

RESOLUTION #

RESOLUTION OF INTENT TO CONVEY PROPERTY TO ASHEVILLE-BUNCOMBE EDUCATIONAL HOUSING, LLC. (AN ENTITY OWNED SOLELY BY EBLLEN CHARITIES)

- WHEREAS, The State Employees' Credit Union Foundation ("SECU Foundation") is a North Carolina non-profit corporation which promotes local and community development by primarily funding high impact projects in the areas of housing, education, healthcare and human services; and
- WHEREAS, through its efforts to to "give back" to citizens across our state, the SECU Foundation projects have included Hertford County Teacher Housing; Hatteras Island Teacher Housing; and Dare County Teacher Housing, where SECU Foundation "provided an interest free loan to fund the construction of a 24 unit apartment complex, in a county where teachers are unable to afford to live due to the high cost of housing."; and
- WHEREAS, Buncombe County has similar issues regarding high costs and needs for workforce housing and the SECU Foundation has offered to make a similar loan for teacher housing in Buncombe County, and the SECU Foundation, Buncombe County Schools, Buncombe County, and Eblen Charities have been working together to make such a project in our community a reality; and
- WHEREAS, Buncombe County Schools does not have surplus property adequate for such uses; and
- WHEREAS, Buncombe County is the owner of real property located on Erwin Hills Road and described in the tax records of Buncombe County as PIN: 9720-41-2042 and PIN: 9720-40-0517. The first parcel is approximately 4.0 acres and is adequate to accommodate such housing and the latter parcel is 10.5 acres behind the EMS Offices, which has been used for training purposes, and an 80 foot strip of this parcel adjacent to the 4.0 acre parcel could provide proper access; and
- WHEREAS, the County does not need the 4.0 acre parcel PIN: 9720-41-2042 and does not need the strip of land approximately 80 feet in width located immediately adjacent to the southeast boundary of the 4.0 acre parcel and which is a small portion of PIN: 9720-40-0517; and
- WHEREAS, Eblen Charities is a North Carolina non-profit corporation whose outreach extends throughout the counties of western North Carolina and through its numerous programs has helped thousands upon thousands of families each year with medication, heating and utilities, housing, food, travel to medical treatment, school supplies, Christmas assistance, and all manner of emergency assistance; and

WHEREAS, a county is authorized to convey property to entities carrying out a public purpose by private sale upon such terms and conditions it deems appropriate in accordance with NCGS §160A-279 and §160A-267; and

WHEREAS, Eblen Charities, or a subsidiary, could facilitate this teacher housing project by working directly with SECU Foundation to construct the project and then manage the housing in such manner that net proceeds of rents are paid to SECU Foundation over a term of fifteen (15) years to repay the interest free construction loan; and

WHEREAS, Asheville-Buncombe Educational Housing, LLC, a North Carolina limited liability company has been formed fill this management need, and Eblen Charites member and registered agent of Asheville-Buncombe Educational Housing, LLC; and

WHEREAS, this Board hereby declares its intent to convey this property to Asheville-Buncombe Educational Housing, LLC and the County finds that it would be in the best interest of the County to convey this property to Asheville-Buncombe Educational Housing, LLC.

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

1. That the 4.0 acre parcel PIN: 9720-41-2042 and the adjacent strip of land approximately 80 feet in width located immediately to the southeast of said 4.0 acre parcel and which strip of land is a small portion of PIN: 9720-40-0517 are hereby declared to be surplus property.
2. That it is the intent of the Board of Commissioners to convey the above referenced property to Asheville-Buncombe Educational Housing, LLC.
3. That by and with the approval of County Legal Services, County staff is hereby instructed to proceed with the conveyance of the property in accordance with this resolution and NCGS §160A-279 and §160A-267, and 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 the Chairman and County Manager, or either of them, are hereby authorized to execute a deed to Asheville-Buncombe Educational Housing, LLC in conformance with NCGS §160A-279 and §160A-267.

5. That this resolution shall become effective upon its adoption.

This the 6th of October, 2015.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

County Attorney