

RESOLUTION # _____

RESOLUTION APPROVING AMENDMENTS TO EXTEND THE INITIAL TERM OF LEASE
WITH OPTION TO PURCHASE BETWEEN BUNCOMBE COUNTY AND
WESTERN NORTH CAROLINA COMMUNITY HEALTH SERVICES, INC.

- WHEREAS, on September 1, 2009 Buncombe County and Western North Carolina Community Health Services, Inc., a North Carolina non-profit organization, ["WNCCHS"] entered into Lease And Option To Purchase Commercial Real Property; and
- WHEREAS, the initial term of the Lease is from July 1, 2009 to June 30, 2012 with rent at a rate of \$1.00 per year and the possibility of successive renewal terms at a discounted market rate, and includes an option to purchase; and
- WHEREAS, in negotiating the yearly renewal of the scope of work and services to be provided by WNCCHS, the County and WNCCHS have agreed to extend the initial term of the lease for an additional two (2) years through June 30, 2014 provided WNCCHS will see an additional 1,500 patients in each of the those two (2) fiscal years (3,000 total) and the County will also provide additional space being 7,665 square feet in the building known as 283 Biltmore; and
- WHEREAS, the County Human Services Support Team believes that WNCCHS has met all of its program requirements including operation of the facility in support of County health services; and
- WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of the County to amend the Lease And Option To Purchase as set forth above.

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

1. That the Chairman and County Manager, or either of them, are hereby authorized to execute an Amended Lease And Option To Purchase Commercial Real Property between Buncombe County and Western North Carolina Community Health Services, Inc. in form satisfactory to the County Attorney.
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 original Lease And Option To Purchase Commercial Real Property and this amendment 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 action in compliance with this resolution shall be completed until 10 days after publication of a notice summarizing the contents of this resolution.

ADOPTED this the 19th 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