

**RESOLUTION TO APPROVE INTERLOCAL AGREEMENT FOR ECUSTA TRAIL
CONSTRUCTION BETWEEN S. MAIN AND KANUGA ROAD**

WHEREAS, Henderson County is the Tenant of the property, owned by the Ecusta Rails2Trail, LLC, a North Carolina nonprofit corporation (“*ER2T*”), obtained by *ER2T* by way of that special warranty deed recorded in Book of Record 2764 at Page 590 of the Henderson County Registry, for the development of a greenway along the former railroad corridor, running from Transylvania County to a point in Henderson County (the “*R2T Property*”); and

WHEREAS, the lease (the “*Lease*”) between Henderson County and *ER2T* dated November 1, 2021, for the *R2T Property* provides that the County will construct and maintain a greenway within the portions of the *R2T Property* lying in Henderson County (the “*R2T Greenway*”); and

WHEREAS, Henderson County has agreed to begin the *R2T Greenway* in Henderson County at a property owned by the City of Hendersonville on South Main Street, said property having a PIN of 9568850368, having been acquired by the *City* pursuant to that deed recorded in Book 1357 at Page 559 of the Henderson County Registry, (the “*South Main Property*”) and the *City* has agreed to contribute a lump sum amount of \$46,000.00 to be used for engineering costs associated with the construction of the *R2T Greenway* from the *South Main Property* to Kanuga Road; and

WHEREAS, Henderson County and the City of Hendersonville wish to enter into an interlocal agreement as allowed by N.C.G.S. Chapter 160A, Article 20, to carry out these terms as agreed.

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

1. The Interlocal Agreement between Henderson County and the City of Hendersonville providing for the construction of the *R2T Greenway* from the *South Main Property* to Kanuga Road, and the *City*’s payment of \$46,000 towards the cost of engineering and design is approved as presented.

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

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney