

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL
TO LEASE CITY OWNED REAL PROPERTY AT 125 5TH AVE WEST**

WHEREAS, the City of Hendersonville owns property located at 125 5th Avenue West described in deed of record in Deed Book 3225, Page 388, Henderson County Registry; and

WHEREAS, the City of Hendersonville purchased the property at 125 5th Ave West in 2018 for \$475,000 for the purposes of building public restrooms on the ground floor and office space on the second floor; and

WHEREAS, the City's Downtown Division will be relocated to City Hall and the City does not have another current need for the second-floor offices at 125 5th Ave West; and

WHEREAS, North Carolina General Statute § 160A-272 authorizes the City Council to lease City owned real property the City Council determines will not be needed by the City for the term of the lease; and

WHEREAS, North Carolina General Statute § 160A-272 requires public notice at least 30 days before approving the execution of a lease in excess of one year; and

WHEREAS, the City Council authorized a resolution of intent on March 2, 2023; and

WHEREAS, notice of the proposed lease was advertised on April 23, 2023.

WHEREAS, the City of Hendersonville intends to lease the individual office spaces for market rate which will pay towards the building's debt service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The City hereby authorizes a lease for the second floor offices and shared use of common spaces located at 125 5th Ave West.
2. The annual rent shall be \$12,000, paid monthly, for an initial three-year term, with an option to renew for two additional one year terms;
3. The City Manager is authorized to execute a lease agreement, provided they are consistent with the terms of this Resolution;

Adopted by the City Council of the City of Hendersonville, North Carolina on this ____ day of _____ 20____.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk Approved as

to form:

Angela S. Beeker, City Attorney