

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

MEETING DATE: OCTOBER 10, 2019

AGENDA ITEM NUMBER: 16

**SUBJECT: RESOLUTION AUTHORIZING THE GRANT OF A RIGHT OF ENTRY AGREEMENT TO NORTH BY NORTHWEST CONSULTING, INC., TO ACCESS REAL PROPERTY LOCATED AT 400 W. HANES MILL ROAD, WINSTON-SALEM, N.C. (GENERAL SERVICES DEPARTMENT)**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

**SUMMARY OF INFORMATION:** See Attached

ATTACHMENTS:  YES  NO

SIGNATURE:

*f. Dudley Watts, Jr. /AMS*  
COUNTY MANAGER

DATE: October 3, 2019

**RESOLUTION AUTHORIZING THE GRANT OF A RIGHT OF ENTRY AGREEMENT  
TO NORTH BY NORTHWEST CONSULTING, INC., TO ACCESS REAL PROPERTY  
LOCATED AT 400 W. HANES MILL ROAD, WINSTON-SALEM, N.C.  
(GENERAL SERVICES DEPARTMENT)**

**WHEREAS** North by Northwest Consulting, Inc., has requested a Right of Entry Agreement to access Forsyth County real property located at 400 W. Hanes Mill Road, Winston-Salem, N.C., to evaluate land, on behalf of the North Carolina Department of Transportation, for planning of a future road construction project that may require right of way easements, drainage easements, utility easements, and construction easements on County-owned property; and

**WHEREAS** staff recommends granting such right of entry to the real property for a three-month term for evaluation of real property as shown in the attached plans;

**NOW, THEREFORE, BE IT RESOLVED**, that the Forsyth County Board of Commissioners hereby authorizes the grant of a Right of Entry Agreement to Forsyth County real property located at 400 W. Hanes Mill Road, Winston-Salem, N.C., to evaluate land for future Right-of-Way easements; and

**BE IT FURTHER RESOLVED**, by the Forsyth County Board of Commissioners that the Chairman or County Manager and Clerk to the Board are hereby authorized to execute, on behalf of Forsyth County, the attached Right of Entry Agreement document and any other necessary documents to grant the above-described access to North by Northwest Consulting, Inc., subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this the 10<sup>th</sup> day of October 2019.

NORTH CAROLINA

FORSYTH COUNTY

RIGHT OF ENTRY AGREEMENT

THIS AGREEMENT made this 11 day of October 2019, between Forsyth County, herein called "Landowner", and the North By Northwest Consulting, Inc., herein called "Consultant".

In consideration of the mutual promises herein contained, the parties agree as follows:

I.

The Landowner of record authorizes the Consultant and its authorized representatives to enter upon the property located at 400 W Hanes Mill Road, Winston-Salem, North Carolina (the "Property") and grants access to the Consultant for the purposes of conducting an appraisal and evaluating the Property for future Right-of-Way easements.

II.

The property may be entered by the Consultant during the period beginning the day of the Agreement and continuing for three (3) months after the date of this Agreement. The Landowner grants the Consultant and its authorized representatives access to the property Monday – Friday 8am – 5pm.

The Consultant's access and activities shall not interfere with the Landowner's or its Tenant's activities on the property. Any interference by the Consultant or its representatives with the Landowner's or its Tenant's activities shall be considered a breach of this agreement and constitute immediate termination.

III.

The Consultant shall keep the property free of any liens. The Consultant may not alter the property without prior consent, in writing, from the Landowner. The Consultant shall, at its sole cost, restore any material or physical property damage, which may result from the above-described activities.

IV.

To the extent allowed by applicable law, the Consultant agrees to release and hold harmless the Landowner and its representatives from any liability arising from any such access or inspection activities. To the extent allowed by applicable law, the Consultant further agrees to indemnify the Landowner and its representatives from any liability arising out of the above-described access or appraisal and any fees incurred with such access and inspection activities.

