

DEPARTMENT OF TRANSPORTATION

-AND-

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

Currituck County

153 Courthouse Rd, Ste 204

Currituck, NC, 27929

THIS AGREEMENT, made and entered into this the _____ day of _____, 20_____, by and between the Department of Transportation, party of the first part; and Currituck County _____ 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) SR-1527 _____, located approximately 100 lf from the intersection of SR-1527 & US-158 _____

with the construction and/or erection of: outlet of stormwater overflow pipe that comes within NCDOT right of way and associated riprap apron _____

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.

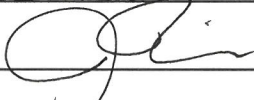
R/W (161A) : Party of the Second Part certifies that this agreement is true and accurate copy of the form R/W (161A) incorporating all revisions to date.


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:

JESSICA TIMMONS

153/COURTHOUSE RD., CURRITUCK, NC 27929

COUNTY OF CURRITUCK

REBECCA L. GAY, COUNTY MANAGER
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.



Major Stormwater Plan Form SW-002

Review Process

Contact Information

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

Phone: 252-232-3055

Website: <http://www.currituckcountync.gov/planning-zoning/>

Email: ccpz@currituckcountync.gov

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:

Submitted on a USB flash drive or a compact disc (CD):

- Completed Currituck County Major Stormwater Plan Form SW-002.
- 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.
- Stormwater Review Fee (see fee schedule)

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: Currituck County
Address: 153 Courthouse Rd.
Currituck NC 27929
Telephone: (252) 232-6034
E-Mail Address: Rebecca.Gay@currituckcountync.gov

PROPERTY OWNER:

Name: Currituck County
Address: Same
Telephone: _____
E-Mail Address: _____

Property Information

Physical Street Address: Maple Parkway, Barco 27917
Parcel Identification Number(s): 0052-000-0017-0000
FEMA Flood Zone Designation: Zone X

Request

Project Description: Maple Park Expansion - Phase III (Baseball/Softball Fields)
Total land disturbance activity: 4,355,600 sf Calculated volume of BMPs: 6,244 sf
Maximum lot coverage: _____ sf Proposed lot coverage: 89,981 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 the purpose of determining compliance. All information submitted and required as part of this process shall become public record.

Applicant
Rebecca L. Gay
Property Owner(s)

Date
6/17/2025
Date

***NOTE:** Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

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: Currituck Community Park Phase III

Applicant/Property Owner: Currituck County / Rebecca Gay, County Manager

Minor Stormwater Plan Design Standards Checklist		
General		
1	Property owner name and address.	<input checked="" type="checkbox"/>
2	Site address and parcel identification number.	<input checked="" type="checkbox"/>
3	North arrow and scale to be 1" = 100' or larger.	<input checked="" type="checkbox"/>
Site Features		
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.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
8	Limits of all proposed fill, including the toe of fill slope and purpose of fill.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
10	Existing and proposed drainage patterns, including direction of flow.	<input checked="" type="checkbox"/>
11	Location, capacity, design plans (detention, retention, infiltration), and design discharge of existing and proposed stormwater management features.	<input checked="" type="checkbox"/>
12	Elevation of the seasonal high water level as determined by a licensed soil scientist.	<input checked="" type="checkbox"/>
13	Plant selection.	<input checked="" type="checkbox"/>
Permits and Other Documentation		
14	NCDENR stormwater permit application (if 10,000sf or more of built upon area).	<input checked="" type="checkbox"/>
15	NCDENR erosion and sedimentation control permit application (if one acre or more of land disturbance).	<input checked="" type="checkbox"/>
16	NCDENR coastal area management act permit application, if applicable.	<input type="checkbox"/>
17	Stormwater management narrative with supporting calculations.	<input checked="" type="checkbox"/>
18	Rational Method Form SW-003 or NRCS Method Form SW-004	<input checked="" type="checkbox"/>
19	Alternative stormwater runoff storage analysis and/or downstream drainage capacity analysis, if applicable	<input type="checkbox"/>
20	Design spreadsheets for all BMPs (Appendix F – Currituck County Stormwater Manual).	<input type="checkbox"/>
21	Detailed maintenance plan for all proposed BMPs.	<input checked="" type="checkbox"/>

Certificate	
22	<p>The major stormwater plan shall contain the following certificate:</p> <p>I, _____, 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 _____, 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: _____ Owner/Agent: _____</p>



Major Stormwater Plan Submittal Checklist

Staff will use the following checklist to determine the completeness of your application. Please make sure all 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: Currituck Community Park Phase III

Applicant/Property Owner: Currituck County / Michelle Perry, County Engineer

Major Stormwater Plan Form SW-002 Submittal Checklist – Documents provided on USB flash drive or CD		
1	Completed Major Stormwater Plan Form SW-002	<input checked="" type="checkbox"/>
2	Completed Rational Method Form SW-003 or NRCS Method Form SW-004	<input checked="" type="checkbox"/>
3	Stormwater plan	<input checked="" type="checkbox"/>
4	NCDENR permit applications, if applicable	<input checked="" type="checkbox"/>

Comments

Operation & Maintenance Agreement

Project Name: **Maple Park Expansion - Phase 3 Ballfields**

Project Location: **Maple Parkway, Barco NC 27917 in Currituck County**

Cover Page

Maintenance records shall be kept on the following SCM(s). This maintenance record shall be kept in a log in a known set location. Any deficient SCM elements noted in the inspection will be corrected, repaired, or replaced immediately. These deficiencies can affect the integrity of structures, safety of the public, and the pollutant removal efficiency of the SCM(s).

The SCM(s) on this project include (check all that apply & corresponding O&M sheets will be added automatically):

Infiltration Basin	Quantity:		Location(s):	
Infiltration Trench	Quantity:		Location(s):	
Bioretention Cell	Quantity:		Location(s):	
Wet Pond	Quantity:	1	Location(s):	Intersection of College Way and Hwy 158
Stormwater Wetland	Quantity:		Location(s):	
Permeable Pavement	Quantity:		Location(s):	
Sand Filter	Quantity:		Location(s):	
Rainwater Harvesting	Quantity:		Location(s):	
Green Roof	Quantity:		Location(s):	
Level Spreader - Filter Strip	Quantity:		Location(s):	
Proprietary System	Quantity:		Location(s):	
Treatment Swale	Quantity:		Location(s):	
Dry Pond	Quantity:		Location(s):	
Disconnected Impervious Surface	Present:	No	Location(s):	
User Defined SCM	Present:	No	Location(s):	
Low Density	Present:	No	Type:	

I acknowledge and agree by my signature below that I am responsible for the performance of the maintenance procedures listed for each SCM above, and attached O&M tables. I agree to notify NCDEQ of any problems with the system or prior to any changes to the system or responsible party.

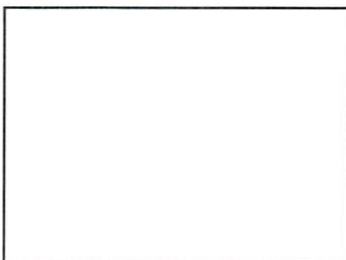
Responsible Party: **Rebecca Gay**
Title & Organization: **County Manager, Currituck County NC**
Street address: **153 Courthouse Road**
City, state, zip: **Currituck, NC 27929**
Phone number(s): **(252) 232-2075**
Email: **Rebecca.Gay@CurrituckCountyNC.gov**

Signature: Rebecca L. Gay

Date: 6/17/2025

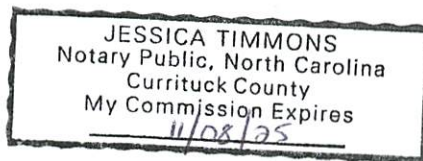
I, Jessica Timmons, a Notary Public for the State of North Carolina
County of Currituck, do hereby certify that Rebecca L. Gay
personally appeared before me this 17 day of June 2025 and
acknowledge the due execution of the Operations and Maintenance Agreement.

Witness my hand and official seal, [Signature]



Seal

My commission expires



11/08/25

Wet Pond Maintenance Requirements

Important operation and maintenance procedures:

- Immediately after the wet detention basin is established, the plants on the vegetated shelf and perimeter of the basin should be watered twice weekly if needed, until the plants become established (commonly six weeks).
- No portion of the wet pond should be fertilized after the initial fertilization that is required to establish the plants on the vegetated shelf.
- Stable groundcover will be maintained in the drainage area to reduce the sediment load to the wet pond.
- If the pond must be drained for an emergency or to perform maintenance, the flushing of sediment through the emergency drain will be minimized as much as possible.
- At least once annually, a dam safety expert will inspect the embankment. Any problems that are found will be repaired immediately.
- The measuring device used to determine the sediment elevation shall be such that it will give an accurate depth reading and not readily penetrate into accumulated sediments.

After the wet pond is established, it will be inspected **quarterly and within 24 hours after every storm event greater than 1.0 inches (or 1.5 inches if in a Coastal County)**. Records of operation and maintenance shall be kept in a known set location and shall be available upon request.

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

SCM element:	Potential problem:	How to remediate the problem:
The entire wet pond	Trash/debris is present.	Remove the trash/debris.
The perimeter of the wet pond	Areas of bare soil and/or erosive gullies have formed.	Regrade the soil if necessary to remove the gully, plant ground cover and water until it is established. Provide lime and a one-time fertilizer application.
The inlet device	The inlet pipe is clogged (if applicable).	Unclog the pipe. Dispose of the sediment off-site.
	The inlet pipe is cracked or otherwise damaged (if applicable).	Repair or replace the pipe.
	Erosion is occurring in the swale (if applicable).	Regrade the swale if necessary and provide erosion control devices such as reinforced turf matting or riprap to avoid future problems with erosion.
The forebay	Sediment has accumulated to a depth greater than the original design depth for sediment storage.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the SCM.
	Erosion has occurred.	Provide additional erosion protection such as reinforced turf matting or riprap if needed to prevent future erosion problems.
	Weeds are present.	Remove the weeds, preferably by hand. If pesticide is used, wipe it on the plants rather than spraying.

Wet Pond Maintenance Requirements (Continued)

SCM element:	Potential problem:	How to remediate the problem:
The main treatment area	Sediment has accumulated to a depth greater than the original design sediment storage depth.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the SCM.
	Algal growth covers over 50% of the area.	Consult a professional to remove and control the algal growth.
	Cattails, phragmites or other invasive plants cover 50% of the basin surface.	Remove the plants by wiping them with pesticide (do not spray).
The vegetated shelf	Best professional practices show that pruning is needed to maintain optimal plant health.	Prune according to best professional practices.
	Plants are dead, diseased or dying.	Determine the source of the problem: soils, hydrology, disease, etc. Remedy the problem and replace plants. Provide a one-time fertilizer application to establish the ground cover if a soil test indicates it is necessary.
	Weeds are present.	Remove the weeds, preferably by hand. If pesticide is used, wipe it on the plants rather than spraying.
The embankment	Shrubs have started to grow on the embankment.	Remove shrubs immediately.
	Evidence of muskrat or beaver activity is present.	Consult a professional to remove muskrats or beavers and repair any holes or erosion.
	A tree has started to grow on the embankment.	Consult a dam safety specialist to remove the tree.
	An annual inspection by an appropriate professional shows that the embankment needs repair.	Make all needed repairs immediately.
The outlet device	Clogging has occurred.	Clean out the outlet device and dispose of any sediment in a location where it will not cause impacts to streams or the SCM.
	The outlet device is damaged.	Repair or replace the outlet device.
Floating wetland island (if applicable)	Weeds or volunteer trees are growing on the mat.	Remove the weeds or trees.
	The anchor cable is damaged, disconnected or missing.	Restore the anchor cable to its design state.

Wet Pond Maintenance Requirements (Continued)

SCM element:	Potential problem:	How to remediate the problem:
The receiving water	Erosion or other signs of damage have occurred at the outlet.	Repair the damage and improve the flow dissipation structure.
	Discharges from the wet pond are causing erosion or sedimentation in the receiving water.	Contact the local NCDEQ Regional Office.

Wet Detention Pond Design Summary

Wet Pond Diagram

WET POND ID

Pretreatment other than forebay?	No
Has Veg. Filter?	

FOREBAY

Permanent Pool El.	
Temporary Pool El:	
Clean Out Depth:	0
Sediment Removal El	
Bottom Elevation:	

MAIN POND

Permanent Pool El.	
Temporary Pool El:	
Clean Out Depth:	0
Sediment Removal El	
Bottom Elevation:	

ATTACH ADDITIONAL SHEETS IF NECESSARY

DEMLR USE ONLY		
Date Received	Fee Paid	Permit Number
Applicable Rules: <input type="checkbox"/> Coastal SW - 1995 <input type="checkbox"/> Coastal SW - 2008 <input type="checkbox"/> Ph II - Post Construction (select all that apply) <input type="checkbox"/> Non-Coastal SW- HQW/ORW Waters <input type="checkbox"/> Universal Stormwater Management Plan <input type="checkbox"/> Other WQ Mgmt Plan: _____		

State of North Carolina
Department of Environmental Quality
Division of Energy, Mineral and Land Resources

POST-CONSTRUCTION STORMWATER MANAGEMENT PERMIT APPLICATION FORM

This form may be photocopied for use as an original.

I. GENERAL INFORMATION

- Project Name (subdivision, facility, or establishment name - should be consistent with project name on plans, specifications, letters, operation and maintenance agreements, etc.):
Maple Park Expansion - Phase 3 (Currituck Community Park Phase-3)
- Location of Project (street address):
Maple Parkway between College Way and Community Way
 City: Barco County: Currituck Zip: 27917
- Directions to project (from nearest major intersection):
Travel west 2 miles from intersection of Caratoke Hwy and Shortcut Rd. Turn right (north) onto Aviation Pkwy.
Take next left onto Maple Pkwy. Travel 0.3 miles along Maple Pkwy to the site driveway on the left (south)
side of the road.
- Latitude: 36° 23' 28" N Longitude: 76° 01' 00" W of the main entrance to the project.

II. PERMIT INFORMATION:

- Specify whether project is (check one): ☐ New ☒ Modification ☐ Renewal w/ Modification[†]
[†]Renewals with modifications also requires SWU-102 – Renewal Application Form
- If this application is being submitted as the result of a **modification** to an existing permit, list the existing permit number SW7111105Mod2, its issue date (if known) 09/25/2015, and the status of construction: ☒ Not Started ☐ Partially Completed* ☐ Completed* **provide a designer's certification*
- Specify the type of project:
☒ Low Density ☒ High Density ☐ Drains to an Offsite Stormwater System ☐ Other
- If this application is being submitted as the result of a **previously returned application** or a **letter from DEMLR requesting a state stormwater management permit application**, list the stormwater project number, if assigned, _____ and the previous name of the project, if different than currently proposed, _____.
- Additional Project Requirements (check applicable blanks; information on required state permits can be obtained by contacting the Customer Service Center at 1-877-623-6748):
☐ CAMA Major ☒ Sedimentation/Erosion Control: 10.0 ac of Disturbed Area
☐ NPDES Industrial Stormwater ☒ 404/401 Permit: Proposed Impacts 0.089 ac fill wetlands
- If any of these permits have already been acquired please provide the Project Name, Project/Permit Number, issue date and the type of each permit: E&SC Plan Project No. "Curri-2024-001"
USACE ID SAW-2020-01450
- Is the project located within 5 miles of a public airport? ☐ No ☒ Yes
 If yes, see S.L. 2012-200, Part VI: <http://portal.ncdenr.org/web/lr/rules-and-regulations>

III. CONTACT INFORMATION

1. a. Print Applicant / Signing Official's name and title (specifically the developer, property owner, lessee, designated government official, individual, etc. who owns the project):

Applicant/Organization: Currituck County

Signing Official & Title: Rebecca Gay, County Manager

- b. Contact information for person listed in item 1a above:

Street Address: 153 Courthouse Road

City: Currituck

State: NC

Zip: 27929

Mailing Address (if applicable): 153 Courthouse Road

City: Currituck

State: NC

Zip: 27929

Phone: (252) 232-2075

Fax: (252) 232-3298

Email: rebecca.gay@currituckcountync.org

- c. Please check (one) the appropriate box. The applicant listed above is:

☒ The property owner (Skip to Contact Information, item 3a)

☐ Lessee* (Attach a copy of the lease agreement and complete Contact Information, item 2a and 2b below)

☐ Purchaser* (Attach a copy of the pending sales agreement and complete Contact Information, item 2a and 2b below)

☐ Developer* (Complete Contact Information, item 2a and 2b below.)

