

RESOLUTION # _____

RESOLUTION FORMALLY ACCEPTING OFFER TO PURCHASE FERRY ROAD PROPERTY

WHEREAS, the County owns Property located off Ferry Road in Buncombe County and described as:

Being that certain tract or parcel of land as same is set forth and described in Deed Book 5310, Page 500 Buncombe County Registry, and being that 137.218 acre parcel as same is shown on plat recorded in Plat Book 50, Page 107 in said registry (Hereinafter the "Property").

WHEREAS, the County has previously declared this Property surplus and the County received an offer for Property in the amount of \$5,000,000 on January 10, 2018, and the proposed buyer made the required deposit with the County;

WHEREAS, following advertisement for upset bid in accordance with NCGS §160A-269, the County timely received an upset bid in the amount of \$5,250,000 on January 22, 2018 and the upset bidder made a deposit with the County of \$262,500;

WHEREAS, an advertisement for upset bid was published on January 26, 2018 and no further upset bids were made or received;

WHEREAS, a Purchase and Sale Agreement and a Modification have been entered into and the due diligence period is set to expire on June 22, 2019; and

WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of the County to formally accept the offer of Carnegie Holdings, LLC, a California limited liability company, and sell this Property in the manner prescribed by NCGS §160A-269.

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

1. That this Board does hereby formally accept the offer of Carnegie Holdings, LLC, to purchase the parcel described above for a purchase price in the amount of \$5,250,000.
2. That this Board hereby authorizes the Chairman and the County Manager, or either one 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 complete this sales transaction in accordance with NCGS §160A-269.
3. 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.

4. That this resolution shall be effective upon its adoption.

This the ____ of June, 2019.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Lamar Joyner, Clerk

By: _____
Brownie Newman, Chairman

APPROVED AS TO FORM

County Attorney