

**FORSYTH COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: JULY 25, 2019

AGENDA ITEM NUMBER: 8

**SUBJECT: RESOLUTION ACCEPTING THE HIGHEST BID TO PURCHASE COUNTY OWNED
REAL PROPERTY BY NEGOTIATED OFFER, ADVERTISEMENT, AND UPSET BIDS
PROCEDURE
(121 N. CHURCH STREET)**

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION: See Attached

ATTACHMENTS: YES NO

SIGNATURE:

J. Dudley Watts, Jr. /AMS
COUNTY MANAGER

DATE: July 25, 2019

**RESOLUTION ACCEPTING THE HIGHEST BID TO PURCHASE COUNTY OWNED
REAL PROPERTY BY NEGOTIATED OFFER,
ADVERTISEMENT, AND UPSET BIDS PROCEDURE
(121 N. CHURCH STREET)**

WHEREAS Forsyth County owns approximately 1.428 acres of real property located at 121 N. Church Street, further identified as a portion of parcel identifiers 6835-36-0134.00, 6835-26-9049.00, 6835-26-9125.00, and 6835-25-9994.00, as further described in Exhibit A, which is attached hereto and incorporated herein by reference;

WHEREAS Forsyth County received an offer in the amount of \$1,150,000 from WFC Property, LLC, to purchase the above-described property and the Clerk to the Board collected a deposit of 5% of the offer from WFC Property, LLC, to purchase County owned real property;

WHEREAS by resolution authorizing publication of an offer to purchase County owned real property by negotiated offer, advertisement, and upset bids procedure adopted by the Forsyth County Board of Commissioners at its June 27, 2019, meeting, a notice of offer to purchase real property owned by Forsyth County and request for increased/upset bids was advertised as required by N.C.G.S. 160A-269 relating to the above described property;

WHEREAS after due advertisement of said offer, no upset bids have been received within the time allowed by law;

WHEREAS County staff recommends that the Forsyth County Board of Commissioners accept the original offer and sell the said property to WFC Property, LLC, for \$1,150,000; and

WHEREAS as further conditions of the sale, WFC Property, LLC, will grant the County a permanent easement to park on the ground floor of the parking garage and grant the County's encroachment request for the construction of its new parking garage onto a portion of the said property at no cost to the County;

NOW, THEREFORE, BE IT RESOLVED, that the Forsyth County Board of Commissioners hereby accepts the offer of the highest bidder, WFC Property, LLC, in the amount of \$1,150,000, to purchase the above described County owned real property; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager and Clerk to the Board are hereby authorized to execute any necessary documents to complete the sale of the above described property and collect the balance of the purchase price consistent with the above-referenced terms, subject to a pre-audit certificate by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this the 25th day of July 2019.

EXHIBIT A

Description of Land

All that certain tract or parcel of land lying and being situated in the City of Winston-Salem, Forsyth County, North Carolina, and being more particularly described as follows:

TO FIND THE POINT AND PLACE OF BEGINNING, begin at the intersection of the northern right-of-way line of First Street (50-foot public right-of-way) and the western right-of-way line of Chestnut Street (50-foot public right-of-way); running thence N. 6° 8' 46" W. 126.1 feet along the westerly boundary line of Chestnut Street to a point being the POINT OF BEGINNING; thence leaving said right-of-way line of Chestnut Street with a new line S. 83° 27' 55" W. 299.26 feet to a point in the eastern right-of-way line of Church Street (60-foot public right-of-way); thence with the eastern right-of-way line of Church Street N. 6° 26' 41" W. a total of 222.0 feet to a point (passing existing iron pins at 91.03 feet and 170.17 feet, respectively); thence leaving said eastern right-of-way line of Church Street with a new line N. 83° 27' 55" E. 50.78 feet to a point; thence S. 6° 32' 5" E. 17.33 feet to a point; thence N. 83° 27' 55" E. 249.27 feet to a point located in the western right-of-way line of Chestnut Street (50-foot public right-of-way); thence with said western right-of-way line of Chestnut Street, S. 6° 13' 6" E. 204.67 feet to a point, the place of BEGINNING. The aforesaid description is taken from a survey entitled "Forsyth County - Old Jail Site", prepared by Buddy L. Barbee, NCRLS., Beeson Engineering Inc., dated August 9, 1994, last revised December 5, 1994, reference to which hereby is made for a more particular description of the above described property.