

**RESOLUTION NO. 21-\_\_\_\_\_**

**RESOLUTION OF THE APEX TOWN COUNCIL AUTHORIZING THE LEASE OF A  
PORTION OF TOWN PROPERTY TO NC SECU FOR USE AS AUTOMATED TELLER  
MACHINE (ATM) SITE**

WHEREAS, the Town of Apex ("Town") owns property which is used primarily for parking and is located at the corner of Mason Street and Old Mill Village Drive and is more particularly described as PIN # 0742-52-5165 by the Wake County Revenue Department ("Property"); and

WHEREAS, the North Carolina State Employees' Credit Union ("NC SECU") desires to install and operate an Automated Teller Machine (ATM) upon a portion of the Property; and

WHEREAS, the Town has received an offer from NC SECU to lease a portion of the Property for a term of five years, with the option to renew the lease for an additional term of five years; and

WHEREAS, in consideration of leasing a portion of the Property as described in the proposed lease, NC SECU has agreed to install, operate, and maintain an ATM for use by the public and pay annual rent of \$12.00 to the Town; and

WHEREAS, North Carolina General Statute § 160A-272 authorizes the Town to enter into leases of up to 10 years upon resolution of the Town Council adopted at a regular meeting after 30 days' public notice; and

WHEREAS, the required notice has been published and the Town Council is convened in a regular meeting.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Apex as follows:

The Town Council hereby approves the lease of a portion of the Property described above and in the proposed lease to NC SECU for five years, with the lessee holding a right to renew for an additional five-year term, and authorizes and directs the Town Manager to execute the lease and any instruments necessary to the lease. This Resolution is effective upon adoption.

Motion made by Council Member \_\_\_\_\_

Motion Seconded by Council Member \_\_\_\_\_

Approved by a vote of \_\_\_\_ to \_\_\_\_.

Adopted by the Apex Town Council this the 14th day of December 2021.

By: \_\_\_\_\_  
Jacques K. Gilbert, Mayor

**ATTEST:**

\_\_\_\_\_  
Donna B. Hosch, Town Clerk, MMC, NCCMC