

**MECKLENBURG COUNTY  
BOARD OF COMMISSIONERS**

**RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN  
MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD AND  
MECKLENBURG COUNTY TO ACQUIRE AND TRANSFER 100 BILLINGSLEY ROAD TO  
ANUVIA PREVENTION AND RECOVERY CENTER.**

**WHEREAS**, Mecklenburg County Alcoholic Beverage Control Board (ABC), an independent local political subdivision of the State of North Carolina pursuant to Chapter 18B of the General Statutes of North Carolina, owns Tax Parcel 157-072-35 (+/- 3.33 acres) located at 100 Billingsley Road in Charlotte, NC and leases the same to Anuvia Prevention and Recovery Center, Inc. (Anuvia) for the delivery of rehabilitative and preventative treatment services for victims of substance abuse; and

**WHEREAS**, both ABC and Anuvia desire that the property at 100 Billingsley Road be transferred to Anuvia's ownership for the continued delivery of treatment services for members of the public; and

**WHEREAS**, ABC approached the County to request assistance with transference of the subject property to Anuvia, and the County agreed to provide assistance by accepting ownership of the subject property and subsequently transfer the subject property to Anuvia; and

**WHEREAS**, Anuvia has agreed to a deed restriction and reverter clause that restricts the use of the property for public purposes to the delivery of treatment services for victims of substance abuse and that upon ceasing to deliver treatment services, the property at 100 Billingsley Road will revert to County ownership; and

**WHEREAS**, N.C. Gen. Stat. 160A-461 allows one unit of local government (including boards) to enter into interlocal cooperation undertakings for the contractual exercise by one unit of local government on behalf of the other unit; and

**WHEREAS**, N.C. Gen. Stat. 160A – 274 allows the transfer of real property from one unit of local government (including boards) to another unit of local government upon any such terms and conditions as it may deem wise; and

**WHEREAS**, the conveyance of the subject property to Anuvia by the County is exempt from N.C. Gen. Stat. 160A266 (methods of sale for public property) by N.C. Gen. Stat 160A – 279, the sale of property to entities carrying out a public purpose; and

**WHEREAS**, N.C. Gen. Stat. 160A-461 requires that interlocal agreements “be ratified by resolution of the governing board of each unit spread upon its minutes”; **now, therefore, be it**

**RESOLVED** by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute the Transfer to Anuvia of 100 Billingsley Road Interlocal Cooperation Agreement between the County and ABC Board to accomplish the purposes stated above

APPROVED the \_\_\_\_\_ day of \_\_\_\_\_, 2019

Approved as to Form:

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County Attorney

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Clerk to the Board

