

RESOLUTION #

RESOLUTION AUTHORIZING ACQUISITION OF REAL PROPERTY

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- WHEREAS, North Carolina General Statutes §153A-158 authorizes counties to acquire property for County purposes.
- WHEREAS, SASSAFRAS VALLEY, LLC, a North Carolina Limited Liability Company, owns certain real property located in Buncombe County, North Carolina and being a portion of the property set forth and described in deed recorded in Book 4486, Page 1881 Buncombe County, North Carolina Registry and identified on the Buncombe County tax records as Parcel: 9699-28-6790.
- WHEREAS, Buncombe County is interested in purchasing a 1.5 acres portion of the property owned by SASSAFRAS VALLEY, LLC as is generally depicted on the attached map of the property in the area of "Point 2" (hereinafter sometimes "Premises") for use as a Public Safety Communications Tower site for the sum of Thirty-Five Thousand and 00/100 U.S. Dollars (\$35,000.00). The terms and conditions of the transaction are more particularly set forth in the Purchase and Sale Agreement dated December 28, 2011.
- WHEREAS, Public Safety and Information Technology staff are of the opinion that this cost is fair and reasonable and that this tower location should take care of these needs of the County for many years to come.
- WHEREAS, that this Board is of the opinion that it is in the best interests of the citizens and residents of the County to authorize this acquisition.

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

1. That the County Manager is hereby authorized to take any and all actions necessary to obtain the property upon the terms and conditions set forth herein and in the said Purchase and Sale Agreement.
2. That the closing transaction is subject to the approval of the County Attorney, and the transaction is further subject to pre-audit in the manner required by the Local Government Budget and Fiscal Control Act by the Finance Director.
3. That this resolution shall be effective upon its adoption.

This the 3rd of January, 2012.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

Michael C. Frue, County Attorney