

MECKLENBURG COUNTY BOARD OF COMMISSIONERS

RESOLUTION

AUTHORIZING EXCHANGE TAX PARCEL 123-062-17 AT WILMORE CENTENNIAL PARK AT SOUTHEND FOR PORTIONS OF TAX PARCELS 123-062-05 AND 123-062-06, INCLUDING AN ACCESS EASEMENT ACROSS OTHER PORTIONS OF TAX PARCELS 123-062-05 AND 123-062-06

WHEREAS, Mecklenburg County owns Tax Parcel 123-062-17 (hereinafter referred to as “County Exchange Parcel”) which is located on N. Tryon St at the site of Wilmore Centennial Park at Southend in Charlotte and Common Square, LLC owns or is under contract on Tax Parcels 123-062-05 and 123-062-06 which fronts onto West Boulevard on the same block as the County owned park; and

WHEREAS, Common Square desires to develop a mixed-use community on property bounded by N. Tryon St., West Blvd., Hawkins Street, and an alley fronting onto the park and to do so will need to acquire the County Exchange Parcel, which is +/- 4,356 SF, to implement its desired plans; and

WHEREAS, the County desires to achieve pedestrian and vehicular connectivity to the park site from West Blvd. and Common Square proposes to convey +/- 4,500 SF of the northern portions of Tax Parcels 123-062-05 and 123-062-06 and an access easement across the southern portions of the same parcels (hereinafter referred to as “Common Square Exchange Property”) to accomplish County’s goal; and

WHEREAS, the County Exchange Parcel has been valued at \$350,000 and the Common Square Exchange Property has been valued at \$525,000 and the County and Common Square have agreed to exchange the County Exchange Parcel for the Common Square Exchange Property based on a no out-of-pocket cash from the County transaction; and

WHEREAS, the Mecklenburg County Asset and Facility Management Department has determined that in its opinion the County will receive full and fair consideration for the County Exchange Parcel to be conveyed to Common Square, LLC; and

WHEREAS, pursuant to G.S. 160A-271, the Board of County Commissioners is authorized to exchange real property owned by the County for other real property by private negotiation if the County receives full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, the Board proposed to authorize the exchange of the County Exchange Parcel for the Common Square Property and followed the statutory procedure to authorize the exchange; and

WHEREAS, pursuant to G.S. 160A-271, the Board approved a resolution declaring its intent to authorize the exchange of the County Exchange Parcel for the Common Square Exchange Property and authorized publication of a notice of such intent, which notice was published in the Charlotte Observer on November 8, 2018 as required by law, now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners hereby authorizes the exchange of the County Exchange Parcel for the Common Square Property and authorizes the County Manager to negotiate and execute an exchange agreement, the deed, and any other documents necessary to effectuate the exchange.

APPROVED the _____ day of _____, 2018

Approved as to Form:

County Attorney

Clerk to the Board