

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH ECUSTA RAILS2TRAIL, LLC/HENDERSON COUNTY AND LRH PROPERTIES, LLC, FOR A SEWER EXTENSION ALONG DANIEL DRIVE

WHEREAS, the City of Hendersonville owns, operates and maintains a sewer system to serve customers throughout Henderson County; and

WHEREAS, due to impacts from the US-64 widening, LRH Properties, LLC has proposed to extend public sewer to property within the corporate limits of Laurel Park; and

WHEREAS, LRH Properties, LLC proposes to extend public sewer, which upon completion and acceptance, will be provided to the City to own, operate, and maintain; and

WHEREAS, the proposed sewer extension will run along Daniel Drive and requires the sewer main to cross the Ecusta Trail right-of-way; and

WHEREAS, Ecusta Rails2Trail, LLC and Henderson County, as owners of the Ecusta Trail right-of-way, requires the developer and eventual owner of encroaching utilities to enter into a license agreement governing the terms of said encroachment.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The Henderson County Ecusta Trail License Agreement for Wire, Pipe and Cable Transverse Crossings and Longitudinal Occupations associated with the public sewer extension proposed by LRH Properties, LLC is approved as presented.
2. The City Manager is authorized to take all actions necessary to execute the Agreement.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of November, 2025.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney