



September 27<sup>th</sup>, 2023

Currituck County Planning Department  
Currituck Historic Courthouse  
153 Courthouse Road, Suite 110  
Currituck, NC, 27929

ATTN: Jennie Turner

**RE: Major Site Plan Submittal  
Parcel Y – Third Division of Lot 3 – Timbuck II Phase – Buck Island**

Dear Jennie:

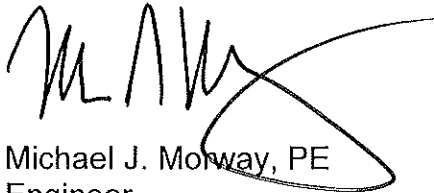
Please find the attached Major Site Plan Application for Parcel Y in Corolla. Golasa Holdings, LLC has purchased the site of the former coffee stand located at 804 Ocean Trail and intends to construct a building for retail sales with two apartments on the second floor that would serve as employee housing. As you are aware, the parcel is the Third Division of Lot 3 of the Timbuck II Phase of Buck Island and the plan is being prepared in conjunction with the Buck Island Sketch Plan Modification request that would allow for two apartments above the first floor retail shown in this plan. The pre-submittal application meeting for this was held on March 30<sup>th</sup> (11:00 am) in conjunction with the sketch plan modification request. Included with this submittal you will find the following items:

- Major Site Plan Application
- Application Review Fee (\$0.10 / sf x 4,564 sf gross floor = \$456.40)
- Site Plan Drawings (2 Copies)
  - C201 - Site Plan (dated 9/12/2023)
  - C202 - Buffering and Lighting Plan (dated 9/12/2023)
  - C202 - Site Plan Details (dated 9/12/2023)
  - C301 - Grading and Drainage Plan (dated 9/12/2023)
  - C302 – Demolition and E&S Control Plan (dated 9/12/2023)
  - C401 – Utility Plan and Details (dated 9/12/2023)
  - A1 - Building Elevations
- Major Stormwater Plan (SW-002)
  - Stormwater Management Report (dated 6/21/2023) with SW-003
- Carolina Water Service letter regarding water and sewer for 804 Ocean Trail
- NCDEQ letter regarding sewer connection
- NCDOT Driveway Permit Application and Encroachment Agreement (if required)

Please note that in response to the comment made by David Otts of NCDOT during our pre-application meeting for the sketch plan modification and conceptual site plan, we have modified the new driveway to include a "right-in / right-out" restriction. We are further coordinating with NCDOT to determine if the driveway relocation will require a permit or if it should be covered under an encroachment agreement. We are also currently coordinating with Carolina Water Service on the design of the sewer pump station. This project will not require a NCDEQ issued stormwater management permit or erosion and sedimentation control permit.

We look forward to working with you on this site plan. If you have any questions pertaining to this project, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Morway", with a large, sweeping flourish extending to the right.

Michael J. Morway, PE  
Engineer

cc: File 08599B  
Golasa Holdings LLC



# Major Stormwater Plan Form SW-002

## Review Process

### Contact Information

Currituck County  
Planning and Community Development  
153 Courthouse Road, Suite 110  
Currituck, NC 27929

Phone: 252.232.3055  
Fax: 252.232.3026

Website: <http://www.co.currituck.nc.us/planning-community-development.cfm>

Currituck County  
Engineering Department  
153 Courthouse Road, Suite 302  
Currituck, NC 27929

Phone: 252.232.6035

### General

Major stormwater plan approval is required for:

- Major subdivisions.
- Major site plans - development or expansion on a nonresidential, multi-family, or mixed use lot by 5,000 square feet or more of impervious coverage or resulting in 10% or more total impervious coverage.

### Step 1: Application Submittal

The applicant must submit a complete application packet consisting of the following:

- Completed Currituck County Minor Stormwater Plan Form SW-002 (unless submitting a major subdivision or major site plan).
- Completed Rational Method Form SW-003 or NRCS Method Form SW-004.
- Stormwater management plan drawn to scale. The plan shall include the items listed in the major stormwater plan design standards checklist.
- Alternative stormwater runoff storage analysis and/or downstream drainage capacity analysis, if applicable.
- NCDENR permit applications, if applicable.
- Number of Copies Submitted:
  - 3 Copies of required plans
  - 3 Hard copies of ALL documents
  - 1 PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all plans AND documents.

On receiving an application, staff shall determine whether the application is complete or incomplete. A complete application contains all the information and materials listed above, and is in sufficient detail to evaluate and determine whether it complies with appropriate review standards. An application for major stormwater plan must be submitted and approved prior altering an existing drainage system, performing any land disturbing activity or, before construction documents are approved.

### Step 2: Staff Review and Action

Once an application is determined complete staff shall approve, approve subject to conditions or disapprove the application.



# Major Stormwater Plan Form SW-002

OFFICIAL USE ONLY:  
 Permit Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Date Approved: \_\_\_\_\_

### Contact Information

**APPLICANT:**

Name: Albemarle & Associates, Ltd  
 Address: PO Box 3989  
Kill Devil Hills, NC, 27948  
 Telephone: 252-441-2113  
 E-Mail Address: mikem@albemarleassociates.com

**PROPERTY OWNER:**

Name: Golasa Holdings LLC  
 Address: 2229 S. Croatan Highway  
Nags Head, NC, 27959  
 Telephone: 252-480-0009  
 E-Mail Address: beachmartinc@gmail.com

### Property Information

Physical Street Address: 804 Ocean Trail, Corolla, NC, 27927  
 Parcel Identification Number(s): 116D0000003B0000  
 FEMA Flood Zone Designation: X

### Request

Project Description: retail store with 2 apartments above  
 Total land disturbance activity: +/- 27,767 sf      Calculated volume of BMPs: 2,471 sf  
 Maximum lot coverage: 12,595 sf      Proposed lot coverage: 7,747 sf

**TYPE OF REQUEST**

- Major subdivision (10-year, 24-hour rate)
- Major site plan (5-year, 24-hour rate)

**METHOD USED TO CALCULATE PEAK DISCHARGE**

- Rational Method
- NRCS Method (TR-55 and TR-20)
- Simple volume calculation for small sites (less than 10 acres)
- Alternative stormwater runoff storage analysis
- Downstream drainage capacity analysis

I hereby authorize county officials to enter my property for purposes of determining compliance. All information submitted and required as part of this process shall become public record.

Property Owner(s)/Applicant

9/19/2023  
 Date

**Major Stormwater Plan Design Standards Checklist**

The table below depicts the design standards of the major stormwater plan application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

# Major Stormwater Plan Design Standards Checklist

Date Received: \_\_\_\_\_

Project Name: 804 Ocean Trail

Applicant/Property Owner: \_\_\_\_\_

<b>Minor Stormwater Plan Design Standards Checklist</b>		
<b>General</b>		
1	Property owner name and address.	
2	Site address and parcel identification number.	
3	North arrow and scale to be 1" = 100' or larger.	
<b>Site Features</b>		
4	Scaled drawing showing existing and proposed site features: Property lines with dimensions, acreage, streets, easements, structures (dimensions and square footage), fences, bulkheads, septic area (active and repair), utilities, vehicular use areas, driveways, and sidewalks.	
5	Approximate location of all designated Areas of Environmental Concern (AEC) or other such areas which are environmentally sensitive on the property, such as Maritime Forest, CAMA, 404, or 401 wetlands as defined by the appropriate agency.	
6	Existing and proposed ground elevations shown in one foot intervals. All elevation changes within the past six months shall be shown on the plan.	
8	Limits of all proposed fill, including the toe of fill slope and purpose of fill.	
9	Square footage of all existing and proposed impervious areas (structures, sidewalks, walkways, vehicular use areas regardless of surface material), including a description of surface materials.	
10	Existing and proposed drainage patterns, including direction of flow.	
11	Location, capacity, design plans (detention, retention, infiltration), and design discharge of existing and proposed stormwater management features.	
12	Elevation of the seasonal high water level as determined by a licensed soil scientist.	
13	Plant selection.	
<b>Permits and Other Documentation</b>		
14	NCDENR stormwater permit application (if 10,000sf or more of built upon area).	
15	NCDENR erosion and sedimentation control permit application (if one acre or more of land disturbance).	
16	NCDENR coastal area management act permit application, if applicable.	
17	Stormwater management narrative with supporting calculations.	
18	Rational Method Form SW-003 or NRCS Method Form SW-004	
19	Alternative stormwater runoff storage analysis and/or downstream drainage capacity analysis, if applicable	
20	Design spreadsheets for all BMPs ( <i>Appendix F – Currituck County Stormwater Manual</i> ).	
21	Detailed maintenance plan for all proposed BMPs.	


**Certificate**

22 The major stormwater plan shall contain the following certificate:

I, Michael Morway, owner/agent hereby certify the information included on this and attached pages is true and correct to the best of my knowledge.

C301 Grading & Drainage

On the plan entitled \_\_\_\_\_, stormwater drainage improvements shall be installed according to these plans and specifications and approved by Currituck County. Yearly inspections are required as part of the stormwater plan. The owner is responsible for all maintenance required. Currituck County assumes no responsibility for the design, maintenance, or performance of the stormwater improvements.

Date: 9/19/2023 Owner/Agent: 

**Major Stormwater Plan Submittal Checklist**

Staff will use the following checklist to determine the completeness of your application. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

**Major Stormwater Plan Form SW-002  
Submittal Checklist**

Date Received: \_\_\_\_\_

Project Name: \_\_\_\_\_

Applicant/Property Owner: \_\_\_\_\_

Major Stormwater Plan Form SW-002 Submittal Checklist		
1	Completed Major Stormwater Plan Form SW-002	
2	Completed Rational Method Form SW-003 or NRCS Method Form SW-004	
3	Stormwater plan	
4	NCDENR permit applications, if applicable	
5	3 copies of plans	
6	3 hard copies of ALL documents	
7	1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)	

**Comments**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



804 Ocean Trail  
Golasa Holdings, LLC  
Stormwater Management Report



Updated September 19, 2023

**Existing Conditions:** Golasa Holdings, LLC has recently purchased a 0.45 acre site in the village of Corolla in Currituck County. The site was formerly a coffee stand and contains gravel and concrete parking areas, portions of wooden deck and a small wooden structure and utility connections. There are no stormwater management areas on the site. The triangular site is bounded on all three sides by NCDOT rights-of-way. The east right-of-way (NC-12) is the only one that contained a public roadway. The southwest right-of-way contains a market with parking and storage areas. The northwest right-of-way is wooded. The Natural Resource Conservation Service Soil Survey for Currituck County has mapped the soils on the site to consist primarily of Newhan Corolla Complex and there is a trace of Osier fine sand on the western edge. The majority of the site is 10 – 12 feet above sea level (NAVD 1988). The property is within a flood zone X.

**Proposed Development:** Golasa Holdings, LLC intends to redevelop the site to include a 2-story structure that will contain retail space on the first floor with two apartments above. The site will contain a parking and dumpster area and stormwater management areas (infiltration basins). A sewage lift station will be provided with connection to the Carolina Water Service sewage forcemain that is located along NC-12.

**Stormwater Management:** Stormwater management for the project has been designed to meet the requirements of the Currituck County Stormwater Manual as a Major Stormwater Plan, which requires the storage of the increase of runoff from the site under the proposed development condition for a 5-yr / 24 hour rainfall event as compared to the runoff resulting from a 2-yr / 24-hour event area under a wooded condition. The calculations utilize the "Simple Volume Calculations for Small Sites (Under 10 Acres)" as outlined in the manual. This calculates the design storage volume to be 2,405 cf.

Runoff from the site as proposed is designed to sheet flow across parking surfaces directly to two infiltration basins located on the south and west sides of the site. Runoff from the structure, which utilizes a flat roof, will be captured and conveyed via pipe to the basins. A soil boring in the vicinity of Basin #1 (south basin) found soil mottles at an elevation of approximately 6.5' above msl, although very little wetness was found through the depth of the 5' deep boring (to elevation of 5.5' msl). Several borings were attempted in the vicinity of the west basin but resulting in the fine dry sand continually collapsing. Given the relative close proximity of the two basins, it can be assumed that

the estimated seasonally high water table would be consistent between the two basins.

Basin #1 has been designed with a storage elevation of 10' above msl and the bottom of open basin storage is at 8.5' msl. Basin #2 (west basin) has been designed with a storage elevation of 9.0 above msl and the bottom of the open basin storage is at 8.0 msl. Both basins provide 4:1 side slopes. Together the basins provide a total of 2,471 cf of storage (103% of the required value).

