

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

RESOLUTION APPROVING PURCHASE OF 93 VICTORIA ROAD FOR USE BY  
ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE

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- WHEREAS, on November 8, 2011, the voters of Buncombe County approved the levy of a One-Quarter Cent County Sales and Use Tax; and
- WHEREAS, by Resolution dated December 6, 2011, the Board of Commissioners confirmed their intent to spend the additional revenues from the One-Quarter Cent County Sales and Use Tax to make certain capital improvements to the College; and
- WHEREAS, part of the AB Tech capital improvement plan calls for the acquisition of the property located at 93 Victoria Road currently owned by Horizon Management Services, Inc., a North Carolina corporation; and
- WHEREAS, the Board of Trustees of the College has asked the County to acquire this property; and
- WHEREAS, subject to the approval by this Board, the County has entered into a Purchase Agreement for 93 Victoria Road for a purchase price in the amount of \$2,389,758; and
- WHEREAS, the current tax value of the property is \$2,532,300; and
- WHEREAS, in accordance with N.C. Gen. Stat. § 115D-15.1, the College and the County have the authority to enter into agreements regarding the transfer of properties involved in the addition, improvements, renovations or repairs to a community college; and
- WHEREAS, the College and County are entering into a Memorandum of Understanding regarding the ownership certain properties: 93 Victoria Road as is described in Book 1645, Page 316 Buncombe County Registry; 22.96 acre tract and 7.9 acre tract located at the AB Tech Enka Campus as is described respectively in Book 2360, Page 507 and Book 2870, Page 607 Buncombe county Registry; and 240 Victoria Road as is described in Book 1492, Page 339 Buncombe County Registry; and
- WHEREAS, this Board has authority under GS §153A-158.2 to acquire real or personal property for use by a community college upon such a request from the board of trustees of a community college.

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 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 acquire the 93 Victoria Road property Horizon Management Services, Inc. for use by Asheville-Buncombe Technical Community College as requested by the Board of Trustees for the College; 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.

2. 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.
3. That this resolution is effective upon its adoption.

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

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Michael C. Frue, County Attorney