

RESOLUTION # _____

RESOLUTION AUTHORIZING EXECUTION OF EASEMENT TO
THE CITY OF ASHEVILLE

WHEREAS, the City of Asheville (the "City") seeks to acquire an easement on a 700 square foot portion of the Asheville High School property adjacent to Victoria Road for purposes of constructing, maintaining, repairing and replacing utility improvements including two (2) wooden traffic poles with guy wires as depicted in the attached exhibits;

WHEREAS, Buncombe County (the "County") is the owner of record of the Asheville High School property pursuant to G.S. 153A-158.1(c) and must agree to grant the easement for such purposes;

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 has consulted with the Asheville City Schools, and they have recommended and requested that the County grant an easement to the City of Asheville covering the permanent and temporary easement areas as described in the attached;

WHEREAS, the City is requesting that the County execute an Permanent Utility Easement a copy of which is attached hereto; 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 such an easement to the City.

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

1. That by and with the approval of County Legal Services, the Chairman and County Manager, or either of them, are hereby authorized to execute the attached Permanent Utility Easement.
2. That 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.
3. That this resolution shall be effective upon its adoption.

This the 2nd day of August, 2016.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

County Attorney