Includes within this stormwater management report are:

- Design calculations for the runoff increase for the 0.45 acre lot as comparing the 5-yr / 24-hr event in the proposed development condition versus the runoff resulting from a 2-yr / 24-hour event in an undeveloped and wooded condition (performed in accordance with section 2.4.4 of the Currituck County Stormwater Manual).
- Design calculations for storage volume within stormwater management infiltration basins #1 & #2
- SW-003 (Rational Method Peak Flow)
- Soils boring log
- Soils Map for the NRCS Soils Survey for Currituck County

Certificate	
22	<p>The major stormwater plan shall contain the following certificate:</p> <p>I, <u>Michael Morway</u>, owner/agent hereby certify the information included on this and attached pages is true and correct to the best of my knowledge.</p> <p>On the plan entitled <u>C301 Grading &amp; Drainage</u>, stormwater drainage improvements shall be installed according to these plans and specifications and approved by Currituck County. Yearly inspections are required as part of the stormwater plan. The owner is responsible for all maintenance required. Currituck County assumes no responsibility for the design, maintenance, or performance of the stormwater improvements.</p> <p>Date: <u>9/19/2023</u> Owner/Agent: <u>[Signature]</u></p>



**804 OCEAN TRAIL  
STORMWATER MANAGEMENT CALCULATIONS  
DESIGN STORM**

Project Name : 804 Ocean Trail

Project Area Description - Entire Project Site				
<b>Basin Information</b>				
Receiving Stream Name	Sanders Bay			
Receiving Stream Class & Index Number	30-1-11 (SC)			
Drainage Area	19,378	SF		
Existing Impervious Area	0	SF		
Proposed Impervious Area	7,747	SF		
% Impervious Area (total)	40.0%			
<b>Impervious Surface Area</b>				
			<i>existing</i>	<i>existing (to remain)</i>
On-site Buildings or Lot BUA	2,349	SF	0	0
On-site Streets	0	SF	0	0
On-site Parking	3,929	SF	0	0
On-site Sidewalks	1,389	SF	0	0
Other on-site	80	SF	0	0
Future	0	SF	0	0
Off-site	0	SF	0	0
Total:	7,747	SF	0	0
				<i>proposed (additional)</i>
				2,349
				0
				3,929
				1,389
				80
				0
				0
				7,747

Runoff Calculations (Simple Method per Section 2.4.4 of the Currituck County Stormwater Manual)					
	Pre (2 yr - 24 hr)	Post (5 yr - 24 hr)			
Design Runoff (in)	4	5			
Total Area (sf)	19,378	19,378			
Coverage	0.0%	40.0%			
CN	30	63			
S	23.33	5.87			
Q	0.0196	1.5089	inches	Runoff Depth	
Vr	0.0007	0.0559	acre-feet	Runoff Volume	
Vs		89.07	cy	Required Storage Volume	
		2,405	cf		

**804 OCEAN TRAIL  
STORMWATER MANAGEMENT CALCULATIONS  
INFILTRATION BASIN DESIGN**

Project	<u>804 Ocean Trail</u>
Drainage Area	<u>Site</u>

<b><u>Infiltration Basin #1</u></b>		
	elevation (msl)	area (sf)
Storage Elevation:	10.0	1,006
Bottom of basin:	8.5	163
ESHWT Elev.:	6.5	(msl)
Permeability:	10.0	(in/hr)
Void Space:	20%	
Available Storage Volume:	877	(cf)
Interstitial Storage Volume:	529	(cf)

<b><u>Infiltration Basin #2</u></b>		
	elevation (msl)	area (sf)
Storage Elevation:	9.0	976
Bottom of basin:	8.0	468
ESHWT Elev.:	6.5	(msl)
Permeability:	10.0	(in/hr)
Void Space:	20%	
Available Storage Volume:	722	(cf)
Interstitial Storage Volume:	344	(cf)

**Required Storage Volume:      2,405      0**

Total Open Storage Volume:	1,599	
Total Interstitial Storage Volume:	<u>872</u>	
<b>Total Storage Volume:</b>	<b>2,471</b>	103%



# Rational Method Peak Flow Form SW-003

## Project Information

Project Location: 804 Ocean Trail, Corolla, NC

Parcel Identification Number(s): 116D000003B0000

Drainage area: 0.45 ac

Average Slope: 1.5 %

Maximum Slope Length: 70 ft

## Calculations

\*The Rational Method may only be used where development will impact less than 10 acres