2. a. Print Property Owner's name and title below, if you are the lessee, purchaser or developer. (This is the person who owns the property that the project is located on):

Property Owner/Organization: _____

Signing Official & Title: _____

- b. Contact information for person listed in item 2a above:

Street Address: _____

City: _____

State: _____

Zip: _____

Mailing Address (if applicable): _____

City: _____

State: _____

Zip: _____

Phone: ()

Fax: ()

Email: _____

3. a. (Optional) Print the name and title of another contact such as the project's construction supervisor or other person who can answer questions about the project:

Other Contact Person/Organization: _____

Signing Official & Title: _____

- b. Contact information for person listed in item 3a above:

Mailing Address: _____

City: _____

State: _____

Zip: _____

Phone: ()

Fax: ()

Email: _____

4. Local jurisdiction for building permits: Currituck County

Point of Contact: Stacey Smith

Phone #: (252) 232-6027

Email: Stacey.Smith@CurrituckCountyNC.gov

IV. PROJECT INFORMATION

1. In the space provided below, briefly summarize how the stormwater runoff will be treated.
This project will contain a mix of high density and low density features. Stormwater runoff in low density areas will be collected via sheet flow and grassed lined swales. High density areas will be provided with treatment primary by stormwater wet pond. This permit modification applies only to Drainage Area 6 and wet detention pond #6. Information matches the existing permit; drainage area 6 is added to column here below.
 2. a. **If claiming vested rights**, identify the supporting documents provided and the date they were approved:

☐ Approval of a Site Specific Development Plan or PUD
☐ Valid Building Permit
☐ Other: _____

Approval Date: _____
 Issued Date: _____
 Date: _____
 - b. **If claiming vested rights**, identify the regulation(s) the project has been designed in accordance with:

☐ Coastal SW – 1995
 ☐ Ph II – Post Construction
 3. Stormwater runoff from this project drains to the North River basin.
 4. Total Property Area: 84.41 acres
 5. Total Coastal Wetlands Area: 2.51 acres
 6. Total Surface Water Area: 0 acres
 7. Total Property Area (4) – Total Coastal Wetlands Area (5) – Total Surface Water Area (6) = Total Project Area*: 84.41 acres
- * Total project area shall be calculated to exclude the following: the normal pool of impounded structures, the area between the banks of streams and rivers, the area below the Normal High Water (NHW) line or Mean High Water (MHW) line, and coastal wetlands landward from the NHW (or MHW) line. The resultant project area is used to calculate overall percent built upon area (BUA). Non-coastal wetlands landward of the NHW (or MHW) line may be included in the total project area.
8. Project percent of impervious area: (Total Impervious Area / Total Project Area) X 100 = 25.07 %
 9. How many drainage areas does the project have? 3 (For high density, count 1 for each proposed SCM. For low density and other projects, use 1 for the whole property area. If there are multiple receiving streams, provide the drainage areas within the project area to each stream.)
 10. Complete the following information for each drainage area directed to an SCM or low density area identified in Project Information item 9. If there are more than four drainage areas in the project, attach an additional sheet with the information for each area provided in the same format as below.

Basin Information	Drainage Area 1	Drainage Area 4	Drainage Area 5	Drainage Area 6
Receiving Stream Name	North River	North River	North River	North River
Stream Class *	SC	SC	SC	SC
Stream Index Number *	30-2	30-2	30-2	30-2
Total Drainage Area (sf)	1,923,579	64,033	243,724	468,307
On-site Drainage Area (sf)	1,923,579	64,033	243,724	468,307
Off-site Drainage Area (sf)				
Proposed Impervious Area** (sf)	168,775	44,867	105,712	89,981
% Impervious Area** (total)	9.05%	70.07%	43.37%	19.21%

Impervious** Surface Area	Drainage Area 1	Drainage Area 4	Drainage Area 5	Drainage Area 6
On-site Buildings/Lots (sf)	4,787	544	5,302	11,223
On-site Streets (sf)	79,811			
On-site Parking (sf)	22,911	36,047	74,295	45,945
On-site Sidewalks (sf)	24,921	8,276	17,615	32,813
Other on-site (sf)			6,500	
Future (sf)	36,345			
Off-site (sf)				
Existing BUA*** (sf)				
Total (sf):	168,775	44,867	105,712	89,981

* Stream Class and Index Number can be determined at: <https://www.deq.nc.gov/about/divisions/water-resources/water-planning/classification-standards/classifications>

** Impervious area is defined as the built upon area including, but not limited to, buildings, roads, parking areas, sidewalks, gravel areas, etc.

*** Report only that amount of existing BUA that will remain after development. Do not report any existing BUA that is to be removed and which will be replaced by new BUA. See definition 15A NCAC 02H .1002(17).

11. How was the off-site impervious area listed the Section IV, 10 Tables determined? Provide documentation.

Projects in Union County: Contact DEMLR Central Office staff to check if the project is located within a Threatened & Endangered Species watershed that may be subject to more stringent stormwater requirements as per 15A NCAC 02B .0600.

