximately the same condition as existed before said installation.

4. That the Grantor shall have the right to pass over and upon said permanent easement with appropriate roadways for the full use of their property, provided, however, that the construction, maintenance and use of said roadways shall in no way interfere with the sewer lines and accessories constructed within said permanent easement. As to paved roads, the Grantee, in future repairs or maintenance of said sewer lines and accessories, shall only be responsible for regravelling, tamping and patching the portion of said paved roads disturbed by such work. As to non-paved roads, the Grantee shall only be responsible for regravelling and tamping in connection with any repairs or maintenance.

5. Other conditions and provisions:

TO HAVE AND TO HOLD said temporary construction easement and said permanent easement unto said Grantee, its successors and assigns, upon the terms and for the time periods set forth above.

The Grantor covenants to and with the Grantee, its successors and assigns, that the Grantor is lawfully seized in fee simple of said lands and premises and has full right and power to convey these easements to the Grantee, and that said lands and premises are free from any and all liens and encumbrances, and that they will and their successors and assigns shall forever warrant and defend the title to said easements unto the Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set their hands and seals, or if corporate, have caused this document to be executed by its duly authorized officers and its seal to be hereunto affixed, as of the day and year first above written.

_____(SEAL)

_____(SEAL)

_____(SEAL)

_____(SEAL)

By: _____
President

ATTEST:

Secretary
(Corporate Seal)

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

I, a Notary Public of the State and County aforesaid, certify that _____,
personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this _____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires:

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, a Notary Public of the State and County aforesaid, certify that _____, personally appeared before me this day and acknowledged that he is _____ Secretary of _____, a _____ Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by h__ as its _____ Secretary.

WITNESS my hand and official stamp or seal, this _____ day of _____, 20 _____.

NOTARY PUBLIC

My Commission Expires:

Easement Agreement -rev. 2000.doc

**Return to: Owners Attorney and
Metropolitan Sewerage District of Buncombe County
Attn: Private Development Coordinator
2028 Riverside Drive
Asheville, NC 28804**

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

**CONVEYANCE OF SEWER SYSTEM
AND EASEMENT FOR MSD PROJECT
NAME AND PROJECT #**

THIS CONVEYANCE OF SEWER SYSTEM AND EASEMENT made this the ____ day of _____, 2008, from _____, hereinafter referred to as the Grantor, to the **METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA**, a public body and body politic and corporate, created and established by the North Carolina State Stream Sanitation Committee by Resolution adopted on January 19, 1962, under the provisions of the North Carolina Metropolitan Sewerage Districts Act, now codified as Chapter 162A, Article 5, of the General Statutes of North Carolina, hereinafter referred to as Grantee (the designations Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine and neuter as required by context).

WITNESSETH:

THAT WHEREAS, the Grantor has developed property known as _____ as shown on plats recorded in Plat Book _____ at Page _____ of the Buncombe County, North Carolina Registry and has sold lots with reference to said Plat; and

WHEREAS, the Grantor installed sewer lines and sewer related improvements (hereinafter Sewer Lines and Sewer Related Improvements) according to plans and specifications prepared by _____, an engineer licensed in the State of North Carolina and pursuant to permits issued by the Metropolitan Sewerage District of Buncombe County, North Carolina; and

WHEREAS, the Sewer Lines and Sewer Related Improvements constructed by the Grantor are shown on as-built drawings prepared by _____, entitled _____, dated _____, reference to which drawings is made for a complete description of the Sewer Lines and Sewer Related Improvements; and

WHEREAS, the Grantor retained easements for the Sewer Lines and Sewer Related Improvements and said easements are shown on a plat map entitled _____, prepared by _____, PLS, dated _____ and recorded in Plat Book at _____ Page _____ of the Buncombe County, North Carolina Registry, reference to which map is made for a more particular description of the exact location of the Sewer Lines and Sewer Related Improvements and easements therefor; and

WHEREAS, the Grantor now desires to convey to the Grantee and the Grantee is willing to accept the Sewer Lines and Sewer Related Improvements together with the easements therefore.

NOW, THEREFORE, the Grantor, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, has given, granted and conveyed, and by these presents does give, grant and convey unto the Grantee, its successors and assigns, the Sewer Lines and Sewer Related Improvements together with easements therefor, together with the full right of reasonable access to and egress from said permanent easement over and upon the above-referenced Property or other property of Grantor from the nearest public road to have access to the Sewer Lines and Sewer Related Improvements in order to properly operate and maintain the Sewer Lines and Sewer Related Improvements and to repair and replace the Sewer Lines and Sewer Related Improvements as necessary. Such sewer system and easements being as shown on the maps and plats previously referred to herein. The easement being conveyed by the Grantor is a twenty foot permanent easement, the centerline of which is shown on the Plat Map at the Book and Page previously referred to

herein. The twenty foot easement is such that it extends ten feet from the center point of the sewer line from any given point as the sewer line crosses the Grantor's property. The Grantor conveys an easement to the District such that, at any point along the sewer line crossing the Grantor's property, the District will have an easement extending ten feet from the center point of the sewer line whether the ten feet extends in a perpendicular direction from the center line, parallel to the boundary line of the Grantor's property, or in such other direction as is necessary to convey an easement extending ten feet from the center point of the sewer line at any point crossing the Grantor's property.

IT IS UNDERSTOOD BY AND BETWEEN THE GRANTOR AND THE GRANTEE:

1. That the Grantee shall have the right, but not the obligation, to clear the permanent easement as shown on the maps and plats and the right, but not the obligation, to keep the permanent easement clear at all times, and the right, but not the obligation, to remove from the permanent easement all brush, trees and other obstructions, and to go upon said easement whenever necessary for the purpose of clearing the same and removing therefrom all brush, trees and other obstructions of any kind.

2. That the Grantor shall at all times, other than while the Sewer Lines and Sewer Related Improvements are under actual construction, have the right to use said permanent easement in the same manner as has been heretofore done; provided such use shall in no manner interfere with or be inconsistent with the use thereof by Grantee as provided herein. Prohibited uses of the permanent easement by the Grantor include, but are not limited to, the following: the erection of a shed, building, structure or other obstruction within the permanent easement by the Grantor shall not be allowed; the planting of trees within the permanent easement by the Grantor shall not be allowed; additional fill cannot be placed within the permanent easement except after prior written consent from the Grantee; and other utility lines, including but not limited to, electric, gas, telephone, cable, or water lines, cannot be constructed within the permanent easement except after prior written approval by the Grantee.

3. That the Grantee agrees to restore the topography of the easement area after any necessary repair or replacement of the Sewer Lines and Sewer Related Improvements to approximately the same condition as existed prior to the repair or replacement.

4. That the Grantor shall have the rights to pass over and upon said permanent easement with appropriate roadways for the full use of its property, provided, however, that the construction, maintenance and use of said roadways shall in no way interfere with the Sewer Lines and Sewer Related Improvements constructed within said permanent easement. As to paved roads, the Grantee, in future repairs or maintenance of said Sewer Lines and Sewer Related Improvements, shall only be responsible for regravelling, tamping and patching the portion of said paved roads disturbed in connection with any repairs or maintenance. As to non-paved roads, the Grantee shall only be responsible for regravelling and tamping in connection with any repairs or maintenance.

5. During the time the Grantor owns the property on which the permanent sewer easement is located, the Grantor agrees to indemnify, defend and hold harmless the Grantee from and against any claim for injury to person or property arising out of the use of the easement for walking trails or greenways provided such injury does not proximately result from the negligence, gross negligence or intentional act of the Grantee, its agents or employees. Should a deed conveying the subject walking trail or greenway containing the sewer easement be conveyed to a Property Owner's Association, the Association agrees to indemnify, defend and hold harmless the grantee from and against any claim for injury to person or property arising out of the use of the sewer easement for walking trails or greenways provided such injury does not proximately result from the negligence, gross negligence or intentional act of the Grantee, its agents or employees.

TO HAVE AND TO HOLD said Sewer Line and Sewer Related Improvements together with the easements therefor unto said Grantee, its successors and assigns, forever upon the terms set forth herein.

The Grantor covenants to and with the Grantee, its successors and assigns, that the Grantor is the

owner of the Sewer Lines and Sewer Related Improvements and the easements therefor, and that said Sewer Lines and Sewer Related Improvements and the easements therefor are free from any and all liens and encumbrances, and that they will and their successors and assigns shall forever warrant and defend the title to said Sewer Lines and Sewer Related Improvements and easements therefor unto the Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set its hands and seals, or if corporate, has caused this document to be executed by its duly authorized officers, and its seal to be hereunto affixed, as of the day and year first above written.

_____(SEAL)
Grantor

_____(SEAL)
Grantor

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

I, a Notary Public of the State and County aforesaid, certify that _____ personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this _____ day of _____, 2007.

NOTARY PUBLIC

My Commission Expires:

