

Resolution #19-0558
Resolution Book 1, Volume 1

**RESOLUTION AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY-OWNED
PROPERTY IN THE AREA OF NEW HOPE LANE AND EAST TWENTY-FIRST
STREET PURSUANT TO N.C.G.S. 160A-274**

WHEREAS, on April 18, 2005, the City Council adopted a resolution designating the Housing Authority of Winston-Salem (HAWS) and its affiliates as the preferred developer for Northeast Winston #2 and authorized HAWS to purchase the available lots at their appraised values; and

WHEREAS, HAWS placed bid offers on 24 lots and the 5% bid deposit of \$5,800 was paid; and

WHEREAS, in the 14 years since approval was granted, HAWS has not proceeded with the development of the lots; and

WHEREAS, the Winston-Salem/Forsyth County Board of Education (Board of Education) has need of building a new school to replace the Ashley Elementary School; and

WHEREAS, the Board of Education has made an offer to purchase 16 of the lots which are currently still under option to HAWS along with two additional lots, for a total of 18 lots; and

WHEREAS, these lots are further illustrated in attached Exhibit A; and

WHEREAS, the purchase price would be at the current appraised value of \$207,076; and

WHEREAS, the appraised value includes the infrastructure development costs of the lots; and

WHEREAS, no warranty of merchantability, fitness for a particular purpose, or condition is made by the City relating to the sale of the lots, and the lots are purchased “As Is/Where Is And With All Faults”; and

WHEREAS, the purchase of the 18 lots by the Board of Education will require that the previous authorization of the sale of 24 lots to HAWS in 2005 be rescinded and the agreement voided.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the City Council of the City of Winston-Salem, upon the recommendation of the Finance Committee, hereby authorize the sale of property identified in Exhibit A to the Winston-Salem/Forsyth County Board of Education for \$207,076 under the provisions of N.C.G.S. 160A-274.

BE IT FURTHER RESOLVED, that the City Council hereby rescinds the prior authorization to sell 24 lots to the Housing Authority of Winston-Salem which was granted on April 18, 2005, and the \$5,800 bid deposit is hereby forfeited by HAWS and retained by the City.

BE IT FURTHER RESOLVED, that the appropriate City officials are hereby authorized to execute instruments required to complete the sale of the 18 lots and the rescinding of the previous sale of the 24 lots.