

MEMORANDUM OF UNDERSTANDING

ATTACHMENT #7
REVISED MOU

Between the Town of Southern Shores and the Chlcakahuk Property Owners
Association

Regarding Maintenance and Care of Town Street Rights-of-Way Within the Chlcakahuk 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 Chlcakahuk Subdivision; and

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

Whereas, the CPOA and TOSS entered into a Memorandum of Understanding dated September 18, 2019 which is hereby amended and replaced;

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

1. The CPOA, relinquishes any previous claim of ownership 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 Chlcakahuk Trail, and the west side of Spindrift Trail, and no longer desires or intends to continue maintaining, or repairing those sidewalks and associated infrastructure. The CPOA acknowledges these sidewalks as public property inclusive of the public's use and requests the Town maintain, repair, or replace the sidewalks or associated Infrastructure as the Town deems necessary and appropriate.
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.

Karen Kranda, President, Chicahauk Property Owners Association

Date

Cliff Ogburn, Town Manager, Town of Southern Shores

Date