

BRIEFING
DRAFT

**FORSYTH COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: August 16, 2018

AGENDA ITEM NUMBER: 12

**SUBJECT: RESOLUTION AUTHORIZING PUBLICATION OF AN OFFER TO PURCHASE
COUNTY OWNED REAL PROPERTY BY NEGOTIATED OFFER, ADVERTISEMENT,
AND UPSET BIDS PROCEDURE – 201 BARLOW CIRCLE
(GENERAL SERVICES DEPARTMENT)**

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:

ATTACHMENTS: YES NO

SIGNATURE: _____ DATE: _____
COUNTY MANAGER

**RESOLUTION AUTHORIZING PUBLICATION OF AN OFFER TO PURCHASE
COUNTY OWNED REAL PROPERTY BY NEGOTIATED OFFER,
ADVERTISEMENT, AND UPSET BIDS PROCEDURE - 201 BARLOW CIRCLE
(GENERAL SERVICES DEPARTMENT)**

WHEREAS, as a result of a property tax foreclosure proceeding, Forsyth County currently owns real property located at 201 Barlow Circle in Winston-Salem, N.C. and further identified as Parcel Identification Number 6828-52-7954.00, Block Lot 6425001, for which the County has no use and wishes to sell to the highest bidder; and

WHEREAS, Forsyth County received and proposes to accept an offer in the amount of Four Thousand Five Hundred and 00/100 dollars (\$4,500.00) made by Mr. Lucien J. Houenou, to purchase the above described real property subject to advertisement and increased/upset bids; and

WHEREAS, pursuant to the provisions of N.C.G.S. 160A-269, Forsyth County must require the offeror to deposit five percent (5%) of his bid with the Clerk to the Board and the County is required to publish a notice of the offer for increased/upset bids before accepting any offer; and

WHEREAS, Lucien J. Houenou has deposited Two Hundred Twenty-Five and 00/100 dollars (\$225.00) with the bid, which equates to the required five percent (5%) deposit;

THEREFORE BE IT RESOLVED by the Forsyth County Board of Commissioners, pursuant to the provisions of N.C.G.S. 153A-176 and 160A-269, that Forsyth County plans to sell the above described real property by the negotiated offer, advertisement, and upset bids procedure and has received an offer as described above and the Board proposes to accept the said offer or any qualifying increased/upset bid received as provided by law, and to sell the property to the highest bidder.

BE IT FURTHER RESOLVED that the Clerk to the Board is hereby authorized and required to collect a deposit of five percent (5%) of the bid amount of Mr. Lucien J. Houenou, and any qualifying increased/upset bid under the applicable statute.

BE IT FURTHER RESOLVED that the County Manager is hereby authorized to publish a notice of the said offer as required by N.C.G.S. 160A-269 and to re-advertise the offer at any qualifying increased/upset bid received until no further qualifying increased/upset bids are received, at which time the Board of Commissioners may accept the final offer and sell the property to the highest bidder.

BE IT FURTHER RESOLVED that Forsyth County may at any time reject any and all offers.

Adopted this the 16th day of August 2018.

**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 Mr. Lucien J. Houenou in the amount of \$4,500.00 to purchase real property owned by Forsyth County located at 201 Barlow Cir., Winston-Salem, NC and further identified as Block Lot 6425001, Parcel Identification Number 6828-52-7954.00.

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 five percent (5%) of the total increased bid with the Clerk to the Board, located at the County Manager's Office, Forsyth County Government Center, 201 N. Chestnut St., Winston-Salem, NC, 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 16th day of August 2018.

FORSYTH COUNTY

By: _____
Ashleigh M. Sloop
Clerk to the Board