



CHATHAM COUNTY COMMISSIONERS

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COUNTY MANAGER

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Resolution of the Chatham County Board of Commissioners Authorizing the Sale of County Owned Property by the Upset Bid Procedure

WHEREAS, Chatham County (the "County") owns certain property, identified at Tax Parcel Number 17443 (the "Property"); and

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

WHEREAS, Chatham County declared the Property surplus at the July 21, 2014 Board of Commissioners meeting, and advertised the same for sale in the Chatham News on July 24, 2014 along with sixteen (16) other County surplus properties; and

WHEREAS, the Property contains .443 acres and is located off US 64 East and is described in an instrument recorded in Deed Book 1528, Page 988, in the Chatham County Registry; and

WHEREAS, the County recently received an offer to purchase the Property in the amount of \$500, submitted by Danny Franklin Thomas of Pittsboro, North Carolina; and

WHEREAS, Danny Franklin Thomas has paid the required 5% deposit of his offer;

THEREFORE, THE CHATHAM COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269.
2. The county clerk 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. Persons wishing to upset the offer that has been received shall submit a sealed bid and their offer to the office of the County Finance Department within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the Finance Department shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the county clerk 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. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.
5. 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.
6. 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 of the final high bidder at closing.
7. The terms of the final sale are that:
 - a. The Board of Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed.
 - b. The buyer must pay with cash at the time of closing.
8. 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.
9. If no qualifying 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 Danny Franklin Thomas, or his designee.

Adopted, this the 21nd day of August, 2017.

James G. Crawford, Chairman
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners