

RESOLUTION # _____

RESOLUTION AUTHORIZING EXECUTION OF A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES IN CONNECTION WITH LEE WALKER HEIGHTS REDEVELOPMENT

WHEREAS, this Board previously committed to funding the Lee Walker Heights Redevelopment project in the amount of \$4,200,000 to be paid out over three years;

WHEREAS, at this time the project requires reconstructing, widening and improving the roadway known as Wilbar Avenue and replacing the driveway apron on County-owned property off Biltmore Avenue which property houses the Minnie Jones Health Center;

WHEREAS, The Housing Authority of the City of Asheville and Mountain Housing Opportunities are collaborating on this project and for financing and liability reasons they have formed new corporate entities to construct, maintain and operate the new development, and Maple Crest, LLC, is now the tenant of a Ground Lease from the Housing Authority;

WHEREAS, pursuant to NCGS §160A-273 a county has the authority to grant easements over, through, under, or across any county property; 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 such a temporary easement to Maple Crest, LLC.

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 the Temporary Easement Agreement, a copy of which is included in this packet, for construction purposes as described in said easement agreement.
2. That 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.

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

This the ____ of November, 2019.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Lamar Joyner, Clerk

By: _____
Brownie Newman, Chairman

APPROVED AS TO FORM

County Attorney