

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; and
- WHEREAS, James B. Woody and Beth Woody own certain real property located in Buncombe County, North Carolina and being a portion of Tract 1 of the property set forth and described in deed recorded in Book 4824, Page 1081 Buncombe County, North Carolina Registry and identified on the Buncombe County tax records as Parcel: 8782-03-8122; and
- WHEREAS, Buncombe County is interested in purchasing a 1.5 acre portion of the property as well as the necessary rights of way of ingress, egress and utilities for use as a Public Safety Communications Tower site pursuant to the Agreement For Purchase and Sale of Real Property by and between Buncombe County and the Woodys dated January 20, 2012; and
- WHEREAS, the purchase price is Fifty Thousand and 00/100 U.S. Dollars (\$50,000.00) upon the terms and conditions as set forth in the Agreement For Purchase and Sale of Real Property; and
- 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; and
- 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 preaudit 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 21st of February, 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