

FORSYTH COUNTY
BOARD OF COMMISSIONERS

BRIEFING
DRAFT

MEETING DATE: NOVEMBER 12, 2020 AGENDA ITEM NUMBER: 13

SUBJECT: RESOLUTION ACCEPTING THE HIGHEST OFFER TO PURCHASE A 30-ACRE PORTION OF COUNTY OWNED REAL PROPERTY BY NEGOTIATED OFFER, ADVERTISEMENT, AND UPSET BIDS PROCEDURE (4897 LANSING DRIVE)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:

ATTACHMENTS: YES NO

SIGNATURE: _____ DATE: _____
COUNTY MANAGER

**RESOLUTION ACCEPTING THE HIGHEST OFFER TO PURCHASE A 30-ACRE
PORTION OF COUNTY OWNED REAL PROPERTY BY NEGOTIATED OFFER,
ADVERTISEMENT, AND UPSET BIDS PROCEDURE
(4897 LANSING DRIVE)**

WHEREAS Forsyth County currently owns real property located at 4897 Lansing Drive, Winston-Salem, N.C., further identified as Block 3191, Lot 105, Parcel Identification Number 6847-05-4421.00, for which the County has no use for and wishes to sell to the highest bidder;

WHEREAS on August 19, 2020, Forsyth County received an offer in the amount of \$1,551,059 from Front Street-Garner, LLC, to purchase a 30-acre portion of the above-described real property, subject to advertisement and increased/upset bids;

WHEREAS upon sale of the property, Front Street-Garner, LLC, would lease back to Forsyth County a portion of the property for use by Winston-Salem/Forsyth County Schools for continued use of its maintenance facilities for a period of at least 2 years following Front Street's occupancy of its Phase 1 facility;

WHEREAS by Resolution Authorizing Publication of an Offer to Purchase County Owned Real Property by Negotiated Offer, Advertisement, and Upset Bids Procedure adopted by the Forsyth County Board of Commissioners at its October 8, 2020, meeting, a Notice of Offer to Purchase Real Property Owned by Forsyth County and Request for Increased/Upset Bids was advertised as required by N.C.G.S. 160A-269 relating to the above-described property;

WHEREAS after due advertisement of said offer, no upset bids have been received within the time allowed by law; and

WHEREAS County staff recommends that the Forsyth County Board of Commissioners accept the original offer and sell the said property to Front Street-Garner, LLC, for \$1,551,059;

NOW, THEREFORE, BE IT RESOLVED, that the Forsyth County Board of Commissioners hereby accepts the offer of the highest bidder, Front Street-Garner, LLC, in the amount of \$1,551,059, to purchase a 30-acre portion of the above-described County owned real property; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager and Clerk to the Board are hereby authorized to execute any necessary documents and collect the balance of the purchase price to complete the sale of the above-described property, consistent with the terms outlined in the advertisement and Contract to Purchase, subject to a pre-audit certificate by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this the 12th day of November 2020.

**NOTICE OF OFFER
TO PURCHASE REAL PROPERTY
OWNED BY FORSYTH COUNTY
AND REQUEST FOR INCREASED/UPSET BIDS**

Forsyth County hereby publishes notice, pursuant to the provisions of N.C.G.S. 160A-269, of an offer from Front Street-Garner, LLC, in the amount of One Million Five Hundred Fifty One Thousand Fifty Nine and 00/100 dollars (\$1,551,059.00) to purchase real property owned by Forsyth County located at 4897 Lansing Drive, Winston-Salem, N.C. and further identified as Parcel Identification Number 6847-05-4421. Front Street-Garner, LLC has deposited five percent (5%) of the bid with the Clerk to the Board.

The terms of the said offer to purchase are cash payment at closing in the full amount of the offer. Notice is hereby given that within ten (10) days of the date of publication of this notice, any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder. Any qualifying increased/upset bidder will be required to deposit with the Clerk to the Board five percent (5%) of the total increased bid and the Clerk shall re-advertise the offer at the increased bid amount. This procedure will be repeated until no further qualifying upset bids are received, at which time the Forsyth County Board of Commissioners may accept the final offer and sell the above-described property to the highest bidder.

The Forsyth County Board of Commissioners may at any time reject any and all offers.

This 13th day of October 2020.

FORSYTH COUNTY BOARD OF COMMISSIONERS
Ashleigh M. Sloop, Clerk