

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, North Carolina General Statutes §160A-274 authorizes counties and school administrative units to sell to and purchase from other governmental units any interest in real property it may own; and

WHEREAS, the County has the opportunity to acquire a certain portion of a parcel of land owned by the Buncombe County Board of Education off Sand Hill School Road as same is set forth and described in deed recorded in Book 4453, Page 1258 Buncombe County Registry; and

WHEREAS, the Buncombe County School Board is set to consider whether to transfer the approximately 1.6 acres of property to the County of Buncombe at Sand Hill-Venable Elementary School as requested by the County of Buncombe in consideration for \$1,000 and/or appropriate security fencing to be installed by the County as approved by the Superintendent; 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 the acquisition of this property.

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

1. The Board of Commissioners approves appropriating and spending from the County's general fund amounts sufficient to satisfy the consideration for the transfer as requested by Buncombe County Board of Education.
2. By and with the approval of the County Attorney, the Chairman and County Manager, or either of them, are hereby 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 in order to consummate the transactions contemplated by this Resolution, including without limitation to negotiate and approve changes that do not increase the amounts of the consideration the County is required to pay the Buncombe County Board of Education; 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, of the specific provisions of this Resolution.
3. 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 the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
4. Any prior resolutions or parts thereof of the Board in conflict with the provisions herein

contained are, to the extent of such conflict, hereby superseded and repealed.

5. This resolution shall be effective upon its adoption.

This the \_\_\_\_ of April, 2013.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Kathy Hughes, Clerk

By: \_\_\_\_\_  
David Gantt, Chairman

APPROVED AS TO FORM

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Michael C. Frue, County Attorney