

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

RESOLUTION AUTHORIZING THE EXECUTION OF DEEDS TO  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

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- WHEREAS, Buncombe County owns a 0.07-acre parcel of land that abuts the I-240 westbound NC Department of Transportation (“DOT”) right-of-way shown on the records of the Buncombe County Tax Office as PIN# 963830166400000 and another 0.15-acre parcel of that abuts I-240 eastbound DOT right-of-way as shown on the records of the Buncombe County Tax Office as PIN# 963842782100000;
- WHEREAS, each of the above-referenced parcels was a remnant of a larger tract acquired by the North Carolina State Highway Commission (now, the North Carolina Department of Transportation) for construction of the U.S. 70 bypass freeway now known as I-240;
- WHEREAS, staff reviewed the development potential of these parcels and determined that it is not economically feasible or practical to develop these parcels;
- WHEREAS, the County has no use for these properties and declares each as surplus property;
- WHEREAS, pursuant to N.C. Gen. Stat. § 160A-274, a county may convey property to another governmental unit upon such terms and conditions as it deems wise; and
- WHEREAS, the Board believes that it is in the best interests of the citizens and residents of the County to convey these surplus properties to the North Carolina Department of Transportation.

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

1. That by and with the approval of County Legal Services, the Chairman of the Board and the County Manger, or either of them, are hereby authorized to execute a Non-Warranty Deed conveying all of the County’s right, title, and interest in and to the properties to the North Carolina Department of Transportation.
2. The Chairman and County Manager, or either of them, are further 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 to consummate the transactions contemplated by this Resolution, except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, to the provisions of this Resolution.

3. 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 furtherance of the purpose 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 7<sup>th</sup> day of May, 2024.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Stacey Woody  
Interim Clerk to the Board

By: \_\_\_\_\_  
Brownie Newman, Chair

APPROVED AS TO FORM

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County Attorney