



Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: 11/7/2023

New Business

Department: Legal

Presenter: Michael Frue, Senior Staff Attorney

Contact: Michael Frue

Subject: Resolution Granting an Easement to the BCS - Enka Intermediate School Property

Brief Summary: Buncombe County holds legal title to the Enka Intermediate School property. The Lease Agreement executed contemporaneously with that title transfer included a provision indicating that at the end of said Lease term the County would execute and deliver a Special Warranty Deed to the Board of Education transferring title of the EIS property. That Lease term has expired, and it is now in order to reconvey the EIS property to the Board of Education. This alone requires no further Board action.

However, the County also owns property adjacent to the EIS property and which property is home to the Enka Candler Fire and Rescue Department substation 3. A secondary access road for the benefit of the school runs through this County property from the EIS property to Jacob Holm Way and this access way should be memorialized by recorded instrument.

Recommended Motion & Requested Action: Approve the Resolution Granting an Easement to the Buncombe County Board of Education.

County Manager's comments and Recommendation: Approve as presented.