

Memorandum



To: Mayor and Town Council

From: Ryan Spitzer

Date: 8/2/2024

Re: DRB Easements

Overview:

The Town closed on the Nations Ford property as well as all associated easements on the Miller family properties in June. This still leaves easements from the McCullough HOA and DRB to secure.

Town staff have been negotiating with DRB on the underground easements through their property for the transmission lines since the Nations Ford Road site was selected. Staff believes we are currently at an agreement with DRB with the following stipulations:

The Town of Pineville (“Town”) and DRB Group North Carolina, LLC (“DRB”) agree to the transfer of easements across Mecklenburg County Parcel 20504114 for the placement of utility lines in the general location noted in the attached diagram, to be further documented in an easement to be recorded with the Mecklenburg County Register of Deeds. Such property transfer is subject to the following terms:

1. The easement will run ten feet from back of curb of the alleyway as noted in the attachment hereto (such 10-foot area to extend to west from back of curb toward the western parcel boundary) and in areas outside of the length of the alleyway will be a 30-foot easement for placement of the necessary utility lines.
2. The Town agrees to landscape the eastern fence line around the substation to be developed on Mecklenburg County Parcel 20504137 with a berm (which DRB will supply the dirt for) of three to four feet in height and plantings or other permissible screen in accordance with Town Code.
3. The Town will pay five thousand dollars (\$5,000) to DRB.
4. All such terms are subject to the approval of the Town Council.

To keep the project moving, staff is asking for Council’s approval on the above conditions as well as a not to exceed dollar amount for the easements on DRB’s property. If there are any changes to the above or to the agreed upon dollar amount, staff would bring those changes back to Town Council at the September Council meeting.

Recommendation:

Allow staff to finalize the agreement with DRB with the above-listed conditions.