

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL DECLARING
CERTAIN PROPERTY SURPLUS AND AUTHORIZING SALE**

WHEREAS, the City Council of the City of Hendersonville desires to dispose of certain surplus property of the City; and

WHEREAS, the City wishes to dispose of certain surplus property by private sale to Town of Columbus Fire Department, Inc., for a total sum of \$350,000; and

WHEREAS, the City is authorized by N.C.G.S. § 160A-279 to sell personal property by private sale to a nonprofit entity carrying out a public purpose, provided the property continues to be used for a public purpose by the nonprofit entity; and

WHEREAS, Town of Columbus Fire Department, Inc., is a private nonprofit corporation organized for the public purpose of providing fire protection services;

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

1. The following described property is hereby declared to be surplus to the needs of the City:

- a. 2004 Cummins ISL 400 HP Typhoon Engine Apparatus- Vin # 4EN6AAA8841007747, City ID # (30-02); and
- b. 2004 Cummins ISM02 500 HP 95' Platform Cyclone II Ladder/Tower Apparatus - Vin # 4ENGABA8541007893, City ID # (30-08) (a and b collectively the "Surplus Property")

2. Sale of the Surplus Property for the prices stated below is approved. The City Manager is authorized to sign a Bill of Sale for the private sale of the Surplus Property to Town of Columbus Fire Department, Inc., for the sums stated below with a restriction that the property continue to be used for the public purpose of fire protection services:

- a. For the 2004 Cummins ISL 400 HP Typhoon Engine Apparatus: \$100,000.00; and
- b. For the 2004 Cummins ISM02 500 HP 95' Platform Cyclone II Ladder/Tower Apparatus: \$250,000.00.

3. That the City Clerk shall cause notice to be published in accordance with G.S. 160A-267, and the sale of the Surplus Property shall not be consummated until 10 consecutive calendar days following the publication of the notice.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 24th day of April, 2024.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney