

North Carolina)
)
Iredell County)

Memorandum of Understanding
(Single Family Detached Residential)

This Memorandum of Understanding (“Memorandum”) between the Town of Mooresville (“Town”) and _____ (“Developer”) is made in keeping with the terms of the Town’s sewer capacity allocation policy and in order to set out the mutual understandings between Town and Developer concerning the development of property located at _____.

It is hereby the understanding of both parties that:

1. The Town owns and operates the Rocky River Waste Water Treatment Plant (“RRWWTP”).
2. Town cannot allocate capacity in the RRWWTP until such time that construction plans are approved by Town and Town has signed a sewer permit application.
3. Developer plans to develop a residential subdivision located at _____.
4. Developer plans to develop a subdivision with _____ dwelling units and _____ amenities.
5. It is estimated that this subdivision will need _____ gallons per day sewer capacity for the entire subdivision.
6. Developer intends to build the subdivision in no less than _____ phases.
 - a. Phase 1 will have no more than _____ dwelling units.
7. Phase 1 will require sewer allocation of _____ gallons per day in the RRWWTP and will require a sewer extension permit.
8. Town will allocate _____ gallons per day sewer capacity for Phase 1 in the RRWWTP.
9. Developer acknowledges that the allocation for Phase 1 will allow the development of such Phase.
10. Subsequent phases cannot be considered for sewer allocation until _____ percent (____%) of each previous phase has been actually occupied.
 - a. Subsequent phases (that is, Phases 2 through _____) are estimated as follows:
 - (i) Phase 2 is estimated to contain _____ dwelling units with _____ gallons per day of sewer flow.
 - (ii) Phase 3 is estimated to contain _____ dwelling units with _____ gallons per day of sewer flow.
11. Developer understands that in order to receive allocation of any phase, Developer must submit all plans required by Town policy and comply with the Town’s sewer allocation policy and all Town policies and procedures and any other state or federal law pertaining to sewer allocation.
12. Developer will report to the Town’s Engineering Division the number of dwelling units that have received certificates of occupancy in each calendar year.
13. It is understood that this Memorandum of Understanding may only be amended at such time that subsequent phases of the subdivision are to be permitted.

Town and Developer sign this Memorandum of Understanding acknowledging having read and agreed to the mutual understandings as set out herein. By his or her signature, Developer also acknowledges receipt of a copy of the Town's sewer allocation policy.

Town of Mooresville

By:

Date: _____

Developer

By:

Date: _____

Iredell County, North Carolina

I certify that the following person personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: N. Erskine Smith.

Date: _____

(Official Seal)

_____, Notary Public

My commission expires: _____

_____ County, North Carolina

I certify that the following person personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: _____.

Date: _____

(Official Seal)

_____, Notary Public

My commission expires: _____