

A RESOLUTION AUTHORIZING THE SALE BY UPSET BID ALLOWED BY THE GENERAL  
STATUTES OF SURPLUS TOWN PERSONAL PROPERTY  
Resolution No. 46/2007-08

WHEREAS, the Town of Carrboro owns a parcel of real property located at the South Side of Eastwood Road 110' east of Piney Mount Road/Eastwood Road Intersection Chapel Hill, N.C. 27514, PIN# 9789-69-0049, Tax Map 7.28..5A; and

WHEREAS, North Carolina General Statute Chapter 160A-269 permits the Town to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the Town has received an offer to purchase the property described above, in the amount of \$53,000, submitted by Benjamin Brodey; and

WHEREAS, Benjamin Brodey has paid the required 5 percent (5%) deposit on his offer; and

WHEREAS, the Carrboro Board of Aldermen proposes to accept the offer of \$53,000 or any higher, upsetting offer, subject to the statutory upset bid procedure.

NOW THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY RESOLVES THAT:

Section 1. The parcel of real property, described above is hereby declared surplus.

Section 2. The Town Manager is hereby authorized to dispose of the surplus real property by the upset bid process described in NCGS 160A-269.

Section 3. The Purchasing Officer shall cause notice of the proposed sale to be published.

Section 4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Purchasing Officer within 10 days after the notice of sale is published.

Section 5. If a qualifying higher bid is received, the Purchasing Officer shall cause a new notice of upset bid to be published, and shall continue to do so until a 10 day period has passed without any qualifying upset bid having been received.

Section 6. A qualifying higher bid is one that raises the existing offer by not less than 10 percent (10%) of the first \$1,000 of that offer and 5 percent (5%) of the remainder of that offer.

Section 7. A qualifying higher bid must be accompanied by a deposit in the amount of 5 percent (5%) of the bid. The Town will return the deposit on any bid not accepted.

Section 8. The terms of the final sale are that the buyer must pay with cash, cashier's check or certified check at the time of the closing.

Section 9. The Town reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

Section 10. If no timely qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted.

Section 11. This resolution shall become effective upon adoption.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman John Herrera.

A RESOLUTION DECLARING PROPERTY AS SURPLUS AND  
AUTHORIZING THE TOWN MANAGER TO DISPOSE OF THE PROPERTY  
Resolution No. 185/2001-02

Whereas, Chapter 160A of the General Statutes authorizes the Town to dispose of real property; and

Whereas, the Town desires to dispose of a certain parcel of land that the Town has acquired by foreclosure.

NOW THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY  
RESOLVES:

1. That the parcel of real property, South Side of Eastwood Road 110' east of Piney Mountain Road/Eastwood Road Intersection, Chapel Hill, N.C. 27514, identified as PIN# 9789-69-0049- Tax Map 7.28.. 5A, is hereby declared surplus;
2. That the Town Manager is hereby authorized to dispose of the surplus real property by sale to the Town of Chapel Hill as authorized by NCGS Section 160A-274, or to initiate the upset bid process described in NCGS Section 269, whichever is in the best interest of the Town of Carrboro.
3. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 25th day of June, 2002:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, John Herrera, Diana McDuffee, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: None