

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: NOVEMBER 1, 2018

AGENDA ITEM NUMBER: 4

SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT TO PURCHASE APPROXIMATELY 216 ACRES OF REAL PROPERTY LOCATED ON BELEWS LAKE, SUBJECT TO DUE DILIGENCE EXAMINATION AND OTHER CONDITIONS AND AUTHORIZING EXECUTION OF ALL NECESSARY AGREEMENTS TO MAKE A DILIGENT EXAMINATION OF THE PROPERTY (PARKS AND RECREATION DEPARTMENT)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

Recommend Approval

SUMMARY OF INFORMATION:

Forsyth County has an opportunity to purchase approximately 216 acres of real property on Belews Lake for a future park site. Duke Energy Carolinas, LLC has offered the property to Forsyth County for a Purchase Price of \$640,000. Other general terms include a 365 day Due Diligence period, no required earnest money deposit and Forsyth County retains the right to cancel the agreement without any further obligation within the Due Diligence period. The contract would be effective when the last of the two parties signs the document. Due Diligence tasks completed by Forsyth County will include a boundary survey, environmental assessment, and title work/title policy.

ATTACHMENTS: YES NO

SIGNATURE: _____

J. Dudley Watts, Jr. /AMS
COUNTY MANAGER

DATE: October 30, 2018

**RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT TO
PURCHASE APPROXIMATELY 216 ACRES OF REAL PROPERTY
LOCATED ON BELEWS LAKE, SUBJECT TO DUE DILIGENCE
EXAMINATION AND OTHER CONDITIONS AND AUTHORIZING
EXECUTION OF ALL NECESSARY AGREEMENTS TO MAKE A
DILIGENT EXAMINATION OF THE PROPERTY
(PARKS AND RECREATION DEPARTMENT)**

WHEREAS, Forsyth County has been offered an opportunity to purchase approximately 216 acres of property owned by Duke Energy Carolinas, LLC; and

WHEREAS, the property is identified as Forsyth County Tax Parcel Identification Numbers 6981-60-7632.00, 6981-81-5144.00, and a portion of 6980-78-9677.00; and

WHEREAS, the Forsyth County staff recommends that Forsyth County enter into an Agreement to purchase said property for the amount of \$640,000, subject to a due diligence examination period of 365 days in which Forsyth County will have the total discretion to approve or disapprove the condition of the Property before being legally obligated to complete the transaction; and

WHEREAS, the County Manager requests authorization to execute all necessary agreements which are deemed necessary to make a diligent examination of the condition of the said Property;

NOW, THEREFORE, BE IT RESOLVED that the Forsyth County Board of Commissioners hereby authorizes the Chairman or County Manager, and the Clerk to the Board to execute a Purchase and Sale Contract, on behalf of Forsyth County, to purchase an approximately 216 acre portion of real property, subject to the terms and conditions stated on the attached document and summarized in part herein, subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

BE IT FURTHER RESOLVED that the County Manager is hereby authorized to enter into and execute such agreements as are necessary to make a diligent examination of the condition of the above identified Property, subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this the 1st day of November 2018.

