

Resolution #24-0089  
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**RESOLUTION RESCINDING THE ORIGINAL RESOLUTION TO SELL CERTAIN PROPERTY TO PACE OF THE TRIAD PURSUANT TO G.S. 160A-279, AFFIRMING THE TERMINATION OF THE ORIGINAL AGREEMENT, AND AUTHORIZING THE SALE OF CERTAIN CITY-OWNED LAND PURSUANT TO G.S. 160A-269 WITH CONDITIONS TO PACE OF THE TRIAD**

**WHEREAS**, City Council approved the sale of the subject property, approximately 5 acres on the north side of the Motor Rd./Old Walkertown Rd. intersection, to PACE of the Triad (PACE) in August 2022 pursuant to G.S. 160A-279, which authorizes the sale of city-owned property to a nonprofit entity carrying out a public purpose; and

**WHEREAS**, PACE (Program of All-inclusive Care for the Elderly) is a non-profit health and human services agency that provides community-based services to individuals aged 55 and over, who need medical care and support to continue living at home; and

**WHEREAS**, PACE currently serves residents in Guilford and Rockingham counties and the services provided by the health center include physician and nursing services; physical, occupational, and speech therapies; personal care; activities and exercise; nutritional counseling, and social work support.

**WHEREAS**, PACE also provides transportation services to and from the center for those in need; and

**WHEREAS**, after eleven months of negotiations, the execution of a purchase and development agreement, and several extensions of the closing date, the purchase and development agreement was terminated because PACE was unable to secure financing; and

**WHEREAS**, PACE is still in search of a site and the original reversionary clause is problematic for the bank financing the project for PACE; and

**WHEREAS**, PACE and the bank would like to proceed with the transaction under different terms and staff recommend restructuring the transaction; and

**WHEREAS**, staff recommends: (1) rescinding the original resolution to sell the property

**Winston-Salem City Council**  
**APPROVED**  
**February 19, 2024**

pursuant to G.S. 160A-279, (2) affirming the termination the original purchase and development agreement, and (3) authorizing the sale of the subject property, as described in the attachments, to PACE of the Triad pursuant to G.S. 160A-269 (the upset bid procedure), coupled with conditions permitted by the city's 2009 public purpose legislation, for \$250,000, which is discounted slightly from the appraised value of \$330,925, due to the conditions summarized herein; and

**WHEREAS**, the conditions will, amongst other things: (1) require the purchaser to be a non-profit entity with a history of carrying out day health programs for the elderly, (2) require the consistent use of the property as a day health center (and similar uses) for at least twenty (20) years, and (3) prohibit certain uses that are incompatible with the surrounding area; and

**WHEREAS**, the agreement will provide other enforcement options in the absence of a reversionary clause.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and City Council of the City of Winston-Salem, upon the recommendation of the Finance Committee, hereby authorize the sale of approximately 5 acres on the north side of the Motor Rd./Old Walkertown Rd. intersection, as described in the attachments, to PACE of the Triad in the amount of \$250,000 under the provisions of N.C.G.S. 160A-269 (the upset bid process), with conditions, generally outlined above, using the city's prior legislation.

**BE IT FURTHER RESOLVED**, that if there are no upset bids, then PACE of the Triad shall be the successful bidder without the need for further action by City Council.

**BE IT FURTHER RESOLVED**, the proceeds from the sale will be deposited in the Economic Development Project Fund for future investments in Economic Development Sites/Infrastructure serving the Motor Rd./Old Walkertown Rd. site.