Chapter 28
Annexation Required to Secure Water and Sewer

Sec. 28.1 Purpose and intent
28.2 Requirement

Sec. 28.1. Purpose and Intent

An ordinance requiring execution of an agreement and real property covenant to be annexed upon request by the Town before the Town water and sewer services are extended to a landowner outside the corporate limits of the Town.

Sec. 28.2. Requirement

It shall be required that the landowner agree to annexation prior to extending water and sewer services beyond town limits; execution of covenant to run with land required; landowner to pay all costs of extending services.

28.2.1. Prior to the extension of water and sewer services to a landowner whose real property lies outside the corporate limits of the Town, but which is contiguous to the town limits, the real property must be annexed into the Town.

28.2.2. Prior to the extension of water and sewer services to a landowner whose real property lies outside and is not contiguous to the corporate limits of the Town, the landowner must agree to submit to annexation into the Town at such time as the said real property becomes contiguous to the corporate limits of the Town, and the Town requests that the annexation take place. Such agreement shall be in writing and upon such form and with such content as the Town Administrator of the Town shall designate.

28.2.3. At the time the agreement prescribed by subsection 28.2.2. hereof is executed, the landowner shall execute a covenant encumbering and restricting the real property, which covenant shall be a covenant running with the real property, so as to bind the landowner, his heirs, personal representatives, grantees, devisees, successors and assigns to submit to annexation of the real property in to the Town at such time as the said real property becomes contiguous to the corporate limits of the Town and the Town requests that the annexation take place. Such covenant shall be in writing and upon such form and with such content as the Town Administrator of the Town shall designate, and shall be filed of record in the real estate records of the office of the Lexington County Clerk of Court.

28.2.2. All costs associated with the extension of water and sewer services to real property located outside the corporate limits of the Town shall be paid by the owner of such real property upon such terms and conditions as may be established by the Town Administrator.