

Resolution #

RESOLUTION APPROVING THE PURCHASE OF REAL PROPERTY FOR AN ECONOMIC DEVELOPMENT PROJECT

- WHEREAS, Buncombe County has been working with a potential economic development partner which is considering expanding its operations into Buncombe County and this project requires a large tract with nearby highway access; and
- WHEREAS, in accordance with NCGS §158-7.1, a county may acquire, assemble, and hold for resale property that is suitable for industrial or commercial use; and
- WHEREAS, Henderson County is the owner of that certain tract or parcel of land containing 137.21 acres as shown on plat recorded in Plat Book 50, Page 107 Buncombe County Registry and acquired by Henderson County by that deed recorded in Book 2852, Page 775 in said registry; and
- WHEREAS, the property recently appraised for \$6,815,000 and Buncombe County has made an offer in the amount of the appraised value and Henderson County has accepted this offer; and
- WHEREAS, Buncombe County proposes to appropriate and spend from its general fund \$6,815,000 to acquire the fee simple interest in this property; and
- WHEREAS, in accordance with an Inter-Local Agreement between Henderson County and the City of Asheville the net cost to Buncombe County will be \$3,407,500; and
- WHEREAS, by notice of public hearing published on March 27, 2015, Buncombe County advised the public that it intends to take action during the hearing in connection with these matters and intends to approve the acquisition of this property; and
- WHEREAS, in accordance with North Carolina General Statutes, this Board duly advertised and held a public hearing to consider this property acquisition.

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

1. This Board approves appropriating and spending from the County's general fund the amount of \$6,815,000 to acquire the fee simple interest in that certain tract or parcel of land owned by Henderson County containing 137.21 acres as shown on plat recorded in Plat Book 50, Page 107 Buncombe County Registry and acquired by Henderson County by that deed recorded in Book 2852, Page 775 in said registry.
2. That by and with the approval of County Legal Services, the Chairman and County Manager, or either of them, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transaction contemplated by this Resolution, except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of the specific provisions of this Resolution.
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. Any prior resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

5. This Resolution is effective upon its adoption.

This the ____ of April, 2015.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

County Attorney