

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

RESOLUTION OF INTENT TO ACCEPT BID FOR THE SALE OF SURPLUS COUNTY PROPERTY

-----

- WHEREAS, pursuant to NCGS §160A-269 a county has the authority to receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids;
- WHEREAS, the City of Asheville approved plans submitted by Milan Asheville, LLC for an extended stay hotel at 324 Biltmore Avenue by Ordinance #: 4733 on March 12, 2019;
- WHEREAS, site planning and a title search disclosed an unopened eight (8) foot wide alley set forth and described in plat recorded in Plat Book 20, Page 115 Buncombe County Registry;
- WHEREAS, Milan Asheville subsequently prepared a petition to the City of Asheville to permanently close this alley and requested the County's consent for approval;
- WHEREAS, the County owns property adjacent to the site at 356 Biltmore Avenue, and this Board consented to the petition to permanently close the alley at its October 20, 2020 regular meeting;
- WHEREAS, said alley is now permanently closed by the City of Asheville per Resolution No. 21-47, copy of which street closure is recorded in Book 6033, Page 264 in said registry;
- WHEREAS, as a result, the County is now the owner of the southern one-half of the unopened eight (8) foot wide alley as depicted and described in plat recorded in Plat Book 219, Page 51 in said registry and being approximately 134 feet long by 4 feet wide and comprising a total area of 537 sq. ft.;
- WHEREAS, the County has no use for this property;
- WHEREAS, the Board has received an offer to purchase this property from Milan Asheville in the amount of \$11,750.00; and
- WHEREAS, this Board desires to declare its intent to accept this bid and convey said property, and, hereby, authorizes the Clerk to advertise the property for any upset bid in accordance with GS §160A-269.

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

1. That this Board hereby declares its intent to accept this offer for this property and hereby directs the Clerk to the Board to publish a notice of the offer in accordance with NCGS §160A-269.
2. That the County Manager, or her designees, are hereby authorized to accept this or any further offer that conforms to this resolution and to proceed with a sales transaction in accordance with NCGS §160A-269.
3. That upon receipt of the balance of the high bid for this surplus property, and by and with the approval of County Legal Services, the Chair and County Manager, or either of them, are hereby authorized to execute a non-warranty deed to the high bidder as well as any other documents necessary to effectuate such transaction.
4. 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.
5. That this resolution shall be effective upon its adoption.

This the 3<sup>rd</sup> day of August, 2021.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Lamar Joyner, Clerk

By: \_\_\_\_\_  
Brownie Newman, Chairman

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney