

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

RESOLUTION AUTHORIZING EXECUTION OF EASEMENT TO  
the METROPOLITAN SEWERAGE DISTRICT

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- WHEREAS, the Metropolitan Sewerage District of Buncombe County, North Carolina ("MSD") seeks to acquire an easement through a portion of the Asheville Middle School property as a result of the construction of the new Asheville Middle School;
- WHEREAS, Buncombe County (the "County") is the owner of record of the Asheville Middle School property pursuant to G.S. 153A-158.1(c) and must agree to grant the easement to MSD;
- 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 asked that the Asheville City Board of Education (the "BOE") provide its recommendation regarding granting the easement, and the BOE has agreed and requested that the County grant the easement to MSD; 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 MSD.

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 Conveyance of Serer System and Easement for Asheville Middle School MSD Project as well as any other documents necessary to effectuate this Easement for the benefit of MSD.
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 \_\_\_\_ of October, 2016.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

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

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

APPROVED AS TO FORM

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