<b>Time of Concentration (Tc)</b> (Use additional sheets if necessary)			
	<b>Pre-</b>	<b>Post-</b>	
<u>Sheet Flow</u>			
Manning's roughness, n (Table 2-4)	0.1	0.013	
2-year, 24-hour Rainfall, P	4.0	6.0	in
Slope, S	0.015	0.015	ft/ft
Length of Sheet Flow, L (<=300 feet)	70	70	ft
<b>Total Time for Sheet Flow</b>	<b>5.2</b>	<b>0.8</b>	<b>min</b>
<u>Shallow Concentrated Flow</u>			
Surface Paved (P) or Unpaved (U)	n/a	n/a	
Length of flow, L			ft
Slope, S			ft/ft
Average Velocity, V (Table 2-3)			ft/min
<b>Total Time for Shallow Concentrated Flow</b>	<b>n/a</b>	<b>n/a</b>	<b>min</b>
<u>Channel Flow</u>			
Pipe (P) or Channel (C)	n/a	n/a	
If pipe: Diameter, D			in
If channel: Bottom Width, w			ft
If channel: side slope 1 (___:1)			
If channel: side slope 2 (___:1)			
Cross sectional flow area, A			sq ft
Wetted perimeter, Wp			ft
Hydraulic radius, R = A/Wp			ft

Time of Concentration (Tc) (Use additional sheets if necessary)			
	Pre-	Post-	
Channel slope, S			ft/ft
Manning's roughness, n (Table 2-4)			
Channel velocity			ft/sec
Length of Flow, L			ft/sec
<b>Total Time for Channel Flow</b>	n/a	n/a	min
<b>Total Time of Concentration, Tc</b>	5.2	0.8	min

Pre-development Conditions			
Land Use Description	C	Area (acres)	C*A
Woods	0.2	0.45	0.09
<b>Total</b>			

Intensity for 2-year, 24-hour storm (Table 2-5)                      0.156                      in/hr

Pre-development peak flow, Q = CiA                                      0.01                                      cfs

Post-development Conditions			
Land Use Description	C	Area (acres)	C*A
Impervious Area (41% coverage)	0.95	0.18 ac	0.17
Open Space (59%)	0.25	0.27 ac	0.07
<b>Totals</b>		0.45 ac	0.24

Area-weighted C:    0.54

Intensity for 10-year, 24-hour storm (Table 2-5)                      0.20                                      in/hr

Post-development peak flow, Q = CiA                                      0.10                                      cfs

<b>Minimum Storage Volume Required – Refer to Section 2.4.4 for Volume Calculations</b>
---

Storage Volume, V<sub>s</sub>    2,405                                      ft<sup>3</sup>

  
 Applicant

6/21/2023  
 Date

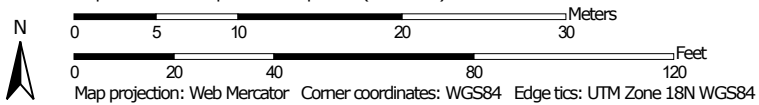
**Golasa Holdings, LLC**  
**804 Ocean Trail**  
**Soil Boring Log**

Soil Boring	
Depth	B-1
0" to 6"	tan fine sand
6" to 12"	tan fine sand
12" to 18"	tan fine sand
18" to 24"	tan fine sand
24" to 30"	tan fine sand
30" to 36"	tan fine sand
36" to 42"	tan fine sand
42" to 48"	tan fine sand
48" to 54"	tan fine sand (slight mottling & slightly moist)
54" to 60"	tan fine sand (slight mottling & slightly moist)
Soil Type	Newhan - Corolla Complex
Date of Boring	6/16/23
Ex. Ground Elevation (ft. above MSL)	10.5
Depth to ESHWT (in)	48
ESHWT Elevation	6.5
Depth to Water table (in)	60
Estimated Water table Elevation (ft)	5.5

Soil Map—Currituck County, North Carolina



Map Scale: 1:461 if printed on A portrait (8.5" x 11") sheet.



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
NhC	Newhan-Corolla complex, 0 to 10 percent slopes	0.5	93.0%
Os	Osier fine sand	0.0	7.0%
<b>Totals for Area of Interest</b>		<b>0.5</b>	<b>100.0%</b>



**Carolina Water Service**  
of North Carolina™

Date: May 24, 2023

Re: 804 OCEAN TRL, COROLLA, NC, 27927

To Whom It May Concern:

Carolina Water Service Inc. of NC, an affiliate of Corix Group of Companies is a privately-owned public utility company who operates the Water and/or Wastewater system in the above referenced area.