**CONSULTANT:**

**LANDOWNER:**

**North by Northwest Consulting, Inc.**

**Forsyth County  
North Carolina**

By: \_\_\_\_\_

By: \_\_\_\_\_

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

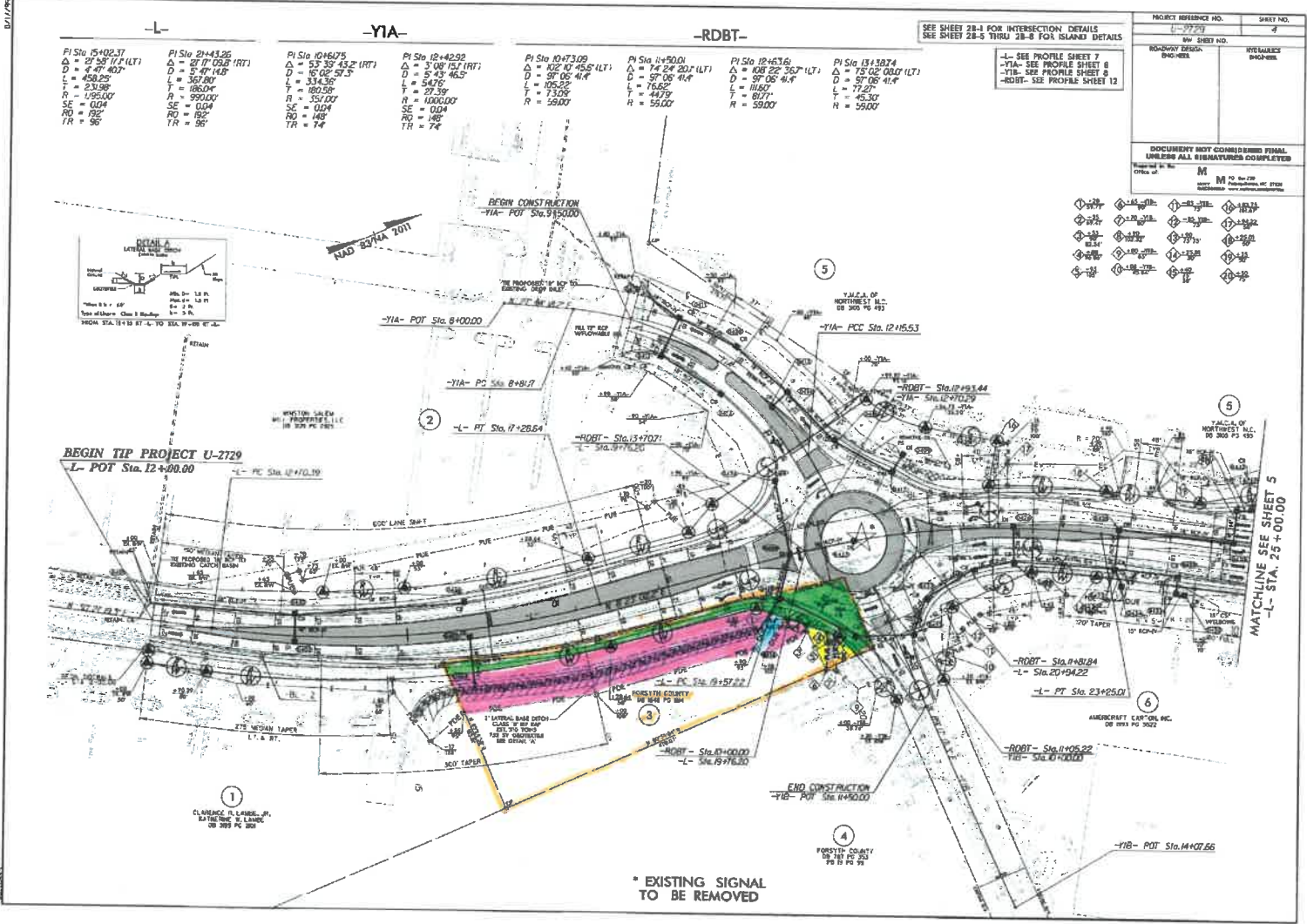
Name: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_

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

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



SEE SHEET 28-1 FOR INTERSECTION DETAILS  
SEE SHEET 28-5 THRU 28-8 FOR ISLAND DETAILS

-L- SEE PROFILE SHEET 7  
-YIA- SEE PROFILE SHEET 8  
-YIB- SEE PROFILE SHEET 9  
-RDBT- SEE PROFILE SHEET 12

PROJECT REFERENCE NO.	SHEET NO.
L-2729	7
ROADWAY DESIGN ENGINEER	REGISTERED ENGINEER

DOCUMENT NOT COMPLETED FINAL  
UNLESS ALL SIGNATURES COMPLETED

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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DATE: 11/11/2011 10:22:11 AM



-L- Sta 17+00

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THE PROPERTY SHOWN ON THIS MAP WAS LOCATED FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR WORKS UNDER FUNDS. SOME ERRORS MAY EXIST BETWEEN THE GRAPHICAL AND ACTUAL GROUND LOCATIONS OF PROPERTY LINES. THIS MAP IS TO BE USED AS A GRAPHICAL REPRESENTATION OF THE WORK'S RIGHT TO ACQUIRE PROPERTY FOR RIGHT OF WAY PURPOSES AND IS NOT REPRESENTATIVE AN ACTUAL BOUNDARY SURVEY OF THIS PROPERTY.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY BRANCH	
FORSYTH COUNTY	03-26-2019
PARCEL * 003	SACADDU2729DRAFT\U2729.rdw
DB 1648 PG 1184	UNKNOWN SCALE

ROW Right	SQR FT	ACRES		SOR M		HECTARES	
	10980.095	0.252		1020.088		0.102	
FROM - TO	DISTANCE (FT/M)		BEARING		RADIUS (FT/M)		CURVE LENGTH (FT/M)
-L- Sta 17+00 - 2	39.064	11.907	N 74°20'52" E				
2 - 3	182.829	55.726	S 13°9'54.7" W		1200.000	365.761	183.006 55.780
3 - 7	15.106	4.604	N 89°29'37.9" E				
7 - 8	193.161	58.875	N 12°49'59.2" E		1245.000	379.477	193.355 58.935
8 - 9	176.357	53.754	N 82°3'22" E				
9 - 10	102.419	31.217	N 41°17'33.6" E				
10 - 11	29.792	9.081	N 71°4'32.4" E				
11 - 5	22.114	6.740	N 0°33'4.1" W				
5 - 6	88.493	26.973	S 89°31'12.9" W				
6 - 1	140.982	42.971	S 10°15'0.7" W				
1 - 2	156.039	47.561	S 8°52'11.7" W				

PDE Right	SQR FT	ACRES		SOR M		HECTARES	
	17133.327	0.393		1591.745		0.159	
FROM - TO	DISTANCE (FT/M)		BEARING		RADIUS (FT/M)		CURVE LENGTH (FT/M)
-L- Sta 17+00 - 7	167.708	51.118	S 3°47'14.6" E				
7 - 12	47.130	14.365	N 89°29'37.9" E				
12 - 13	155.310	47.339	N 15°3'25.9" E				
13 - 14	192.450	58.659	N 7°0'21.5" E				
14 - 15	46.315	14.117	N 41°17'53.9" W				
15 - 9	17.828	5.434	S 41°17'33.6" W				
9 - 8	176.357	53.754	S 82°3'22" W				
8 - 7	193.161	58.875	S 12°49'59.2" W		1245.000	379.477	193.355 58.935

PDE Right	SQR FT	ACRES		SOR M		HECTARES	
	794619	0.018		73.823		0.007	
FROM - TO	DISTANCE (FT/M)		BEARING		RADIUS (FT/M)		CURVE LENGTH (FT/M)
-L- Sta 17+00 - 16	268.073	81.709	N 26°21'10.2" E				
16 - 17	23.908	7.287	S 41°17'33.6" W				
17 - 18	49.896	15.208	S 37°11'14.8" E				
18 - 19	57.009	17.376	N 6°52'16.2" W				
19 - 16	7.643	2.330	N 81°36'57.8" W				

DUE Right	SQR FT	ACRES		SOR M		HECTARES	
	762.040	0.017		70.796		0.007	
FROM - TO	DISTANCE (FT/M)		BEARING		RADIUS (FT/M)		CURVE LENGTH (FT/M)
-L- Sta 17+00 - 18	226.044	68.898	N 36°9'38.8" E				
18 - 17	49.896	15.208	N 37°11'14.8" W				
17 - 15	17.821	5.432	S 41°17'33.6" W				
15 - 14	46.315	14.117	S 41°17'53.9" E				
14 - 18	14.142	4.311	N 53°23'22" E				

