

# FORSYTH COUNTY

## BOARD OF COMMISSIONERS

MEETING DATE: May 9, 2016 AGENDA ITEM NUMBER: 11

**SUBJECT: RESOLUTION AUTHORIZING PUBLICATION OF AN OFFER TO PURCHASE A STRIP OF COUNTY OWNED REAL PROPERTY BY NEGOTIATED OFFER, ADVERTISEMENT, AND UPSET BIDS PROCEDURE (A PORTION OF HORIZONS PARK PROPERTY)**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

**SUMMARY OF INFORMATION:**

See attached

ATTACHMENTS:  YES  NO

SIGNATURE: *J. Randolph Abatto, Jr. /cdh* DATE: May 4, 2016  
COUNTY MANAGER

**RESOLUTION AUTHORIZING PUBLICATION OF AN OFFER TO PURCHASE  
A STRIP OF COUNTY OWNED REAL PROPERTY BY NEGOTIATED OFFER,  
ADVERTISEMENT, AND UPSET BIDS PROCEDURE  
(A PORTION OF HORIZONS PARK PROPERTY)**

**WHEREAS**, Roger L. Harger and wife, Julie H. Harger, purchased a residence located at 2491 Memorial Industrial School Road, Rural Hall, which adjoins Horizons Park; and

**WHEREAS**, the driveway on the residence purchased by Mr. and Mrs. Harger encroaches on the adjoining Horizons Park property and Mr. and Mrs. Harger would like to purchase a 19-foot by 273-foot strip of the Horizons Park property, representing 5,187 square feet, a portion of Tax Block 5131, Lot 001, and Parcel Identification Number 6930-72-5022.00, on which the driveway encroaches; and

**WHEREAS**, County staff recommends that the County accept the offer of Mr. and Mrs. Harger, subject to advertisement for upset bids, in order to resolve the encroachment issue; and

**WHEREAS**, Forsyth County has received and proposes to accept an offer in the amount of one thousand and 00/100 dollars (\$1,000.00) made by Roger L. and Julie H. Harger 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 offerors to deposit five percent (5%) of their bid with the Clerk to the Board and the County is required to publish a notice of the offer for increased/upset bids;

**NOW, THEREFORE, BE IT RESOLVED** by the Forsyth County Board of Commissioners that Forsyth County has received an offer as described above and the Board proposes to accept the said offer or any valid increased/upset bid received, subject to advertisement for upset bids pursuant to the provisions of N.C.G.S. 153A-176 and 160A-269, 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 Roger L. and Julie H. Harger and any subsequent qualifying increased/upset bid.

**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 of any subsequent qualifying increased/upset bid received until no further qualifying increased/upset bids are received.

**BE IT FURTHER RESOLVED** that the Forsyth County Board of Commissioners may at any time reject any and all offers.

Adopted this the 9<sup>th</sup> day of May 2016.

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

As authorized by Resolution adopted by the Forsyth County Board of Commissioners on May 9, 2016, Forsyth County hereby publishes notice, pursuant to the provisions of N.C.G.S. 160A-269, of an offer summarized below, to purchase real property owned by Forsyth County. The offerors have already deposited five percent (5%) of their bid with the Clerk to the Board.

<u>Offer Received From:</u>	<u>Offer Amount:</u>	<u>Property Address:</u>	<u>Tax Block/Lot/PIN:</u>
Roger L. Harger and wife, Julie H. Harger	\$1,000.00	19-foot by 273-foot strip of Horizons Park Property adjacent to 2491 Memorial Industrial School Road, Rural Hall	Portion of 5131/001/6930-72-5022.00

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 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 \_\_\_\_\_ day of May 2016.

FORSYTH COUNTY

By: \_\_\_\_\_  
Carla D. Holt  
Clerk to the Board



# Forsyth County Government

Surplus Property

## OFFER TO PURCHASE

I hereby submit a bid and offer to purchase certain real property owned by Forsyth County.

The property is identified as:

Parcel Identification Number: A PORTION OF 6930-72-5022.00 (SEE ATTACHMENT)

Street Address: 100 HORIZONS LANE

My bid for the property listed above is \$ 1,000. Attached is a certified check or money order in the amount of \$ \$50.00 as a deposit of not less than 5% of my total bid (please make checks payable to Forsyth County). I understand that a receipt for my payment will be mailed to me within a week of the County receiving my payment.

If my bid is the highest bid after all qualifying upset bids are received and advertised for upset bids, I request the Forsyth County Board of Commissioners accept the offer and sell the property to me. I request Forsyth County prepare a deed for the property listed above in the following name(s) as Grantee(s):

Roger L. Harger / Julie H Harger

Upon notification that my offer has been accepted, I will pay the balance of the purchase price in full by certified check or money order payable to Forsyth County. I understand that I will be responsible for recording the deed and all expenses associated therewith. I further understand that should my bid be upset, my deposit will not be refunded until the successful completion of the entire bidding process. I further understand that should my bid be accepted and I fail to pay the balance of the purchase price in full, I will forfeit to Forsyth County the amount of any deposit I have paid on the property.

Name: Roger & Julie Harger

Address: 2491 Memorial Ind. Sch Road  
Rural Hall, NC 27045

Telephone: 336-407-1807

Email: rogerh665@roadrunner.com

Signature: Roger Harger

Date: 4-4-16

\*\*\* Please note that not all bids received will be accepted for advertisement. Should your bid not be accepted, you will receive written notification as soon as a decision has been reached. Please mail all bid forms and deposits to:

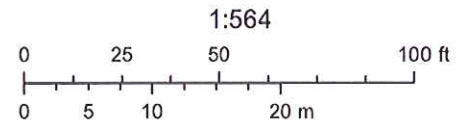
Forsyth County General Services  
Attention: Kirby Robinson, Property Manager  
201 N. Chestnut Street  
Winston-Salem, NC 27101



# Harger Request



March 21, 2016



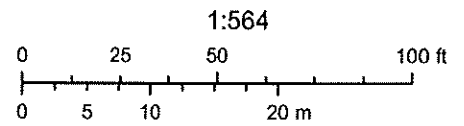
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# Harger Request



March 21, 2016



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