V. SUPPLEMENT AND O&M FORMS

The applicable state stormwater management permit supplement and operation and maintenance (O&M) forms must be submitted for each SCM specified for this project. The latest versions of the forms can be downloaded from <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/stormwater-design-manual>. For SCMs subject to older design standards or offsite projects, the archived supplement can be found from <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/stormwater-design-manual/archived-stormwater-design-manual-supplemental-forms>

VI. CHECKLIST OF SUBMITTAL REQUIREMENTS FOR AN ADMINISTRATIVELY COMPLETE APPLICATION PACKAGE PER 15A NCAC 02H .1042(2)

Only complete application packages will be accepted and reviewed by the Division of Energy, Mineral and Land Resources (DEMLR). An administratively complete application package includes all of the items listed below. A detailed application instruction sheet and SCM checklists are available from <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/post-construction-program/new-permits-permit-modifications>. The complete application package should be submitted to the appropriate DEMLR Office. (The appropriate office may be found by locating project on the interactive online map at <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/post-construction-program>.)

Please indicate that the following required information have been provided by initialing in the space provided for each item. All original documents MUST be signed and initialed in blue ink. Download the latest versions for each submitted application package from <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program>.

- | | Initials |
|--|------------|
| 1. Original and one copy of the Stormwater Management Permit Application Form. | <u>BR</u> |
| 2. Original and one copy of the signed and notarized Deed Restrictions & Protective Covenants Form or, for major modifications, a copy of the recorded deed restrictions and protective covenants limiting the built-upon area so that it does not exceed the capacity of the SCM(s) or the BUA thresholds. (if required as per Part VII below) | <u>n/a</u> |
| Deed book: _____ Page No: _____ Relevant section: _____ | |
| 3. Original of the applicable Supplement Form(s) (sealed, signed and dated) and O&M agreement(s) for each SCM. (please refer to Section V for more information) | <u>BR</u> |
| 4. Appropriate permit application processing fee per NCGS 143-215.3D(e)(2) payable to NCDEQ. (1) SCM = \$1010.00
A full list of fee adjustments is available on the DEQ website:
https://www.deq.nc.gov/accessdeq/permit-fees-2023-updates
(For an Express review, refer to: https://www.deq.nc.gov/accessdeq/express-permitting for information on the Express program and the associated fees. Contact the appropriate Coastal regional office Express Permit Coordinator for additional information and to schedule the required application meeting.) | <u>BR</u> |
| 5. A detailed narrative (one to two pages) describing the stormwater treatment/management for the project. This is required in addition to the brief summary provided in the Project Information, item 1. | <u>BR</u> |
| 6. A USGS map identifying the site location. If the receiving stream is reported as class SA or the receiving stream drains to class SA waters within ½ mile of the site boundary, include the ½ mile radius on the map. | <u>BR</u> |
| 7. Sealed, signed, and dated calculations (one copy). | <u>BR</u> |

8. Two sets of plans folded to 8.5" x 14" (sealed, signed, & dated), including:
- Development/Project name.
 - Engineer and firm.
 - Location map with named streets and NCSR numbers.
 - Legend.
 - North arrow.
 - Scale.
 - Revision number and dates.
 - Identify all surface waters on the plans by delineating the normal pool elevation of impounded structures, the banks of streams and rivers, the MHW or NHW line of tidal waters, and any coastal wetlands landward of the MHW or NHW lines.
 - Delineate the vegetated setback landward from the normal pool elevation of impounded structures, the banks of streams or rivers, and the MHW (or NHW) of tidal waters.
 - Dimensioned property/project boundary with bearings & distances.
 - Site Layout with all BUA identified and dimensioned.
 - Existing contours, proposed contours, spot elevations, finished floor elevations.
 - Details of roads, drainage features, collection systems, and stormwater control measures (including any applicable SCM planting plans).
 - Wetlands delineated, or a note on the plans that none exist. (Must be delineated by a qualified person; identify the person who made the determination on the plans.
 - Existing drainage (including off-site), drainage easements, pipe sizes, runoff calculations.
 - Drainage areas delineated (included in the main set of plans, not as a separate document).
9. Copy of any applicable soils report with the associated SHWT elevations (Please identify elevations in addition to depths) as well as a map of the boring locations with the existing elevations and boring logs. Include an 8.5"x11" copy of the NRCS County Soils map with the project area clearly delineated. For projects with infiltration SCMs, the report should also include the soil type, expected infiltration rate, and the method of determining the infiltration rate. **(Infiltration Devices submitted to WiRO: Schedule a site visit for DEMLR to verify the SHWT Prior to submittal, (910) 796-7378.)**
10. A copy of the most current property deed. Deed book: 1062 Page No: 356
11. For corporations and limited liability corporations (LLC): Provide documentation from the NC Secretary of State or other official documentation, which supports the titles and positions held by the persons listed in Contact Information, item 1a, 2a, and/or 3a per 15A NCAC 2H.1040(1). The corporation or LLC must be listed as an active corporation in good standing with the NC Secretary of State, otherwise the application will be returned.
<http://www.secretary.state.nc.us/Corporations/CSearch.aspx>
12. If the applicant is not the property owner, a copy of a lease agreement, affidavit, or other document showing that the applicant has obtained legal rights to submit a stormwater permit application within the proposed project area;
13. If applicable, a copy of any recorded drainage, maintenance, or operation and maintenance easements demonstrating ownership interest sufficient to operate the SW system.
Deed book: _____ Page No: _____ Relevant section: _____
14. If a modification to an existing permit:
- The applicant / permit holder will remain the same and permit has not and will not expire within the next 180 days.
 - Signed, sealed & dated Designer Certification Forms
 - Copies of the following documents recorded with the County Register of Deeds
 - Deed restrictions and protective covenants limiting the BUA so that it does not exceed the capacity of the SCM(s) or the BUA thresholds.
 - Drainage easements, when applicable.
 - Operation & Maintenance Agreement
 - Final subdivision plat referencing the Operation & Maintenance Agreement

BR

BR

BR

n/a

n/a

n/a

BR

on file

"

"

"

"

VII. DEED RESTRICTIONS AND PROTECTIVE COVENANTS

For all subdivisions, outparcels, and future development, the appropriate property restrictions and protective covenants are required to be recorded prior to the sale of any lot. If lot sizes vary significantly or the proposed BUA allocations vary, a table listing each lot number, lot size, and the allowable built-upon area must be provided as an attachment to the completed and notarized deed restriction form. The appropriate deed restrictions and protective covenants forms can be downloaded from <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/post-construction-program/post-construction-forms>. Download the latest versions for each submittal.

In the instances where the applicant is different than the property owner, it is the responsibility of the property owner to sign the deed restrictions and protective covenants form while the applicant is responsible for ensuring that the deed restrictions are recorded.

By the notarized signature(s) below, the permit holder(s) certify that the recorded property restrictions and protective covenants for this project, if required, shall include all the items required in the permit and listed on the forms available on the website, that the covenants will be binding on all parties and persons claiming under them, that they will run with the land, that the required covenants cannot be changed or deleted without concurrence from the NC DEMLR, and that they will be recorded prior to the sale of any lot.

VIII. CONSULTANT INFORMATION AND AUTHORIZATION

Applicant: Complete this section if you wish to designate authority to another individual and/or firm (such as a consulting engineer and/or firm) so that they may provide information on your behalf for this project (such as addressing requests for additional information).

Consulting Engineer: J. Stephen Janowski, PE, Supervisor: (Initial Submittal by Brian P. Ruff Sr., PE)

Consulting Firm: Rivers and Associates, Inc.

Mailing Address: 353 East Six Forks Road, Suite 230

City: Raleigh

State: NC

Zip: 27609

Phone: (919) 594-1626 x 6278

Fax: (252) 752-3974

Email: sjanowski@riversandassociates.com

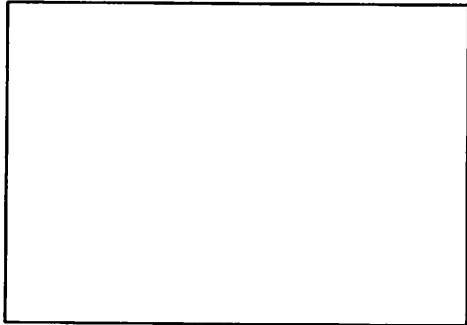
IX. PROPERTY OWNER AUTHORIZATION (if Contact Information, item 2 has been filled out, complete this section)

I, (print or type name of person listed in Contact Information, item 2a) _____, certify that I own the property identified in this permit application, and thus give permission to (print or type name of person listed in Contact Information, item 1a) _____ with (print or type name of organization listed in Contact Information, item 1a) _____ to develop the project as currently proposed. A copy of the lease agreement or pending property sales contract has been provided with the submittal, which indicates the party responsible for the operation and maintenance of the stormwater system.

As the legal property owner I acknowledge, understand, and agree by my signature below, that if my designated agent (entity listed in Contact Information, item 1) dissolves their company and/or cancels or defaults on their lease agreement, or pending sale, responsibility for compliance with the DEMLR Stormwater permit reverts back to me, the property owner. As the property owner, it is my responsibility to notify DEMLR immediately and submit a completed Name/Ownership Change Form within 30 days; otherwise I will be operating a stormwater treatment facility without a valid permit. I understand that the operation of a stormwater treatment facility without a valid permit is a violation of NC General Statute 143-215.1 and may result in appropriate enforcement action including the assessment of civil penalties of up to \$25,000 per day, pursuant to NCGS 143-215.6.

Signature: _____ Date: _____

I, _____, a Notary Public for the State of _____,
County of _____, do hereby certify that _____
personally appeared before me this _____ day of _____, _____, and acknowledge the
due execution of the application for a stormwater permit. Witness my hand and official seal,



SEAL

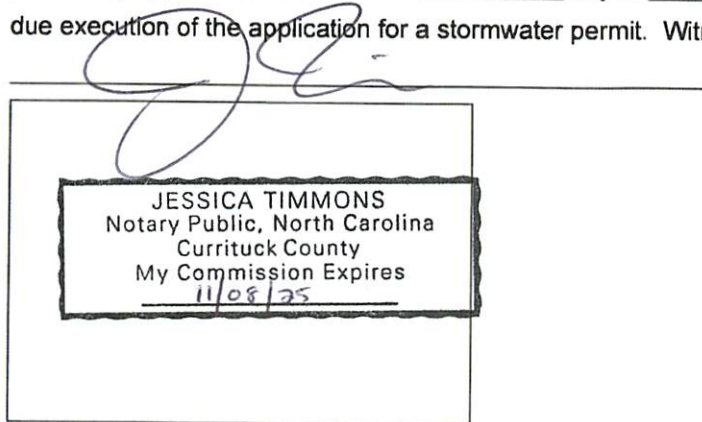
My commission expires _____

X. APPLICANT'S CERTIFICATION

I, (print or type name of person listed in Contact Information, item 1a) Rebecca Gay, County Manager, certify that the information included on this permit application form is, to the best of my knowledge, correct and that the project will be constructed in conformance with the approved plans, that the required deed restrictions and protective covenants will be recorded, and that the proposed project complies with the requirements of the applicable stormwater rules under 15A NCAC 2H .1000 and any other applicable state stormwater requirements.

Signature: Rebecca L. Gay Date: 6/17/2025

I, Jessica Timmons, a Notary Public for the State of North Carolina County of Currituck, do hereby certify that Rebecca L. Gay personally appeared before me this 17 day of June, 2025, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal,



SEAL

My commission expires 11/08/25

DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY ENCROACHMENT AGREEMENT

-AND-

PRIMARY AND SECONDARY HIGHWAYS

Cumtuck County

153 Courthouse Rd, Ste. YYY

Cumtuck, NC, 27929

THIS AGREEMENT, made and entered into this the day of 20 by and between the Department of Transportation, party of the first part; and Cumtuck County 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) SR-1528 , located approximately beginning 155 lf from the intersection of SR-1528 & SR-1527

with the construction and/or erection of: 57 lf of 8" sanitary sewer service and 58 lf of 16" steel casing bored under Maple Parkway

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 installation, operation, and maintenance of the above described facility will be accomplished in accordance with the party of the first part's latest UTILITIES ACCOMMODATIONS MANUAL, and such revisions and amendments thereto as may be in effect at the date of this agreement. Information as to these policies and procedures may be obtained from the Division Engineer or State Utilities Manager of the party of the first part.

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.

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 construction 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.

During the performance of this contract, the second party, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

- a. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U. S. Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- b. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials

and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

- c. Solicitations for Subcontracts, including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- d. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- e. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to,
 - (1) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (2) cancellation, termination or suspension of the contract, in whole or in part.
- f. Incorporation of Provisions: The contractor shall include the provisions of paragraphs "a" through "f" in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Department of Transportation to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

R/W (161) : Party of the Second Part certifies that this agreement is true and accurate copy of the form R/W (161) 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:

Jessica Timmons

J.E.

153 Courthouse Rd. Gurinck, NC 27929

Rebecca L. G

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 existing and/or proposed encroachment.
4. Length, size and type of encroachment.
5. Method of installation.
6. Dimensions showing the distance from the encroachment to edge of pavement, shoulders, etc.
7. 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.)
8. Drainage structures or bridges if affected by encroachment (show vertical and horizontal dimensions from encroachment to nearest part of structure).
9. Method of attachment to drainage structures or bridges.
10. Manhole design.
11. On underground utilities, the depth of bury under all traveled lanes, shoulders, ditches, sidewalks, etc.
12. Length, size and type of encasement where required.
13. On underground crossings, notation as to method of crossing - boring and jacking, open cut, etc.
14. Location of vents.

GENERAL REQUIREMENTS

1. Any attachment to a bridge or other drainage structure must be approved by the State Utilities Manager in Raleigh prior to submission of encroachment agreement to the Division Engineer.
2. All crossings should be as near as possible normal to the centerline of the highway.
3. Minimum vertical clearances of overhead wires and cables above all roadways must conform to clearances set out in the National Electric Safety Code.
4. Encasements shall extend from ditch line to ditch line in cut sections and 5' beyond toe of slopes in fill sections.
5. All vents should be extended to the right of way line or as otherwise required by the Department.
6. All pipe encasements as to material and strength shall meet the standards and specifications of the Department.
7. 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.
8. The Department's Division Engineer should be given notice by the applicant prior to actual starting of installation included in this agreement.

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION	
Driveway Permit No.	Date of Application	STREET AND DRIVEWAY ACCESS PERMIT APPLICATION	
County: Currituck			
Development Name: Currituck County Community Park - Phase 3			
LOCATION OF PROPERTY:			
Route/Road: College Way (SR-1527)			
Exact Distance	350	<input type="checkbox"/> Miles <input checked="" type="checkbox"/> Feet	N S E W <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
From the Intersection of Route No. <u>US-158</u> and Route No. <u>SR-1527</u> Toward <u>North</u>			
Property Will Be Used For: <input type="checkbox"/> Residential /Subdivision <input type="checkbox"/> Commercial <input type="checkbox"/> Educational Facilities <input type="checkbox"/> TND <input type="checkbox"/> Emergency Services <input checked="" type="checkbox"/> Other			
Property: <input type="checkbox"/> is <input checked="" type="checkbox"/> is not within _____ City Zoning Area.			
AGREEMENT			
<ul style="list-style-type: none"> • 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. 			

2004-07
NOTE: Submit Four Copies of Application to Local District Engineer, N.C. Department of Transportation
61-03419
TEB 65-04rev.

SIGNATURES OF APPLICANT

PROPERTY OWNER (APPLICANT)		WITNESS	
COMPANY	<u>County of Currituck</u>	NAME	<u>Jessica Timmons</u>
SIGNATURE	<u>[Signature]</u>	SIGNATURE	<u>[Signature]</u>
ADDRESS	<u>153 Courthouse Rd.</u>	ADDRESS	<u>153 Courthouse Rd.</u>
	<u>Currituck, NC 27929</u>		<u>Currituck, NC 27929</u>
	Phone No. <u>252-232-2075</u>		

AUTHORIZED AGENT		WITNESS	
COMPANY	_____	NAME	_____
SIGNATURE	_____	SIGNATURE	_____
ADDRESS	_____	ADDRESS	_____
	_____ Phone No. _____		_____

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:

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION	
Driveway Permit No.	Date of Application	STREET AND DRIVEWAY ACCESS PERMIT APPLICATION	
County: Currituck			
Development Name: Currituck County Community Park - Phase 3			
LOCATION OF PROPERTY:			
Route/Road: Maple Parkway (SR-1528)			
Exact Distance	435	<input type="checkbox"/> Miles <input checked="" type="checkbox"/> Feet	N S E W <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
From the Intersection of Route No. SR-1527 and Route No. SR-1528 Toward East			
Property Will Be Used For: <input type="checkbox"/> Residential /Subdivision <input type="checkbox"/> Commercial <input type="checkbox"/> Educational Facilities <input type="checkbox"/> TND <input type="checkbox"/> Emergency Services <input checked="" type="checkbox"/> Other			
Property: <input type="checkbox"/> is <input checked="" type="checkbox"/> is not within _____ City Zoning Area.			
AGREEMENT			
<ul style="list-style-type: none"> • 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. 			