Our company is certified to operate water and/or wastewater utilities in North Carolina and operates them under the rules and regulations of the North Carolina Department of Environment and Natural Resources (N.C. DENR). Our rules and rates are regulated by the North Carolina Utilities Commission under Docket No. <<W-354 doc and sub #47>>

The water and/or wastewater system in the above referenced subdivision is in excellent condition and is capable of servicing the above address with water and sewer service.

Sincerely,  
Zakia Z. Bouldin

*Zakia Z. Bouldin*  
Customer Service Supervisor  
Utilities, Inc

---

a Utilities, Inc. company Carolina Water Service, Inc. of North Carolina

P.O. Box 240908 • Charlotte, NC 28224 • P: 704-525-7990 • F: 704-525-8174  
5701 Westpark Dr., Suite 101 • Charlotte, NC 28217 • [www.uiwater.com](http://www.uiwater.com)





NORTH CAROLINA  
*Environmental Quality*

ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

RICHARD E. ROGERS, JR.  
*Director*

June 23, 2023

Currituck County  
Planning and Community Development  
153 Courthouse Road, Suite 110  
Currituck, North Carolina 27929

RE: Wastewater Service  
804 Ocean Trail (Wastewater Service From Monterey Shores WWTP)  
Corolla - Currituck County

Dear Currituck County:

Carolina Water Service of North Carolina holds permit Number WQ0009772 allowing for the continued operation of the Monterey Shores wastewater treatment and disposal system. The subject treatment system permit is in effect through October 31, 2026 and can be renewed and reissued. At this time, there are no significant compliance issues related to the operation of the Monterey Shores wastewater facility. As such, wastewater management needs generated through the above referenced project (estimated at 1,480 gallons per day) have potential to be served through the Monterey Shores WWTP and associated sewer collection system based on a cursory review of available information.

Please note that the above position is based on a preliminary review of Monterey Shores' operational status. A final determination regarding the feasibility of directing flow from the subject project to Monterey Shores would not be made until review of a sewer extension permit application package is performed. All conditions and requirements necessary to support issuance of a sewer system extension permit, including demonstration of adequate treatment capacity, must be satisfied at the time of application to enable approval of such permit. No part of a sewer collection system shall be constructed without first obtaining required permits.

This letter does not commit or obligate Carolina Water Service of North Carolina to provide sewer service for the subject project, nor does it obligate the Division of Water Resources to issue related sewer system permits for the project.

A copy of the Monterey Shores WWTP permit is attached for reference.



North Carolina Department of Environmental Quality | Division of Water Resources

Washington Regional Office | 943 Washington Square Mall  
Washington, North Carolina 27889

252-946-6481

Should you have any questions concerning this matter, please contact me at 252-948-3939 or at [david.may@ncdenr.gov](mailto:david.may@ncdenr.gov).

Sincerely,

*David May*

David May, L.G., Supervisor  
Water Quality Regional Operations Section  
Division of Water Resources  
Washington Regional Office

Attachment: Monterey Shores WWTP Permit (No. WQ0009772)

cc: Albemarle and Associates, LTD (electronic copy via e-mail)  
Carolina Water Service of NC – (electronic copy via e-mail)



North Carolina Department of Environmental Quality | Division of Water Resources  
Washington Regional Office | 943 Washington Square Mall  
Washington, North Carolina 27889  
252-948-3939

ROUTE NC-12 PROJECT 804 Ocean Trail COUNTY OF Currituck

DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY ENCROACHMENT AGREEMENT  
FOR NON-UTILITY ENCROACHMENTS ON  
PRIMARY AND SECONDARY HIGHWAYS

-AND-

Golasa Holdings, LLC

THIS AGREEMENT, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the Department of Transportation, party of the first part; and Golasa Holdings, LLC party of the second part,

WITNESSETH

THAT WHEREAS, the party of the second part desires to encroach on the right of way of the public road designated as Route(s) NC-12, located on NC-12 approximately 150' north of the intersection of NC-12 and Albecore St (SR-1402) with the construction and/or erection of: relocating the site driveway

WHEREAS, it is to the material advantage of the party of the second part to effect this encroachment, and the party of the first part in the exercise of authority conferred upon it by statute, is willing to permit the encroachment within the limits of the right of way as indicated, subject to the conditions of this agreement;

NOW, THEREFORE, IT IS AGREED that the party of the first part hereby grants to the party of the second part the right and privilege to make this encroachment as shown on attached plan sheet(s), specifications and special provisions which are made a part hereof upon the following conditions, to wit:

That the said party of the second part binds and obligates himself to install and maintain the encroaching facility in such safe and proper condition that it will not interfere with or endanger travel upon said highway, nor obstruct nor interfere with the proper maintenance thereof, to reimburse the party of the first part for the cost incurred for any repairs or maintenance to its roadways and structures necessary due to the installation and existence of the facilities of the party of the second part, and if at any time the party of the first part shall require the removal of or changes in the location of the said facilities, that the said party of the second part binds himself, his successors and assigns, to promptly remove or alter the said facilities, in order to conform to the said requirement, without any cost to the party of the first part.

That the party of the second part agrees to provide during construction and any subsequent maintenance proper signs, signal lights, flagmen and other warning devices for the protection of traffic in conformance with the latest Manual on Uniform Traffic Control Devices for Streets and Highways and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the Division Engineer of the party of the first part.

That the party of the second part hereby agrees to indemnify and save harmless the party of the first part from all damages and claims for damage that may arise by reason of the installation and maintenance of this encroachment.

It is clearly understood by the party of the second part that the party of the first part will assume no responsibility for any damage that may be caused to such facilities, within the highway rights of way limits, in carrying out its construction and maintenance operations.

That the party of the second part agrees to restore all areas disturbed during installation and maintenance to the satisfaction of the Division Engineer of the party of the first part. The party of the second part agrees to exercise every reasonable precaution during construction and maintenance to prevent eroding of soil; silting or pollution of rivers, streams, lakes, reservoirs, other water impoundments, ground surfaces or other property; or pollution of the air. There shall be compliance with applicable rules and regulations of the North Carolina Division of Environmental Management, North Carolina Sedimentation Control Commission, and with ordinances and regulations of various counties, municipalities and other official agencies relating to pollution prevention and control. When any installation or maintenance operation disturbs the ground surface and existing ground cover, the party of the second part agrees to remove and replace the sod or otherwise reestablish the grass cover to meet the satisfaction of the Division Engineer of the party of the first part.

That the party of the second part agrees to assume the actual cost of any inspection of the work considered to be necessary by the Division Engineer of the party of the first part.

That the party of the second part agrees to have available at the encroaching site, at all times during construction, a copy of this agreement showing evidence of approval by the party of the first part. The party of the first part reserves the right to stop all work unless evidence of approval can be shown.

Provided the work contained in this agreement is being performed on a completed highway open to traffic; the party of the second part agrees to give written notice to the Division Engineer of the party of the first part when all work contained herein has been completed. Unless specifically requested by the party of the first part, written notice of completion of work on highway projects under construction will not be required.

That in the case of noncompliance with the terms of this agreement by the party of the second part, the party of the first part reserves the right to stop all work until the facility has been brought into compliance or removed from the right of way at no cost to the party of the first part.

That it is agreed by both parties that this agreement shall become void if actual construction of the work contemplated herein is not begun within one (1) year from the date of authorization by the party of the first part unless written waiver is secured by the party of the second part from the party of the first part.

R/W (161A) : Party of the Second Part certifies that this agreement is true and accurate copy of the form R/W (161A) incorporating all revisions to date.

IN WITNESS WHEREOF, each of the parties to this agreement has caused the same to be executed the day and year first above written.

DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
DIVISION ENGINEER

ATTEST OR WITNESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Second Party

INSTRUCTIONS

When the applicant is a corporation or a municipality, this agreement must have the corporate seal and be attested by the corporation secretary or by the empowered city official, unless a waiver of corporate seal and attestation by the secretary or by the empowered City official is on file in the Raleigh office of the State Utilities Manager. In the space provided in this agreement for execution, the name of the corporation or municipality shall be typed above the name, and title of all persons signing the agreement should be typed directly below their signature.

When the applicant is not a corporation, then his signature must be witnessed by one person. The address should be included in this agreement and the names of all persons signing the agreement should be typed directly below their signature.

