

**RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT
WITH THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES PERTAINING TO
LAND USE RESTRICTIONS AT CITY YARD**

WHEREAS, the City is the owner of certain real property located at Salem Avenue, and identified in two deeds recorded in Deed Book 2985, Page 2139 and in Deed Book 2292, Page 2313 in the Office of the Register of Deeds (hereinafter, collectively, the “Property”); and

WHEREAS, said Property is contaminated with hazardous substances and is part of an "inactive hazardous substance or waste disposal site”; and

WHEREAS, said Property is also the subject of a remedial action plan, pursuant to which the North Carolina Department of Environment and Natural Resources (“DENR”) will remediate a significant portion of the existing contamination on the Property, in exchange for the City’s execution of a declaration of perpetual land use restrictions (the “Declaration”); and

WHEREAS, the purpose of the Declaration will be to impose land use restrictions which will preserve and protect the public health, the environment, and the future integrity of the Property, once DENR has finished remediating the site; and

WHEREAS, the Declaration will include certain restrictions, as outlined in the accompanying Council Action Request; and

WHEREAS, staff recommends execution of the Declaration, in accordance with the requirements for the execution of an interlocal cooperation agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Winston-Salem, upon the recommendation of the Finance and Public Works Committees, authorizes the City Manager or his appropriate designee(s) to execute the Declaration, as outlined above and in the accompanying Council Action Request, with the terms of the Declaration to be approved by the City Attorney’s Office.