

Resolution #22-0748  
2022 Resolution Book, Page 300

**RESOLUTION AUTHORIZING PUBLICATION OF AN OFFER TO PURCHASE  
REAL PROPERTY BY NEGOTIATED OFFER, ADVERTISEMENT, AND UPSET BIDS  
PROCEDURE - 2530 PITTSBURG AVENUE**

**WHEREAS** Forsyth County and the City of Winston-Salem, as equal joint owners, deeded real property located at 2530 Pittsburg Avenue further described as Lot 107B Block 1462, to the Northwest Child Development Council, Inc., on December 16, 1997, for the purpose of operating a not-for-profit child daycare center; and

**WHEREAS** the deed required Northwest Child Development Council, Inc., to continuously operate the property as a not-for-profit child daycare center, with the property reverting back to joint Forsyth County and the City of Winston-Salem ownership should such operations cease; and

**WHEREAS** Northwest Child Development Council, Inc., ceased operations at the property on February 11, 2014, and filed a petition for relief under Title 11 Chapter 11 United States Bankruptcy Code on August 17, 2020; and

**WHEREAS** on July 1, 2021, United States Bankruptcy Court issued a declaratory judgement terminating Northwest Child Development Council, Inc.'s interest in the property, with ownership of the property reverting to Forsyth County and the City of Winston-Salem, jointly, as recorded by the Forsyth County Register of Deeds in Book 3622, Page 3202; and

**WHEREAS** Forsyth County and the City of Winston-Salem received and propose to accept an offer in the amount of \$100,000 from Boston-Thurmond Community Network to purchase the above-described real property subject to advertisement and upset bids; and

**WHEREAS** pursuant to the provisions of N.C.G.S. 160A-269, Forsyth County and the City of Winston-Salem must require the offer to deposit five percent (5%) of this bid with the

Clerk to the Board prior to advertisement and one of the property owners is required to publish a notice of the offer for upset bids before accepting any offer; and

**WHEREAS** the successful bidder's deposit will be applied against the Purchase Price of the Property less the cost of the advertisement and the cost of the advertisement shall be nonrefundable; and

**WHEREAS** Boston-Thurmond Community Network has deposited \$5,000 with the Clerk to the Board of Forsyth County, which is the required five percent (5%) deposit, and will be divided with the City of Winston-Salem.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and City Council of the City of Winston-Salem, upon the recommendation of the General Government and Finance Committees, pursuant to the provisions of N.C.G.S. 153A-176 and 160A-269, that Forsyth County and the City of Winston-Salem plans to sell the above-described real property by negotiated offer, advertisement, and upset bids procedure and has received an offer as described above and the Board of County Commissioners and the City Council of Winston-Salem proposes to accept the said offer or any qualifying upset bid received as provided by law, and to sell the property to the highest bidder;

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to publish a notice of said offer as required by N.C.G.S. 160A-269 on behalf of Forsyth County and the City of Winston-Salem and to re-advertise the offer at any qualifying upset bid received until no further qualifying upset bids are received, at which time the Board of Commissioners and the City of Winston-Salem may accept the final offer and sell the property to the highest bidder; and

**BE IT FURTHER RESOLVED** that Forsyth County and the City of Winston-Salem may at any time reject any and all offers.