This agreement must be accompanied, in the form of an attachment, by plans or drawings showing the following applicable information:

1. All roadways and ramps.
2. Right of way lines and where applicable, the control of access lines.
3. Location of the proposed encroachment.
4. Length and type of encroachment.
5. Location by highway survey station number. If station number cannot be obtained, location should be shown by distance from some identifiable point, such as a bridge, road, intersection, etc. (To assist in preparation of the encroachment plan, the Department's roadway plans may be seen at the various Highway Division Offices, or at the Raleigh office.)
6. Drainage structures or bridges if affected by encroachment.
7. Typical section indicating the pavement design and width, and the slopes, widths and details for either a curb and gutter or a shoulder and ditch section, whichever is applicable.
8. Horizontal alignment indicating general curve data, where applicable.
9. Vertical alignment indicated by percent grade, P.I. station and vertical curve length, where applicable.
10. Amount of material to be removed and/or placed on NCDOT right of way, if applicable.
11. Cross-sections of all grading operations, indicating slope ratio and reference by station where applicable.
12. All pertinent drainage structures proposed. Include all hydraulic data, pipe sizes, structure details and other related information.
13. Erosion and sediment control.
14. Any special provisions or specifications as to the performance of the work or the method of construction that may be required by the Department must be shown on a separate sheet attached to encroachment agreement provided that such information cannot be shown on plans or drawings.
15. The Department's Division Engineer should be given notice by the applicant prior to actual starting of installation included in this agreement.
16. Method of handling traffic during construction where applicable.
17. Scale of plans, north arrow, etc.

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION <b>STREET AND DRIVEWAY ACCESS PERMIT APPLICATION</b>
Driveway Permit No.	Date of Application	
County:	Currituck	
Development Name: Golasa Holdings, LLC		

**LOCATION OF PROPERTY:**

Route/Road:	NC-12					
Exact Distance	150	<input type="checkbox"/> Miles	N	S	E	W
		<input checked="" type="checkbox"/> Feet	NC-12	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From the Intersection of Route No.			and Route No.	SR-1402	Toward	The southwest

Property Will Be Used For:	<input type="checkbox"/> Residential /Subdivision	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Educational Facilities	<input type="checkbox"/> TND	<input type="checkbox"/> Emergency Services	<input type="checkbox"/> Other
Property:	<input checked="" type="checkbox"/> is	<input type="checkbox"/> is not	within	Currituck County	City Zoning Area.	

**AGREEMENT**

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during and following construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I agree that the entire cost of constructing and maintaining an approved private street or driveway access connection and conditions of this permit will be borne by the property owner, the applicant, and their grantees, successors, and assignees.
- **I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.**

**SIGNATURES OF APPLICANT**

<b>PROPERTY OWNER (APPLICANT)</b>		<b>WITNESS</b>	
<b>COMPANY</b> <u>Golasa Holdings, LLC</u>	<b>NAME</b> _____		
<b>SIGNATURE</b> _____	<b>SIGNATURE</b> _____		
<b>ADDRESS</b> <u>2229 S. Croatan Hwy, Nags Head, NC, 27959</u>	<b>ADDRESS</b> _____		
_____ <b>Phone No.</b> <u>2524800009</u>	_____		

<b>AUTHORIZED AGENT</b>		<b>WITNESS</b>	
<b>COMPANY</b> <u>Albemarle &amp; Associates, Ltd</u>	<b>NAME</b> _____		
<b>SIGNATURE</b> _____	<b>SIGNATURE</b> _____		
<b>ADDRESS</b> <u>PO Box 2989, Kill Devil Hills, NC, 27948</u>	<b>ADDRESS</b> _____		
_____ <b>Phone No.</b> <u>2524412113</u>	_____		

**APPROVALS**

APPLICATION RECEIVED BY DISTRICT ENGINEER

\_\_\_\_\_

**SIGNATURE**

**DATE**

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

\_\_\_\_\_

**SIGNATURE**

**TITLE**

**DATE**

APPLICATION APPROVED BY NCDOT

\_\_\_\_\_

**SIGNATURE**

**TITLE**

**DATE**

INSPECTION BY NCDOT

\_\_\_\_\_

**SIGNATURE**

**TITLE**

**DATE**

COMMENTS: