

RESOLUTION NO.

RESOLUTION GRANTING THE CHAIRMAN OF THE BOARD OF COMMISSIONERS AUTHORITY TO DEED ANY REMAINING INTERESTS IN THE PROPERTIES KNOWN AS MUNICIPAL GOLF COURSE, RECREATION PARK/WNC NATURE CENTER, MCCORMICK FIELD, THE SOUTH BUNCOMBE PUMP STATION AND ALL COUNTY OWNED WATER ASSETS TO THE CITY OF ASHEVILLE.

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-11 Buncombe County may convey real property to other government agencies; and

WHEREAS, pursuant to Deed Book 1359, Page 288 re-recorded in Deed Book 1371, Page 77, Buncombe County Registry of Deeds, the City transferred to the County in accordance with the Water Agreement dated October 29, 1981 property known as "Recreation Park/WNC Nature Center", "Municipal Golf Course", and "McCormick Field"; and

WHEREAS, pursuant to the aforementioned deed should the Water Agreement ever be canceled said property shall be returned to the City of Asheville; and

WHEREAS, effective June 30, 2005, the City of Asheville terminated the Water Agreement; and

WHEREAS, no formal deed was every drafted transferring the property back to the City; and

WHEREAS, in an effort to clear up any title issues, the City is requesting that the County deed any remaining interest in the aforementioned properties to the City.

WHEREAS, pursuant to Deed Book, 1289, Page 473, Buncombe County Registry the County owns Tract I and II known as the South Buncombe Pumping Station; and

WHEREAS, the County owns a number of lines, hydrants, valves, meters and associated maintenance easements attached to the City of Asheville water system:

WHEREAS, the City has requested that the County transfer these assets to the City; and

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

1. That the Chairman be and he is hereby authorized to execute a non-warranty deed to the City of Asheville to transfer any remaining property interest the County has in Recreation Park/WNC Nature Center, Municipal Golf Course, McCormick Field, the South Buncombe Pumping Station and all County owned waterlines, hydrants, valves, meters and maintenance easements to the City of Asheville.
2. That this resolution is effective upon adoption.

This the 15th of May 2012.

ATTEST

Kathy Hughes, Clerk

APPROVED AS TO FORM

Michael C. Frue, County Attorney

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

By: _____
David Gantt, Chairman