



# MEMORANDUM

## Town of Nags Head

### Planning & Development Department

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To: Board of Commissioners

From: Kelly Wyatt, Deputy/Interim Planning Director  
Andy Garman, Town Manager

Date: September 30, 2021

Subject: Consideration of easement for W. Soundside Road waterline extension;  
dedication and conveyance of waterline to the Town.

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#### **BACKGROUND**

The Board of Commissioners at their July 7, 2004 meeting approved a three lot subdivision and granted an accompanying subdivision waiver request submitted by Mr. Tom Alexander for the 1.5 acre tract of land located at the terminus of Thirteenth Street on the north side of Soundside Road. The approval, in part, granted waivers to the street standards of the Town Code, allowing a private street of unspecified construction standards to be installed. This waiver stated that at the time the third lot in this subdivision is to be developed, plans for the construction of the private street must be reviewed and approved by the Board of Commissioners.

Mr. Alexander brought the street construction plans forward for approval by the Board of Commissioners at their July 17, 2009 meeting. At this time, the Board passed a motion to approve the street construction plans (Roadway and Waterline Design Plans dated July 7, 2009) with the condition that an agreement be recorded giving notice of responsibility for road maintenance to property owners.

Mr. Alexander has completed the construction of the private street and installation of the waterline as prescribed by the July 17, 2009 approved plans and is now seeking to dedicate the required easement and convey the waterline to the Town of Nags Head as prescribed. The Town is in receipt of the required As-Built drawings, NC DEQ final approval of the project, as well as the necessary compaction tests. In addition, the Town Engineer has inspected the site conditions and notes compliance with roadway widths and pavement grades.

#### **STAFF RECOMMENDATION**

Staff submits that the construction of W. Soundside Road is compliant with the approved Roadway and Waterline Design plans approved by the Board of Commissioners at their July 17, 2009 meeting. Additionally, it is expected that the roadway maintenance agreement, as conditioned by the Board of Commissioners, will be executed prior to the Boards October 6, 2021 meeting. Staff recommends the acceptance of the easement on behalf of the Town and acceptance of the waterline improvements by resolution (attached).