

STATE OF NORTH CAROLINA

AMENDED RESOLUTION  
FOR SALE OF REAL PROPERTY

COUNTY OF GRAHAM

WHEREAS, the Council for the Town of Lake Santeetlah desires to adopt a Resolution authorizing and directing the disposal of certain real property in accordance with statutory requirements set forth in North Carolina General Statute 160A-269;

WHEREAS, the Town owns land between privately owned property on Santeetlah Trail which abuts the 1817 contour line of the Lake Santeetlah;

WHEREAS, the Town has determined that the sale of Town owned property would be beneficial to the Town by increasing the tax base of the Town and would generate funds to increase Town Reserves;

WHEREAS, Brookfield Hydro has generated new requirements that lake front property owners must abut the 1817 contour line of Lake Santeetlah, otherwise the property owner shall lose dock rights;

WHEREAS, the Town Council has determined that the sale of these properties could allow property owners abutting Town owned property to have access to 1817 Contour Line of Lake Santeetlah;

WHEREAS, the Town offers the portions of said real property as shown on the survey attached hereto at a minimum sale price as follows:

<b>Parcel</b>	<b>Appraised Value</b>	<b>Minimum Value</b>	<b>Town Expenses</b>	<b>Minimum Price</b>	<b>Sale</b>
2	\$106,500.00	\$15,975.00	\$1,890.00	17,865.00	
3	\$165,500.00	\$24,825.00	\$1,890.00	26,715.00	
4	\$77,000.00	\$11,550.00	\$1,890.00	13,440.00	
5	\$102,000.00	\$15,300.00	\$1,890.00	17,190.00	
1	\$35,000.00	\$5,250.00	\$1,890.00	7,140.00	

WHEREAS, the Town would maintain a permanent and perpetual easement across existing Santeetlah Trail for maintenance of road, water and sewer and other utilities;

WHEREAS, the Town shall make available the survey dated October 19, 2017 of said property prepared by Terry James for inspection at Town Hall, 16 Marina Drive, Lake Santeetlah, NC 28771;

WHEREAS, the Town shall make available the appraisal report dated November 9, 2017 prepared by Brian Farley for inspection at Town Hall, 16 Marina Drive, Lake Santeetlah, NC 28771;

WHEREAS, upon acceptance by the Town Council of the high bidder on parcels 4 or 5, the Town, if necessary, will deed a three-foot strip of Town-owned property along Santeetlah Trail to connect the high bidder's property with the purchased parcel. The purpose of the three-foot strip is to comply with Brookfield's Shoreline Management Plan which requires continuous ownership to the 1817 contour line of Lake Santeetlah;

WHEREAS, the three-foot strip only applies to Santeetlah Trail, and further, said three-foot strip continues from an existing re-bar located at the northwest corner of Lot 1, Section 1B, the southeast corner of Parcel 5 and the northeast corner of Lot 2, Section 1B and runs thence along the South Boundary line of Parcel 5, North 68-48-06 West 27.66 feet to an existing re-bar, North 85-16-08 West 10.64 feet to a set re-bar and North 56-57-38 West 52.18 feet to a set re-bar at the southeast corner of Parcel 4 as shown on the herein referenced survey.

WHEREAS, the final survey including the three-foot strip will be at the expense of the purchaser.

WHEREAS, the high bidder on parcel 4 takes subject to an encroachment as noted on the survey dated October 19, 2017;

WHEREAS, bidders on all parcels on Santeetlah Trail are encouraged to verify compliance with Brookfield Hydro that the purchase of these properties will allow them to have a dock on Lake Santeetlah before making any offer to purchase;

WHEREAS, the Town solicits offers to purchase said real property and that upon the receipt of an offer, the Town shall publish that it has received such offer;

WHEREAS, the Council shall require the offeror to deposit five percent (5%) of said offer with the Town Clerk and that the Town shall publish notice of said offer with said notice containing a general description of the property, the amount of the offer and that within ten (10) days any person may raise the bid by not less than ten percent (10%) of the first \$ 1,000.00 and five percent (5%) of the remainder;

WHEREAS, the Town shall pay for the first publication notice and the upset bidder shall pay for subsequent publications;

WHEREAS, the Town shall pay for the property description, deed preparation and the recording fee to the Register of Deeds; and

WHEREAS, the high bidder shall pay any property taxes due and owing at the time of sale.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Lake Santeetlah that this Resolution be adopted and that the Town commence receiving offers for said parcels of real property and that the terms of said sales shall be pursuant to the statutory requirements set forth in North Carolina General Statute 160A-269 and that said real property shall be sold on an "as is" and "where is" basis and the Town makes no guarantee and assumes no responsibility for the title thereto.

ADOPTED AND PASSED by \_\_\_\_\_ vote of the Council for the Town of Lake  
unanimous or other  
Santeetlah, North Carolina, at a **Special Called meeting held the 30<sup>th</sup>** day of March 2018.

TOWN OF LAKE SANTEEHLAH

By: \_\_\_\_\_  
JIM HAGER, Mayor

ATTEST:

\_\_\_\_\_  
EMILY HOOPER, Town Clerk