PUE Right	SQR FT	ACRES		SOR M		HECTARES	
	404.290	0.009		37.560		0.004	
FROM - TO	DISTANCE (FT/M)		BEARING		RADIUS (FT/M)		CURVE LENGTH (FT/M)
-L- Sta 17+00 - 20	300.383	91.557	N 35°49'44.0" E				
20 - 21	12.036	3.669	N 0°33'4.1" W				
21 - 22	34.398	10.485	N 67°55'56.0" W				
22 - 23	10.526	3.208	S 41°17'33.6" W				
23 - 20	42.509	12.957	S 66°21'11.7" E				

TCE Right	SQR FT	ACRES		SOR M		HECTARES	
	612.645	0.014		56.917		0.006	
FROM - TO	DISTANCE (FT/M)		BEARING		RADIUS (FT/M)		CURVE LENGTH (FT/M)
-L- Sta 17+00 - 24	299.760	91.367	N 35°54'59.7" E				
24 - 20	0.773	0.236	N 0°33'4.1" W				
20 - 23	42.509	12.957	N 66°21'11.7" W				
23 - 16	27.121	8.267	S 41°17'33.6" W				
16 - 19	7.643	2.330	S 81°36'57.8" E				
19 - 24	49.420	15.063	N 85°44'36.9" E				

TCE Right	SQR FT	ACRES		SOR M		HECTARES	
	459.383	0.011		42.678		0.004	
FROM - TO	DISTANCE (FT/M)		BEARING		RADIUS (FT/M)		CURVE LENGTH (FT/M)
-L- Sta 17+00 - 21	310.955	94.536	N 34°30'35.8" E				
21 - 11	26.505	8.079	N 0°33'4.1" W				
11 - 10	29.792	9.081	S 71°4'32.4" W				
10 - 22	5.215	1.590	S 41°17'33.6" W				
22 - 21	34.398	10.485	S 67°55'56.0" E				

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THE PROPERTY SHOWN ON THIS MAP WAS LOCATED FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR ROUTING PURPOSES. SOME CONFLICT MAY EXIST BETWEEN THE GRAPHICAL AND ACTUAL GROUND LOCATIONS OF PROPERTY LINES. THIS MAP IS TO BE USED AS A GRAPHICAL REPRESENTATION OF THE NCDDOT'S INTENT TO ACQUIRE PROPERTY FOR ROUTE PURPOSES AND IN NO WAY REPRESENTS AN ACTUAL BOUNDARY SURVEY OF THIS PROPERTY.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY BRANCH	
FORSYTH COUNTY	03-26-2019
PARCEL * 003	S:\CADD\2729\ODRAFT\2729_rdy
DB 1648 PG 1184	UNKNOWN SCALE

