

**RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED VACANT LOTS ON
MOTOR ROAD UNDER THE UPSET BID PROCEDURE (N.C.G.S. 160A-269)**

WHEREAS, the City of Winston-Salem owns three small vacant lots on Motor Road which are surplus to the City's needs; and

WHEREAS, the lots are remnant remainders from the construction of Motor Road; and

WHEREAS, the three lots contain a total of 0.38 acres and they are identified as Tax PINs 6847-07-2985, 6847-08-1071, and 6847-07-3846; and

WHEREAS, the owners of the adjoining house and property, Constance L. Hill, Nuwo Johnson, and James M. Clark, (Hill, Johnson, Clark) have offered to purchase the lots for the tax value amount of \$2,600 in accordance with N.C.G.S. 160A-269; and

WHEREAS, this price is believed to be reasonable for these lots with limited utility; and

WHEREAS, the offerors own the adjoining property and have plans to incorporate these small City-owned lots with their existing property; and

WHEREAS, no warranty of merchantability, fitness for a particular purpose, or condition is made by the City relating to the sale of the property and the property is purchased "As Is/Where Is And With All Faults."

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Winston-Salem, upon the recommendation of the Finance Committee, that the City Council hereby authorizes sale of the lots identified as Tax PIN 6847-07-2985, 6847-08-1071, and 6847-07-3846 to Constance L. Hill, Nuwo Johnson, and James M. Clark or their assigns in the amount of \$2,600 under the provisions of N.C.G.S. 160A-269; that the City Clerk shall cause a notice of proposed sale, containing a general description of the property, amount and terms of the offer, and a notice that within ten days any person may raise the bid by not less than ten

percent of the first \$1,000 and five percent of the remainder, be published, without further authorization of the City Council, shall re-advertise the offer at the increased bid; and this procedure shall be repeated until no further qualifying bids are received, at which time the City Council may accept the offer and sell the property to the highest bidder or reject any and all offers.

BE IT FURTHER RESOLVED, in the event that no raised bid is received, the offer set forth above is hereby accepted and the appropriate City officials are hereby authorized to execute instruments required to complete the conveyance to Hill, Johnson, and Clark, or their assigns, as stated herein.

BE IT FURTHER RESOLVED, the purchase of the property is voided and the refund of the earnest money or bid deposit is authorized if it is requested by the buyer within the due diligence period as specified in the Offer to Purchase Contract or the Bid Purchase of City Property Offer.