

RESOLUTION NO. _____

A RESOLUTION GRANTING THE COUNTY MANAGER AUTHORITY TO ACQUIRE AN APPROXIMATE 2.0 ACRE TRACT OF LAND ON HIGH TOP MOUNTAIN FROM KATHY LEE HAMILTON

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-158 Buncombe County may acquire and convey real property; and

WHEREAS, Kathy Lee Hamilton owns certain real property located in Buncombe County, North Carolina and being a 144.7 acre parcel set forth and described in Deed Book 1889, Page 168 Buncombe County, North Carolina Registry and identified on the Buncombe County tax records as PIN No. 9609-90-4028; and

WHEREAS, the County wishes to purchase an approximate 2.0 acre tract of land from Ms. Hamilton on the top of High Top Mountain and the associated right of way access to said property from Arrowood Road in order to construct and operate a public safety communication tower; and

WHEREAS, the purchase price is \$125,000 as set forth the offer to purchase dated May 15, 2012 between the Ms. Hamilton and the County; and

WHEREAS, the purchase price for the 2.0 acres and right of way access to the property is considered fair market value for the land and right of way.

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 acquire an approximate 2.0 acre property along with the necessary right of ways for ingress, egress and utilities on High Top Mountain from Kathy Lee Hamilton for \$125,000.00 and execute any documents easements necessary to complete the land transfer transaction.
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. Any document signed by the County Manager involving this transaction is hereby retroactively approved.
4. That this resolution is effective upon adoption.

This the 19th day of June 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