2004-07

NOTE: Submit Four Copies of Application to Local District Engineer, N.C. Department of Transportation

TEB 65-04rev.

61-03419

SIGNATURES OF APPLICANT

PROPERTY OWNER (APPLICANT)		WITNESS	
COMPANY	<u>County of Currituck</u>	NAME	<u>Jessica Timmens</u>
SIGNATURE	<u>Robert L. G</u>	SIGNATURE	<u>[Signature]</u>
ADDRESS	<u>153 Courthouse Rd.</u>	ADDRESS	<u>153 Courthouse Rd</u>
	<u>Currituck, NC 27929</u>		<u>Currituck, NC 27929</u>
	Phone No. <u>252-232-2075</u>		

AUTHORIZED AGENT		WITNESS	
COMPANY	_____	NAME	_____
SIGNATURE	_____	SIGNATURE	_____
ADDRESS	_____	ADDRESS	_____
	_____ Phone No. _____		_____

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COMMENTS:

**FINANCIAL RESPONSIBILITY/OWNERSHIP FORM
SEDIMENTATION POLLUTION CONTROL ACT**

No person may initiate any land-disturbing activity on one or more acres as covered by the Act before this form and an acceptable erosion and sedimentation control plan have been completed and approved by the Land Quality Section, N.C. Department of Environment and Natural Resources. (Please type or print and, if the question is not applicable or the e-mail and/or fax information unavailable, place N/A in the blank.)

Part A.

1. Project Name Currituck Community Park, Phase III
2. Location of land-disturbing activity: County Currituck City or Township Crawford
Highway/Street Shortcut Rd./College Way Latitude 36.390283 Longitude -76.018545
3. Approximate date land-disturbing activity will commence: April, 2024
4. Purpose of development (residential, commercial, industrial, institutional, etc.): Governmental
5. Total acreage disturbed or uncovered (including off-site borrow and waste areas): 10.0 Acres
\$100.00
6. Amount of fee enclosed: \$ 1,000.00. The application fee of ~~\$65.00~~ per acre (rounded up to the next acre) is assessed without a ceiling amount (Example: a 9-acre application fee is \$585).
7. Has an erosion and sediment control plan been filed? Yes _____ No _____ Enclosed X
8. Person to contact should erosion and sediment control issues arise during land-disturbing activity:
Name Donald "Ike" McRee, Jr. E-mail Address ike.mcree@currituckcountync.gov
Telephone 252-232-2075 Cell # N/A Fax # 252-232-3551
9. Landowner(s) of Record (attach accompanied page to list additional owners):

<u>Currituck County</u>	<u>252-232-2075</u>	<u>252-232-3551</u>
Name	Telephone	Fax Number
<u>P.O. Box 9</u>	<u>153 Courthouse Road, suite 306</u>	
Current Mailing Address	Current Street Address	
<u>Currituck NC 27929</u>	<u>Currituck, NC 27929</u>	
City State Zip	City	State Zip
10. Deed Book No. 1062 Page No. 356 Provide a copy of the most current deed.

Part B.

1. Person(s) or firm(s) who are financially responsible for the land-disturbing activity (Provide a comprehensive list of all responsible parties on an attached sheet):

<u>Currituck County</u>	<u>ike.mcree@currituckcountync.gov</u>
Name	E-mail Address
<u>PO Box 9</u>	<u>153 Courthouse Road, Suite 306</u>
Current Mailing Address	Current Street Address
<u>Currituck, NC 27929</u>	<u>Currituck, NC 27929</u>
City State Zip	City State Zip
Telephone <u>252-232-2075</u>	Fax Number <u>252-232-3551</u>

2. (a) If the Financially Responsible Party is not a resident of North Carolina, give name and street address of the designated North Carolina Agent:

Name			E-mail Address		
Current Mailing Address			Current Street Address		
City	State	Zip	City	State	Zip
Telephone			Fax Number		

(b) If the Financially Responsible Party is a Partnership or other person engaging in business under an assumed name, **attach a copy of the Certificate of Assumed Name**. If the Financially Responsible Party is a Corporation, give name and street address of the Registered Agent:

Name of Registered Agent			E-mail Address		
Current Mailing Address			Current Street Address		
City	State	Zip	City	State	Zip
Telephone			Fax Number		

The above information is true and correct to the best of my knowledge and belief and was provided by me under oath (This form must be signed by the Financially Responsible Person if an individual or his attorney-in-fact, or if not an individual, by an officer, director, partner, or registered agent with the authority to execute instruments for the Financially Responsible Person). I agree to provide corrected information should there be any change in the information provided herein.

Donald "Ike" McRee, Jr.

County Manager

Type or print name

Title or Authority

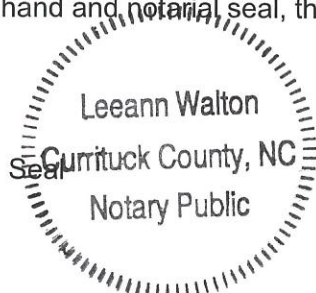
Signature

Date

I, Leeann Walton, a Notary Public of the County of Currituck

State of North Carolina, hereby certify that Donald I. McRee, Jr. appeared personally before me this day and being duly sworn acknowledged that the above form was executed by him.

Witness my hand and notarial seal, this 27th day of June, 2023



Notary

My commission expires

June 23, 2024