

Resolution #22-0541
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RESOLUTION REVISING THE PUBLIC PURPOSE ATTACHED TO THE SALE OF CERTAIN CITY-OWNED LAND BY PRIVATE SALE (N.C.G.S. 160A-279) TO UNITED HEALTH CENTERS

WHEREAS, on September 16, 2016, the Mayor and City Council approved a resolution authorizing the sale of certain City-owned land by private sale to United Health Centers (UHC). The resolution authorized the sale of a combined area of 0.83 acres for \$1 (Parcel Identification Numbers 6836-52-3201, 6836-52-2179, 6836-52-2196, 6836-52-2049, and 6836-52-1112) located at the southwest corner of Liberty Street and 14th Street in the East Ward); and

WHEREAS, the sale was approved according to N.C.G.S. 160A-279 and 160A-514, which set forth the procedures for selling certain City-owned land to non-profit entities carrying out a public purpose and the redevelopment of property in a redevelopment area consistent with the Council-adopted redevelopment plan; and

WHEREAS, the conditions of the sale required UHC to construct a 20,000 square foot health care facility with the potential of serving up to 10,000 patients annually with the emphasis of serving economically and medically disenfranchised residents, including homeless individuals and families who would not otherwise have access to health care (collectively referred to hereinafter as the “Public Purpose”); and

WHEREAS, the City will retain a deed restriction on the land for 30 years to ensure the property is being used to carry out the Public Purpose. At the end of the 30-year term, the City would release the deed restrictions assuming the terms of the sale agreement have been met; and

WHEREAS, since the approval of the resolution authorizing the private sale to UHC, the Liberty Street Redevelopment Plan has expired (January 1, 2020); thus, part of the authorization for the sale as part of a formal redevelopment effort no longer is relevant; and

WHEREAS, on September 20, 2021, the Mayor and City Council approved a resolution affirming the previously authorized sale of the City's land to UHC for \$1 to carry out a public purpose only under N.C.G.S. 160A-279; and

WHEREAS, on November 15, 2021, the Mayor and City Council approved a technical adjustment to the September 20, 2021 resolution to include all five parcels to be conveyed; and

WHEREAS, UHC and its developer have determined that the property's size and dimensions cannot accommodate a 20,000 square foot health care facility as well as the required parking and have asked the City for permission to build a health care facility that will be just approximately 12,000 square feet instead; and

WHEREAS, UHC has asked the City to amend the Public Purpose to reduce the required size of the facility accordingly.

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 modify the Public Purpose to reduce the size of the health care facility to be constructed by UHC from 20,000 square feet to approximately 12,000 square feet.

BE IT FURTHER RESOLVED that all of the other conditions in the Public Purpose remain in full force and effect.

BE IT FURTHER RESOLVED that the City shall retain a deed restriction on the property for 30 years to ensure the property is being used to carry out the Public Purpose as modified herein. At the end of the 30-year term, the City will release the deed restriction assuming the terms of the agreement have been met.

Winston-Salem City Council
APPROVED
September 19, 2022

BE IT FURTHER RESOLVED that the Mayor and City Council authorize the City Manager to execute the documents required to complete the sale to UHC in accordance herewith, with the City Attorney approving such agreements as to form and legality.