



TOWN OF BENSON
303 E. Church St.
Benson, NC 27504
919-894-3553

IMPROVEMENT AND DEDICATION APPLICATION

APPLICANT INFORMATION

Applicant Name: _____

Company Name: _____

Mailing Address: _____

Phone Number: _____

Contact Person: _____

Email Address: _____

Name of Project: _____

Street Names with Deed Book and Page Numbers (attach separate sheets if necessary)

Street Name: _____ Street Length _____ Deed Book and Page _____

Street Name: _____ Street Length _____ Deed Book and Page _____

Street Name: _____ Street Length _____ Deed Book and Page _____

Street Name: _____ Street Length _____ Deed Book and Page _____

Street Name: _____ Street Length _____ Deed Book and Page _____

Dedication Includes:

- Streets
- Sidewalk
- Storm Drainage
- Other: _____

CHECKLIST OF REQUIRED INFORMATION

- Letter of Request:** Simple letter from the dedicator requesting that the Town officially accept dedicated improvements.
- Contractors/Subcontractors Release and Waiver of Liens:** These are forms signed by both the contractor and subcontractor releasing the dedicator of any debts owed to them for work done on the project.
- Dedicator's Affidavit of Payment of Debts and Claims and Release of Liens:** This is a form signed by the dedicator affirming that all obligations for the project have been paid in full and that the dedicator has provided lien waivers signed by the contractor and all subcontractors.
- Dedicator s Warranty and Guarantee and Assignment of All Warranties and Guarantees:** This form is a warranty given by the dedicator to the Town warranting the construction and materials for a period of one (1) year from the date of acceptance by the Town and assigning all warranties given to the dedicator to the Town.
- Dedicator 's Bill of Sale:** This is a bill of sale whereby the dedicator conveys all interest held by him in the pipes, pumps and other personal property comprising the assets to be accepted by the Town.
- Restrictive Covenants Acknowledgment:** This is a form signed by the dedicator acknowledging that the Town will not enforce any restrictive covenants applicable to the improvements dedicated and accepted by the Town.
- Valuation Figures:** These are the monetary values of the dedicated improvements. Installation cost, with materials and labor included. Totals should be broken down BY STREET into five categories and include linear footage to be dedicated for each street:
 - o STREETS (includes: grading, base, asphalt, concrete curbs, signage, striping)
 - o SIDEWALKS
 - o STORM DRAINAGE (includes: pipe, manholes, catch basins inside the right of way)
- Core Bore Report:** A core bore report showing the type and thickness of asphalt and base material is required for all roadway dedications. Core bore reports shall include nuclear density testing results. The sample locations shall be coordinated with the Public Services Department.
- As-Built Drawings:** Record drawings by the Engineer or Surveyor showing all streets and utilities dedicated as public. These drawings include information relative to type of materials, pipe sizes, inverts, rims, horizontal location, slope of stormwater lines and any other pertinent construction information. The Town requires an electronic ArcGIS shapefile of all assets, electronic PDF copy and two hard copies.
- Final Plat:** Required to be recorded at the Brunswick County Register of Deeds Office to show all street dedications and all easements, noted public or private.
- Performance Bond:** A bond guaranteeing street improvements, curbs, gutters, drainage facilities, sidewalks, electrical facilities, water and sewer lines and taps and all other improvements against defects for one year from the date of final acceptance by the Town in accordance with Town Code 156.607 C.
- Engineers Certification:** The Engineer responsible for design and installation of any utilities, including stormwater must submit a certification letter to the State, certifying the design and installation of the utilities. The Town requires a copy of this letter.
- Title Opinion:** The Town requires a title opinion of the property prepared by the dedicator's attorney, and A MAP OF DEDICATION SHOWING ALL EASEMENTS AND RIGHTS-OF-WAY. In cases of very small easements, a written metes and bounds description will suffice.

Special Warranty Deed: This is an instrument that conveys the fee simple ownership of the parcel(s) of land on which the dedicated public improvements are located.

Deeds of Easement: These are documents prepared by the Town attorney's office giving the right to the Town to go on to private property for the purpose of maintaining all dedicated public improvements. Required if any dedicated public improvements are provided on private property outside of a publicly dedicated right of way.