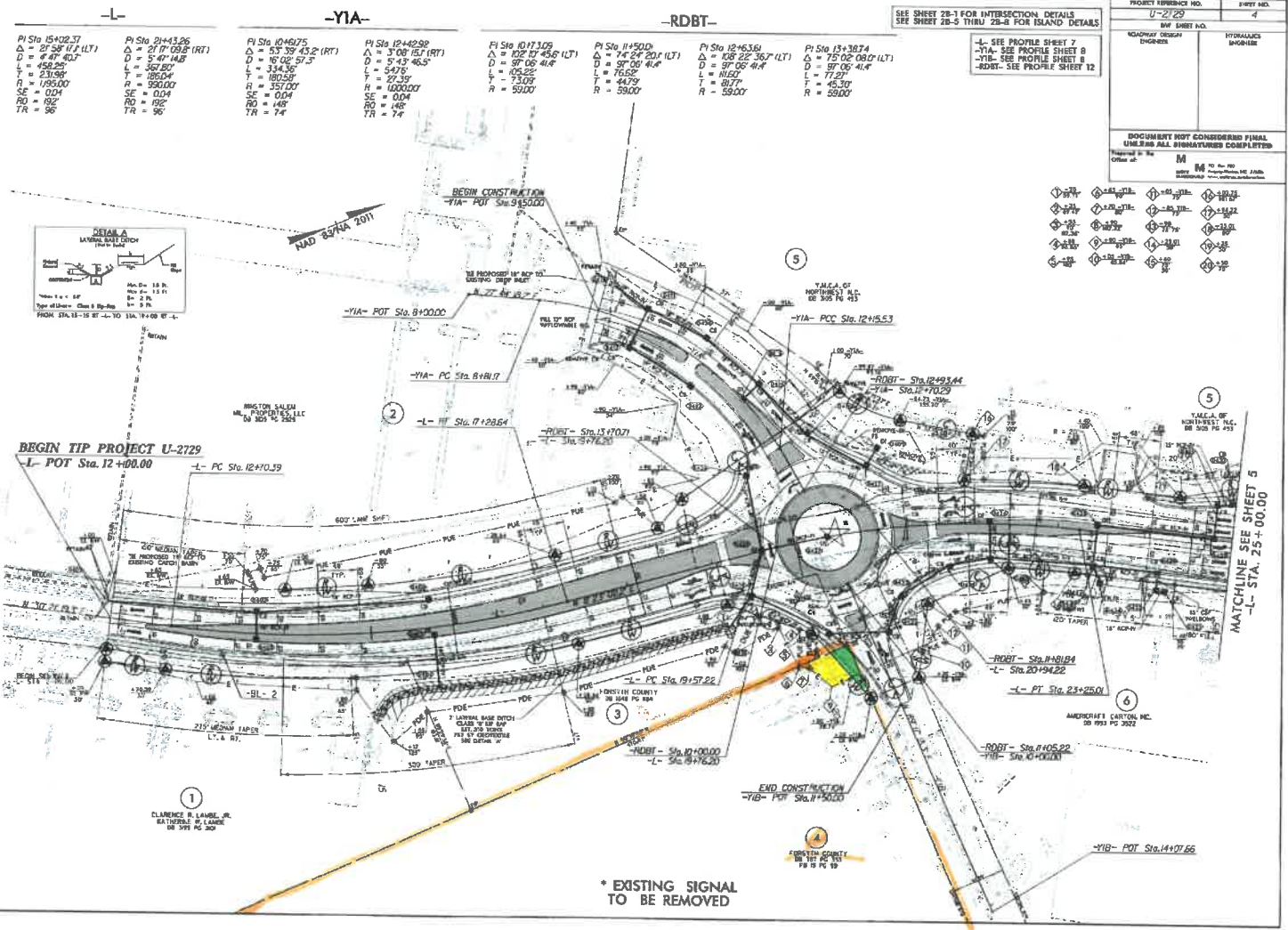
TYPE	COUNT	SQR FEET	ACRES
Parcel	1	6219.506	1.426
ROW Right	1	10980.095	0.252
PDE Right	2	17927.947	0.412
DUE Right	1	762.040	0.017
PUE Right	1	404.290	0.009
TCE Right	2	1072.028	0.025
ROW Left	0	0.000	0.000
PDE Left	0	0.000	0.000
TDE Left	0	0.000	0.000
TDE Right	0	0.000	0.000
TCE Left	0	0.000	0.000
PUE Left	0	0.000	0.000
TSE Left	0	0.000	0.000
TSE Right	0	0.000	0.000
DUE Left	0	0.000	0.000
DTE Left	0	0.000	0.000
DTE Right	0	0.000	0.000
AUE Left	0	0.000	0.000
AUE Right	0	0.000	0.000
PCE Left	0	0.000	0.000
PCE Right	0	0.000	0.000
TUE Left	0	0.000	0.000
TUE Right	0	0.000	0.000
REM Left	0	0.000	0.000
REM Right	0	0.000	0.000
Other Left	0	0.000	0.000
Other Right	0	0.000	0.000
PE Left	0	0.000	0.000
PE Right	0	0.000	0.000

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NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY BRANCH	
FORSYTH COUNTY	03-26-2019
PARCEL * 003	SY-CADD\U2729-DRAFT\U2729.rdw
DB 1648 PG 1184	UNKNOWN SCALE



