

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: DECEMBER 16, 2013 AGENDA ITEM NUMBER: 10

SUBJECT: RESOLUTION ESTABLISHING AND ADOPTING PROCEDURES AND STANDARDS TO CONVEY REAL PROPERTY BY PRIVATE SALE TO PUBLIC OR PRIVATE ENTITIES THAT PROVIDE AFFORDABLE HOUSING TO PERSONS OF LOW OR MODERATE INCOME AS AUTHORIZED BY N.C.G.S. 153A-378

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION:

See attached

ATTACHMENTS: YES NO

SIGNATURE: *J. Rudley Curtis, Jr.* DATE: December 12, 2012
COUNTY MANAGER

**RESOLUTION ESTABLISHING AND ADOPTING
PROCEDURES AND STANDARDS TO CONVEY REAL PROPERTY
BY PRIVATE SALE TO PUBLIC OR PRIVATE ENTITIES THAT PROVIDE
AFFORDABLE HOUSING TO PERSONS OF LOW OR MODERATE INCOME
AS AUTHORIZED BY N.C.G.S. 153A-378**

WHEREAS, N.C.G.S. 153A-378 authorizes any County to establish procedures and standards to convey real property by private sale to any public or private entity that provides affordable housing to persons of low or moderate income, subject to covenants or conditions that assure the property will be developed by the entity for sale or lease to persons of low or moderate income; and

WHEREAS, Forsyth County staff recommends exercising the authority outlined in N.C.G.S. 153A-378 only under the limited circumstances summarized in the attached procedures and standards;

NOW, THEREFORE, BE IT RESOLVED that the Forsyth County Board of Commissioners hereby establishes, adopts, and incorporates by reference the attached procedures and standards to convey real property by private sale to any public or private entity that provides affordable housing to persons of low or moderate income in a manner consistent with the authority outlined in N.C.G.S. 153A-378.

Adopted this 16th day of December 2013.

**PROCEDURES AND STANDARDS TO CONVEY REAL PROPERTY BY
PRIVATE SALE TO PUBLIC OR PRIVATE ENTITIES THAT PROVIDE
AFFORDABLE HOUSING TO PERSONS OF LOW OR MODERATE INCOME
AS AUTHORIZED BY N.C.G.S. 153A-378**

Procedures and standards to convey real property by private sale to public or private entities to provide affordable housing to persons of low or moderate income shall apply to:

Real property acquired by Forsyth County through property tax foreclosure proceedings filed by the County on behalf of both the County and the applicable municipality and to which title is held by the County for the benefit of the County and the applicable municipality after making a bid on the property which is not sufficient to cover the foreclosure costs and taxes.

Real property acquired by the County in the manner outlined herein and which is deemed surplus to the governmental needs of both the County and the applicable municipality.

Real property which has an economic potential in its current location which is diminished by the condition of the property.

Real property which can be renovated or demolished and reconstructed by a public or private entity that provides affordable housing to persons of low or moderate income to return the property to its highest and best use.

Real property which, if not renovated or demolished and reconstructed would be a blighted property if sold to the highest bidder and rented in its current condition.

Real property that, if not renovated or demolished and reconstructed would remain a blighted property which would negatively impact the property values of its surrounding properties.

Required covenants, conditions and/or approvals:

All conveyances under these procedures and standards shall include covenants or conditions that assure the property will be timely developed by the public or private entity for sale to persons of low or moderate income.

All conveyances under these procedures and standards shall be reviewed on a case by case basis and shall be subject to prior approval by the Forsyth County Board of Commissioners and the board of any municipality on whose behalf the County jointly holds title to the subject property.