Streetlights: Street lights are not dedicated to the Town but rather remain the property of the electric utility provider. The Town will pay the utility bill associated with streetlights located in the right-of-way of dedicated streets when all of the following conditions have been met:

- o Street dedication has been accepted by Board of Commissioners,
- o Town receives a written request for utility bill transfer from the current bill owner, including a copy of the utility bill with all pole numbers to be transferred,
- o Town field verifies the streetlights to be transferred.

Structures Map: Provide a map showing the location of all bridges in the dedication area. Detailed plans of each structure must be provided as well. A “bridge” is defined as a structure, including supports, erected over a depression or an obstruction, such as water, highway or railway, and having a passageway for carrying highway traffic and having an opening measured along the centerline of the roadway more than twenty feet between under copings of abutments (clear opening, face to face of caps or abutments) or spring lines of arches or extreme ends of openings for multiple boxes. It may also include multiple pipes, where the clear distance between openings is less than half of the smaller of contiguous (adjacent) openings. *Note – Bridges are not accepted by the Town and will be owned and maintained by the Developer, HOA or other owner.*

DEDICATOR SIGNATURE

DATE

PRINTED NAME

TITLE

(Use Company Letterhead)

Date: _____

Town of Benson
303 E. Church Street
Benson, NC 27504

RE: _____
(Name of Project/Development)

Location: _____

I/We hereby respectfully request that the Town of Benson Officially Accept dedicated improvements, as constructed to Town standards and in accordance with approved plans, within subject project/development, consisting of:

Street Names with Deed Book and Page Numbers (attach separate sheets if necessary)

Street Name: _____ Deed Book and Page: _____
Street Name: _____ Deed Book and Page: _____
Street Name: _____ Deed Book and Page: _____

Dedication Includes:

Streets Sidewalk
 Storm Drainage Other: _____

Sincerely,

Name: _____
Signature

Printed Name & Title

Company: _____

Contractor's/Subcontractor's Release of Liens

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

TO: Contractor ¹
and
Town of Benson
303 E. Church Street
Benson, NC 27504

Name, Location, and Description of Project: _____

Street Name: _____ Deed Book and Page: _____

Street Name: _____ Deed Book and Page: _____

Street Name: _____ Deed Book and Page: _____

The undersigned contractor/subcontractor, hereby acknowledges and certifies that he has received full payment for all work, labor, skill and material furnished, delivered, supplied or performed in connection with the project described above and carried out on behalf of the general contractor or owner, as appropriate, or anyone in any manner in connection with the project referenced above; and for value received hereby waives and releases all rights and liens which the undersigned may now or hereafter claim or assert for all or any work, labor, skill or materials furnished, delivered or performed in connection with the project referenced above, against said contractor, the town, any fund of or in possession or control of said contractor or the town, or any natural person or against said improvement, land or buildings thereon and appurtenances thereof.

IN TESTIMONY WHEREOF, the undersigned has hereunto set his hand and seal this ____ day of _____, 20__.

CONTRACTOR/SUBCONTRACTOR:

(Name of Contractor/Sub- contractor)

Address:

By: _____

(Signature)

Title: _____

Sworn and subscribed to before me this
____ day of _____, 20__.

Notary Public

My Commission Expires: _____ (SEAL)

¹ This document should be completed by the General Contractor and each Subcontractor that worked on the Project.

Dedicator's Affidavit of Payment of Debts and Claims and Release of Liens

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

TO: Town of Benson
303 E. Church Street
Benson, NC 27504

Name, Location, and Description of Project: _____

Street Name: _____ Deed Book and Page: _____

Street Name: _____ Deed Book and Page: _____

Street Name: _____ Deed Book and Page: _____

The undersigned, as a condition precedent to the acceptance of said Project (insert description of improvements to be conveyed to Town):

(herein "Project") by the Town of Benson, does hereby certify that he has paid in full or has otherwise satisfied all obligations for all materials and equipment furnished, for all work, labor and services performed, and for all known indebtedness and claims against the Dedicator for damages arising in any manner in connection with the performance of the Project referenced above for which the Dedicator or his property might in any way be held responsible.

In addition, the undersigned further certifies that to the best of his knowledge, information and belief, the Releases or Waivers of Liens attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of work, labor or services who have or may have any claims against the Dedicator arising in any manner out of the performance of the Project referenced above

IN TESTIMONY WHEREOF, the undersigned has hereunto set his hand and seal this ____ day of _____, 20__.

DEDICATOR:

(Name of Dedicator)

Address:

Sworn and subscribed to before me this
____ day of _____, 20____.

