



**RESOLUTION OF THE JACKSON
COUNTY COMMISSIONERS TO AUTHORIZE
THE SALE OF PROPERTY**

WHEREAS, the County of Jackson, hereafter County, owns certain property, being all of:
PIN #7545-58-4733 containing approximately 67.19 acres, Bear Pen common area
PIN#7545-76-1352, Lot 1B Bear Pen, containing 1.18 acres
PIN#7545-67-0957, Lot 26 Bear Pen, containing 1.48 acres
PIN#7545-57-8653, Lot 35 Bear Pen, containing 1.15 acres
PIN#7545-68-0717, Lot 39 Bear Pen, containing 2.75 acres
PIN#7545-38-5265, Lot 78 Bear Pen, containing 0.59 acre

Being located in Mountain Township as further described in Deed Book 2142, Page 82, 90 and 92; Deed Book 2185, Page 1809 and 1814; Deed Book 2220, Page 642; and Deed Book 2131, Page 686 of the Jackson County Public Registry; and

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

WHEREAS, the County has received an offer to purchase the property described above, in the amount of \$43,000.00 which includes a request to transfer any declarant rights County received through its tax foreclosure of the property, submitted by B&E Mountain Holdings, LLP; and

WHEREAS, B&E Mountain Holdings, LLP, have paid the required five percent (5%) deposit on the offer.

**NOW THEREFORE, THE JACKSON COUNTY BOARD OF COMMISSIONERS
RESOLVES THAT:**

1. The Jackson County Board of Commissioners authorizes the sale of the property with any declarant rights received through tax foreclosure, if any, described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The Clerk to the Board of Commissioners shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the Clerk to the Board of Commissioners within 10 days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.

4. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
5. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received.
6. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed, which it will do by Motion within 30 days after the final upset bid period has passed, and the buyer must pay with cash at the time of closing.
7. The County 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.
8. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate County officials are authorized to execute the instruments necessary to convey the property to B&E Mountain Holdings, LLP.

Adopted June 18, 2019.

JACKSON COUNTY BOARD OF COMMISSIONERS

By: _____
BRIAN THOMAS MCMAHAN, Chairman

Attest:

ANGELA M. WINCHESTER, Clerk to the Board