

RESOLUTION # \_\_\_\_\_

RESOLUTION ACCEPTING OFFER TO PURCHASE COUNTY PROPERTY LOCATED AT  
202 HAYWOOD STREET

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- WHEREAS, in accordance with Resolution #15-01-15, the County declared its intent to accept offers for the property described in the tax records of Buncombe County as PIN 9649-20-1616 located at 202 Haywood Street in Asheville in an amount not less than the amount of \$4,341,900; and
- WHEREAS, pursuant to NCGS §160A-269 a county has the authority to receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids; and
- WHEREAS, the County has received a bid for this property in the amount of \$4,350,000 and received a deposit in excess of the 5% as required by law and which deposit was in the amount of \$222,500; and
- WHEREAS, a legal notice was published on February 6, 2015 inviting upset bids in manner prescribed by NCGS §160A-269 and no increased or upset bids have been received; and
- WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of the County to accept this offer and sell this property.

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

1. That this Board hereby accepts the offer of PHG Asheville, LLC, a North Carolina limited liability company, to purchase the property described above for a purchase price in the amount of \$4,350,000 pursuant to the terms and conditions of the Agreement for the Sale and Purchase of Real Estate attached hereto as Exhibit "A."
2. That this Board hereby authorizes the Chairman of the Board of Commissioners and the County Manager, or either of them, to execute and deliver any and all documents necessary on the County's behalf and to take all actions necessary to implement and complete this sales transaction in accordance with NCGS §160A-269.
3. All acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified,

approved and confirmed.

4. That this resolution shall be effective upon its adoption.

This the 3<sup>rd</sup> day of March, 2015

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Kathy Hughes, Clerk

By: \_\_\_\_\_  
David Gantt, Chairman

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney