

RESOLUTION # _____

RESOLUTION APPROVING SALE OF 32 COMPTON DRIVE TO
ELIADA HOMES, INC., A NORTH CAROLINA NON-PROFIT CORPORATION

- WHEREAS, on August 18, 2009 this Board authorized the execution of an Agreement for Lease and Option to Purchase Commercial Real Property with ELIADA HOMES, INC., a North Carolina non-profit corporation, for the building, improvements and personal property located at 34 Compton Drive, and being that certain 0.459 acre parcel as shown on plat recorded in Plat Book 122, Page 182 Buncombe County Registry, for the purposes of serving as a commercial kitchen to support residential and day programs of ELIADA as well as for the potential development of vocational training programs for at-risk youth [and young adults](#); pursuant to the agreement [ELIADA](#) was further required, to the extent feasible, to offer a "community kitchen" model to allow other child care centers and programs serving meals to vulnerable adults to purchase foods at a fair cost; and
- WHEREAS, a new appraisal for the property has been prepared and the market value of the property as of February 2012 is determined to be \$279,650; and
- WHEREAS, ELIADA desires to exercise its option and purchase the property for the sum of \$279,650 payable in one lump sum on or before June 30, 2017; and
- WHEREAS, the County Human Services Support Team believes that ELIADA has met all of its program requirements including operation of the facility in support of residential and day programs as well as for development of vocational programs for at-risk youth; and
- WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of the County to sell this property by private sale to ELIADA HOMES, Inc. for the sum of \$279,650 in accordance with GS §160A-279 and 160A-267 and on the terms set forth above.

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

1. That the Chairman be and is hereby authorized to execute a Special Warranty Deed in form satisfactory to the County Attorney for the private sale of the property described above to ELIADA HOMES, INC., a North Carolina non-profit corporation, and which deed shall contain covenants which assure that the property will be put to a public use.
2. That by and with the approval of the County Attorney, 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 transactions 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 that are in conformity with the purposes and intents of this Resolution and in the furtherance of the execution, delivery and performance of the previous Agreement for Lease and Option to Purchase Commercial Real Property and this private sale as described above shall be, and the same hereby are, in all respects approved and confirmed.
4. All 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. That this resolution is effective upon its adoption, however no sale shall be consummated until 10 days after publication of a notice summarizing the contents of this resolution.

ADOPTED this the ____ day of June, 2012.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

Michael C. Frue, County Attorney