

MECKLENBURG COUNTY BOARD OF COMMISSIONERS

RESOLUTION

DECLARING INTENT TO EXCHANGE A LEASE ON A PORTION OF TAX PARCEL 013-041-01 ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE FOR AN ACCESS EASEMENT ON TAX PARCEL 013-181-04 ALSO ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE

WHEREAS, the County owns Tax Parcel 013-041-01 along Neck Road in the Extra-territorial jurisdiction of Huntersville (hereinafter referred to as the “County Parcel”) which is a portion of the County’s Cowan’s Ford Wildlife Refuge; and

WHEREAS, the County is also owner of the Rural Hill Nature Preserve located along either side of Neck Road in the ETJ of Huntersville; and

WHEREAS, the County is in the process of developing a strategy to remove loblolly pine trees, which are an invasive species to the Rural Hill Nature Preserve, and to restore the property with trees native to this area of North Carolina; and

WHEREAS, the portion of Rural Hill Nature Preserve to be restored is separated from the bulk of the nature preserve by a tributary of McDowell Creek and is bordered by Mountain Island Lake on three sides; and

WHEREAS, the County needs to secure a long-term accessible route to and from this portion of the nature preserve to implement activities associated with restoring and maintaining the nature preserve and has determined that the most feasible and desirable route to and from the property is across Tax Parcel 013-181-04 which is owned by the Lewis Atkins Parks Heirs (“Parks Heirs”); and

WHEREAS, the Parks Heirs desire to lease +/- 2.25 acres of the County Parcel to graze farm animals and mow from time to time; and

WHEREAS, the County and the Park Heirs have agreed to exchange a two (2) year access easement across the Parks Heirs property in favor of the County for a five (5) year lease of the County Parcel in favor of the Parks Heirs; and

WHEREAS, the Mecklenburg County Park and Recreation and Asset and Facility Management Departments have determined that in its opinions the County will receive full and fair consideration for the property interests to be exchanged; 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 a full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, the Board proposes to authorize the exchange of a lease on the County Parcel for an access easement across the Parks Heirs Parcel and to follow the statutory procedure to authorize the exchange; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners proposes to authorize the exchange of a lease on the County Parcel for an access easement across the Parks Heirs Parcel at its next regular meeting; directs the County Manager to negotiate a contract for the exchange; and directs the Clerk to the Board to publish the attached notice describing the

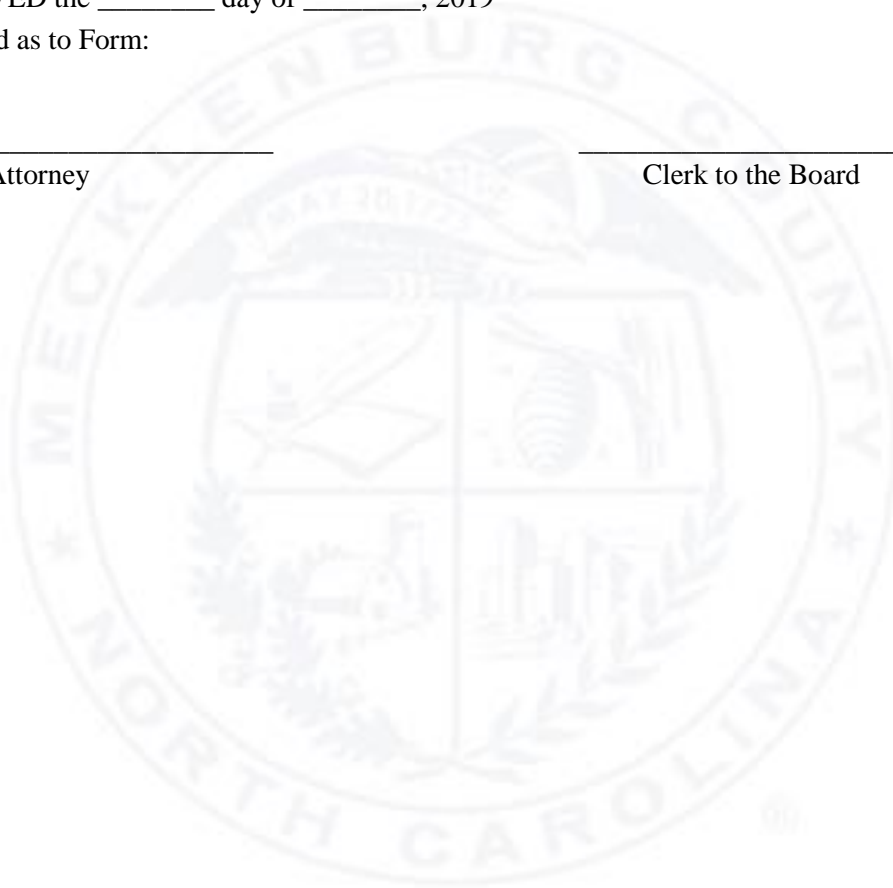
properties to be exchanged, stating the estimated value of the properties, and announcing the Board's intent to authorize the exchange on March 19, 2019 at the Board's next regular business meeting.

APPROVED the _____ day of _____, 2019

Approved as to Form:

County Attorney

Clerk to the Board



REVISED
MECKLENBURG COUNTY
NOTICE OF INTENT TO EXCHANGE PROPERTY INTERESTS

At its March 6, 2019 meeting, the Mecklenburg County Board of Commissioners adopted a resolution declaring its intent to exchange a lease on County owned Tax Parcel 013-041-01 (+/- 2.25 acres) along Neck Road in Huntersville for an access easement across Tax Parcel 013-181-04, also along Neck Road in Huntersville. The access easement is needed to provide access to a County owned parcel that does not have road frontage where it needs to perform a logging operation to remove an invasive species of trees and to perform other restoration measures. The value of the access easement to be obtained by the County is greater than the value of the lease to be granted by the County. The Resolution adopted by the Board on September 15, 2015 declared the Board's intent to authorize the exchange pursuant to N.C.G.S. 160A-271 at its October 6, 2015 meeting.

More specific information on the proposed exchange of property interests can be obtained from the office of the Clerk to the Board of Commissioners at 980-314-2900 or from Jacqueline McNeil, Mecklenburg County Asset and Facility Management Department at 980-314-2511.