

RESOLUTION # _____

RESOLUTION GRANTING EASEMENT TO DUKE ENERGY PROGRESS ENERGY, INC.

WHEREAS, pursuant to NCGS §160A-273 a county has the authority to grant easements over, through, under, or across any county property;

WHEREAS, the County is the listed owner of a certain lot or parcel of land located on S. French Broad Avenue in Asheville containing 26.87 acres, more or less, and being the land described in a deed from Asheville City Board of Education, a/k/a The Asheville City Board of Education, Asheville School Board and The Asheville School Board, to Buncombe County, a body politic and corporate, dated February 10, 2014, and recorded in Deed Book 5188, Page 997, also shown as that 26.87 acre tract on a Plat, dated January 29, 2014, entitled "Boundary Survey of Asheville Middle School", and recorded in Plat Book 140, Page 10, all Buncombe County Registry;

WHEREAS, as part of the construction of the new middle school, the County, on behalf of the The Asheville City Board of Education, has a need for additional power service as is generally depicted on the attached Exhibit; and

WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of the County to grant an easement to Duke Energy Progress in order to facilitate these services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That the Chairman be and he is hereby authorized to execute an Easement (a copy of which is attached to this Resolution) granting to Duke Energy Progress, Inc. an easement to construct, maintain, and operate electric and/or communication facilities on the property described above.
2. That this resolution shall be effective upon its adoption.

This the 21st of October, 2014.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

County Attorney