

MEMORANDUM OF UNDERSTANDING

Between the Town of Southern Shores and
the Chicahauk Property Owners Association
Regarding Maintenance and Care of Town Street Rights-of-Way
Within the Chicahauk Subdivision

Whereas, the Town of Southern Shores (Town) owns rights-of-way upon which public streets have been built and are publicly maintained within the Chicahauk Subdivision; and

Whereas, the Chicahauk Property Owners Association (CPOA) has an interest in maintaining the natural aesthetics and ambiance of certain wooded and landscaped areas within the Chicahauk Subdivision even if the Town's public streets and underlying rights of way are located in those areas of interest; and

Whereas, the Town and the CPOA desire to memorialize the understandings of both parties with regard to the care and maintenance of the Town's public rights of way within the Chicahauk Subdivision;

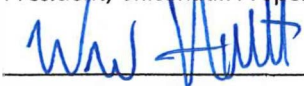
Now Therefore, the parties do hereby express and proclaim the following mutual understandings:

1. The CPOA, as owner of the concrete sidewalks and associated sidewalk infrastructure (such as any supporting retaining walls) located along the east side of Trinitie Trail, the north side of Chicahauk Trail, and the west side of Spindrift Trail, desires and intends to continue maintaining, repairing, and replacing as needed those sidewalks and associated infrastructure. The CPOA understands in order for the Town to expend its public funds to maintain, repair, or replace the sidewalks or associated infrastructure, the CPOA would have to relinquish and dedicate its ownership of the sidewalks and associated infrastructure to the Town.
2. At the present time, the CPOA desires and intends to continue maintaining (seeding and mowing) the grassed-landscaped areas along either side of the CPOA sidewalks on a single side of the paved streets within the Town's street rights of way.
3. The Town shall continue to maintain the public streets and remaining public street rights of way in the Chicahauk Subdivision in accordance with Town policies and practices. Such policies and practices include: street repair and capital replacement/rebuilds as needed; tree and stump removal as needed (including removal of associated limbs and branches); mowing of other grassed-landscaped street rights of way as necessary; and removal of vegetation encroaching and/or overhanging the streets and street rights of way which poses a threat to human safety and/or vehicle property damage.

This Memorandum of Understanding is entered into on the dates indicated by the undersigned representatives of the Town and the CPOA with full authority to do so.


David A. Stager
President, Chicahauk Property Owners Association

Date: 9-18-19


Wes Haskett
Interim Town Manager
Town of Southern Shores

Date: 9-18-19


David Bradley
Director, Public Works Department
Town of Southern Shores

Date: 9-18-19