

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL OF FINAL
ACCEPTANCE OF NEGOTIATED OFFER**

WHEREAS, the City of Hendersonville owns certain property off of North Edwards Street adjacent to City Hall, and identified as Parcel B1, containing 2,227 sq. ft., as shown on that Plat recorded in Plat Book 2023 at page 14832, in the Office of the Register of Deeds for Henderson County, being a portion of the property with a tax parcel ID of 9568880780, and having been acquired by the City of Hendersonville in Deed Book 399 at Page 565 of the Henderson County Register of Deeds Office (“Property”); and

WHEREAS, North Carolina General Statute Section 160A-269 permits the City to sell property by upset bid after receiving and offer to purchase; and

WHEREAS, the City has received a NEGOTIATED OFFER RECEIVED PURSUANT TO N.C.G.S. § 160A-269, dated October 30, 2023 (“Offer”), a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, WNH Investments, LLC, (“Buyer”), is offering to purchase the Property for the sum of \$50,000, subject to the terms and conditions contained within the Offer; and

WHEREAS, on October 5, 2023, the City Council issued a proposed acceptance of a previous offer and authorized the offer to be advertised for upset bids pursuant to N.C.G.S. § 160A-269; and

WHEREAS, the offer was advertised in the Hendersonville Times-News on October 10, 2023 and a first upset bid was received; and

WHEREAS, the first upset bid was advertised in the Hendersonville Times-News on October 20, 2023 and an upset bid was received; and

WHEREAS, the first upset bid was advertised in the Hendersonville Times-News on October 20, 2023 and a second upset bid was received; and

WHEREAS, the second upset bid was advertised in the Hendersonville Times-News on October 24, 2023 and a third upset bid was received, said third upset bid being the Buyer’s Offer for \$50,000; and

WHEREAS, the third upset bid was advertised in the Hendersonville Times-News on November 3, 2023 and no upset bids were received; and

WHEREAS, subject to the terms below, the City Council wishes to issue a final acceptance of the Offer;

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

1. The Council issues a final acceptance of the Offer pursuant to the procedures of 160A-269, and authorizes the sale to the Buyers, WNH Investments, LLC, or an authorized assignee as allowed by Offer. The City Manager, City Clerk, and the City Attorney are authorized to take all actions on behalf of the City which are consistent with the terms of the Offer, including but not limited to the signature of all necessary documentation, to effectuate the closing on the sale of the Property.

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