5/17/16  
 P:\Projects\2729\2729.dwg  
 5/17/16 PM



-L-		-YIA-		-RDBT-	
PI Sta 15+02.37	PI Sta 21+43.26	PI Sta 10+60.75	PI Sta 12+42.98	PI Sta 10+73.09	PI Sta 11+50.00
$\Delta = 27^{\circ} 58' 11.7$ (LT)	$\Delta = 21^{\circ} 09' 58.8$ (RT)	$\Delta = 53^{\circ} 39' 43.2$ (RT)	$\Delta = 3^{\circ} 08' 15.1$ (RT)	$\Delta = 102^{\circ} 10' 45.6$ (LT)	$\Delta = 74^{\circ} 24' 20.1$ (LT)
D = 47.00	D = 54.71	D = 16.00	D = 5.93	D = 87.06	D = 87.06
L = 458.25	L = 367.80	L = 334.36	L = 5.93	L = 405.25	L = 76.62
T = 23.99	T = 180.00	T = 180.00	T = 27.39	T = 73.09	T = 44.79
R = 195.00	R = 59.00	R = 357.00	R = 1000.00	R = 59.00	R = 59.00
SE = 0.04	SE = 0.04	SE = 0.04	SE = 0.04	SE = 0.04	SE = 0.04
PO = 0.02	PO = 0.02	PO = 0.02	PO = 0.02	PO = 0.02	PO = 0.02
TR = 96	TR = 96	TR = 96	TR = 74	TR = 96	TR = 96

SEE SHEET 28-1 FOR INTERSECTION DETAILS  
SEE SHEET 28-5 THRU 28-8 FOR ISLAND DETAILS

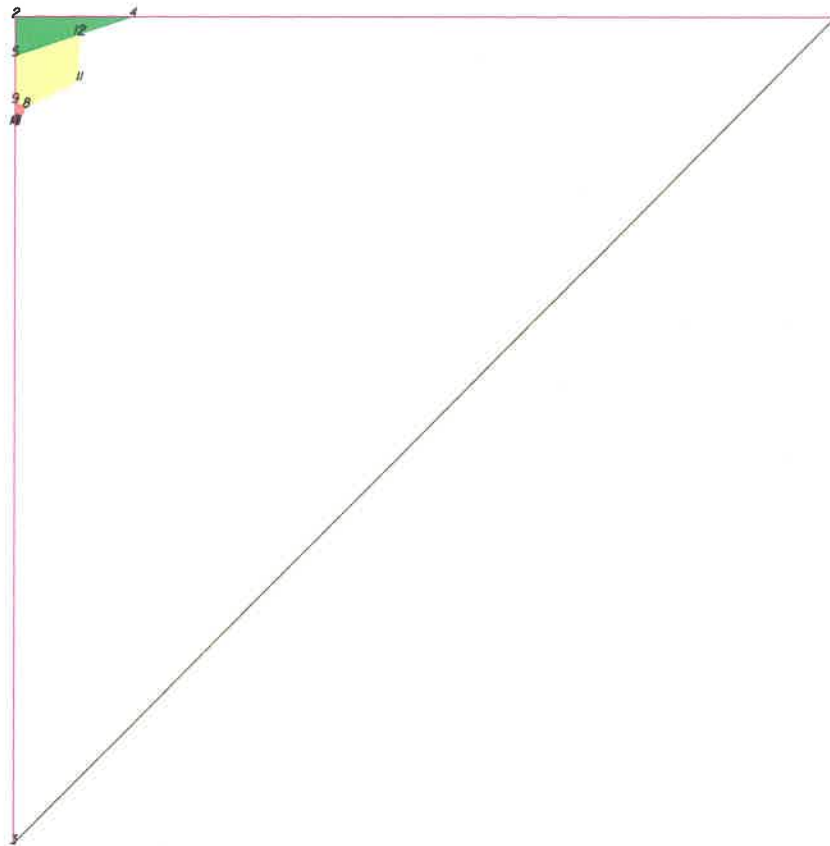
-L- SEE PROFILE SHEET 7  
-YIA- SEE PROFILE SHEET 8  
-RDBT- SEE PROFILE SHEET 12

PROJECT REFERENCE NO. U-2729	SHEET NO. 4
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
Drawn by: BM	Checked by: JLM
Scale: 1" = 40'	Date: 5/17/16

- ① 10.00
- ② 10.00
- ③ 10.00
- ④ 10.00
- ⑤ 10.00
- ⑥ 10.00
- ⑦ 10.00
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-L- Sta 20+00



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NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY BRANCH	
FORSYTH COUNTY	03-26-2019
PARCEL # 004	S:\CADD\12729\DDRAFT\12729_rdy
DB 787 PG 353	UNKNOWN SCALE

ROW Right	SOR FT	ACRES		SOR M	HECTARES
	733,448	0.017		68,140	0.007
FROM - TO		DISTANCE (FT/M)	BEARING	RADIUS (FT/M)	CURVE LENGTH (FT/M)
-L- Sta 20+00 - 4		196,757	59,972	N 87°31'27.6" E	
4 - 2		66,333	20,218	S 89°31'12.9" W	
2 - 5		22,114	6,740	S 0°33'41" E	
5 - 4		69,896	21,304	N 77°43'21" E	

PUE Right	SOR FT	ACRES		SOR M	HECTARES
	48,188	0.001		4,477	0.000
FROM - TO		DISTANCE (FT/M)	BEARING	RADIUS (FT/M)	CURVE LENGTH (FT/M)
-L- Sta 20+00 - 6		14,187	4,304	S 67°55'43.7" E	
6 - 7		1,649	0,503	S 66°21'11" E	
7 - 8		1,180	3,408	N 25°51'11.5" E	
8 - 9		7,016	2,138	N 67°55'56.0" W	
9 - 6		12,036	3,669	S 0°33'41" E	

TCE Right	SOR FT	ACRES		SOR M	HECTARES
	0,582	0.000		0,054	0.000
FROM - TO		DISTANCE (FT/M)	BEARING	RADIUS (FT/M)	CURVE LENGTH (FT/M)
-L- Sta 20+00 - 6		14,187	4,304	S 67°55'43.7" E	
6 - 10		0,773	0,236	S 0°33'41" E	
10 - 7		1,508	0,459	N 85°44'36.9" E	
7 - 6		1,649	0,503	N 66°21'11" W	

TCE Right	SOR FT	ACRES		SOR M	HECTARES
	1048,801	0.024		97,437	0.010
FROM - TO		DISTANCE (FT/M)	BEARING	RADIUS (FT/M)	CURVE LENGTH (FT/M)
-L- Sta 20+00 - 5		131,275	40,013	S 83°39'10.2" E	
5 - 9		26,505	8,079	S 0°33'41" E	
9 - 8		7,016	2,138	S 67°55'56.0" E	
8 - 11		33,541	10,223	N 62°43'23" E	
11 - 12		26,196	7,985	N 04°42'42" W	
12 - 5		38,314	11,678	S 77°43'21" W	

TYPE	COUNT	SOR FEET	ACRES
Parcel	1	108783,073	2,497
ROW Right	1	733,448	0.017
PUE Right	1	48,188	0.001
TCE Right	2	1049,383	0.024
ROW Left	0	0.000	0.000
PDE Left	0	0.000	0.000
PDE Right	0	0.000	0.000
TDE Left	0	0.000	0.000
TDE Right	0	0.000	0.000
TCE Left	0	0.000	0.000
PUE Left	0	0.000	0.000
TSE Left	0	0.000	0.000
TSE Right	0	0.000	0.000
DUE Left	0	0.000	0.000
DUE Right	0	0.000	0.000
DTE Left	0	0.000	0.000
DTE Right	0	0.000	0.000
AUE Left	0	0.000	0.000
AUE Right	0	0.000	0.000
PCE Left	0	0.000	0.000
PCE Right	0	0.000	0.000
TUE Left	0	0.000	0.000
TUE Right	0	0.000	0.000
REM Left	0	0.000	0.000
REM Right	0	0.000	0.000
Other Left	0	0.000	0.000
Other Right	0	0.000	0.000
PE Left	0	0.000	0.000
PE Right	0	0.000	0.000

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NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY BRANCH	
FORSYTH COUNTY	03-26-2019
PARCEL * 004	S:\CADD\U2729\DDRAFT\U2729.rvt
DB 787 PG 353	UNKNOWN SCALE