

RESOLUTION # _____

RESOLUTION GRANTING EASEMENT TO
DUKE ENERGY PROGRESS, LLC

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 is the listed owner of a certain lot or parcel of land located on S. French Broad Avenue in Asheville containing 25.97 acres, more or less, and being the land described in a deed from Asheville City Board of Education, a/k/a The Asheville City Board of Education, Asheville School Board and The Asheville School Board, to Buncombe County, a body politic and corporate, dated February 10, 2014, and recorded in Deed Book 5188, Page 997, also shown on a Plat, dated January 29, 2014, entitled "Boundary Survey of Asheville Middle School", and recorded in Plat Book 140, Page 10, all Buncombe County Registry;

WHEREAS, Duke Energy has run new service to the property associated with new lighting for the ball fields, and Duke Energy needs to formalize the location of its new underground and overhead facilities and the County, on behalf of The Asheville City Board of Education, is willing to cooperate by granting a permanent easement; 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 an easement to Duke Energy Progress.

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

1. That the Chairman and the County Manager, or either of them, be and he is hereby authorized to execute an Easement (a copy of which is included with this Resolution) granting to Duke Energy Progress, LLC an easement to install, maintain, and operate electric facilities on the property described above.
2. That this resolution shall be effective upon its adoption.

This the 15th of October, 2019.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Lamar Joyner, Clerk

By: _____
Brownie Newman, Chairman

APPROVED AS TO FORM

County Attorney