By: _____
(Signature)

Title: _____

Notary Public
My Commission Expires: _____ (SEAL)

Dedicator's Warranty and Guarantee and Assignment of All Warranties and Guarantees

STATE OF NORTH CAROLINA
COUNTY OF JOHSTON
TO: Town of Benson
303 E. Church Street
Benson, NC 27504

Name, Location, and Description of Project: _____

Street Name: _____ Deed Book and Page: _____

Street Name: _____ Deed Book and Page: _____

Street Name: _____ Deed Book and Page: _____

The undersigned, as a condition precedent to the acceptance of said (insert description of improvements to be conveyed to Town)

(herein "Project") by the Town of Benson, does hereby warrant and guarantee to the Town that all goods, equipment, and materials of whatsoever kind, furnished, delivered or used for or in said project referenced above have been installed in accordance with all requirements of the Town and the respective manufacturers and that the undersigned will warrant such goods, equipment and materials in the operation thereof for a period of one year from the date of their acceptance by the Town.

Further, the undersigned does hereby assign, transfer, grant and convey unto the Town of Benson all its rights, title and interest in and to all warranties, express or implied, covering, warranting, applying or pertaining to all goods, equipment, and materials of whatsoever kind, furnished, delivered or used for or in said Project referenced above. The undersigned agrees that the assignment of the warranties as expressed in this paragraph shall in no way relieve the undersigned of the warranties and guarantees given in the preceding paragraph.

Also, the undersigned does hereby certify that to the best of his knowledge, information and belief the warranties attached hereto include all warranties of the dedicator, contractor, all subcontractors, and all suppliers of materials and equipment furnished, delivered or used for or in said project referenced above.

IN TESTIMONY WHEREOF, the undersigned has hereunto set his hand and seal this _____ day of _____, 20____.

DEDICATOR:

(Name of Dedicator)

Address: _____

By: _____
(Signature)

Sworn and subscribed to before me this _____ day of _____, 20____.

Notary Public
My Commission Expires: _____

(SEAL)

Dedicator's Bill of Sale

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

TO: Town of Benson
303 E. Church Street
Benson, NC 27504

Name and Location of Project: _____

The undersigned, in consideration of the acceptance of:

- Streets: Sidewalk
- Storm Drainage Other: _____

by the Town of Benson, does hereby give, grant, bargain, sell and convey to the Town of Benson, its successors and assigns, all right, title and interest of the undersigned in all pipes, pumps, generators, electrical fixtures and connections, and personal property of any kind whatsoever, comprising a part of:

Street Name: _____ Deed Book and Page: _____
 Street Name: _____ Deed Book and Page: _____
 Street Name: _____ Deed Book and Page: _____
 Street Name: _____ Deed Book and Page: _____

with all appurtenances and attachments thereto.

The undersigned, for itself, its successors and assigns, covenants to and with the Town of Benson that it is seized in fee of the above granted and described property; that it has good right to sell and convey the same; that the same are free and clear from any and all encumbrances of any kind whatsoever and that it will, and its successors and assigns shall, warrant and defend the title to the same against the lawful claims and demands of any and all persons whomsoever.

IN TESTIMONY WHEREOF, the undersigned has hereunto set his hand and seal this _____ day of _____, 20____.

DEDICATOR:

(Name of Dedicator)

Address:

Sworn and subscribed to before me this

_____ day of _____, 20____.

Notary Public

My Commission Expires: _____ (SEAL)

By: _____
(Signature)

Title: _____

Restrictive Covenants Acknowledgment

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON
TO: Town of Benson
303 E. Church Street
Benson, NC 27504

Name, Location, and Description of Project: _____

Street Name: _____ Deed Book and Page: _____
Street Name: _____ Deed Book and Page: _____
Street Name: _____ Deed Book and Page: _____

The dedicator hereby acknowledges that the Town of Benson will not be responsible for monitoring or enforcing any restrictive covenants applicable to the project described above and/or any improvements dedicated to and accepted by the Town. The Town of Benson will only be responsible for monitoring and enforcing the laws, ordinances, and requirements that apply to dedicated and accepted public right of ways maintained by the Town.

IN TESTIMONY WHEREOF, the undersigned has hereunto set his hand and seal this ____ day of _____, 20__.

DEDICATOR:

(Name of Dedicator)

Address:

By: _____
(Signature)

Title: _____

Sworn and subscribed to before me this
____ day of _____, 20__.

Notary Public
My Commission Expires: _____ (SEAL)