

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: June 16, 2021
SUBJECT: Memorandum of Understanding on Property Swap
PRESENTER: Charles Russell Burrell
ATTACHMENT(S): Proposed Memorandum of Understanding

Based on dialogue between your Board and the Board of Public Education, attached is a Memorandum of Understanding planning the exchange of (1) the former county school bus garage, located on Stoney Mountain Road and owned by the Board of Public Education, for (2) a parcel behind the Sugarloaf Elementary School. The County would also construct a new school bus garage on the Sugarloaf parcel.

County staff will be present and prepared if requested to give further information on this matter.

BOARD ACTION REQUESTED:

Approval of the Memorandum of Agreement.

If the Board is so inclined, the following motion is suggested:

I move that the Board approve the proposed Memorandum of Understanding.

**MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF
HENDERSON AND THE HENDERSON COUNTY BOARD OF PUBLIC
EDUCATION REGARDING THE EXCHANGE OF CERTAIN PROPERTY**

THIS MEMORANDUM OF UNDERSTANDING (the "MOU") is entered into by and between the Henderson County Board of Commissioners (hereafter "the County") and the Henderson County Board of Public Education (hereafter "Board", and hereafter collectively referred to as the "Parties").

WHEREAS, the County owns approximately 23.86 acres located adjacent to Sugarloaf Elementary School, said property having Pin number 9589541804, and being more particularly described as a portion of the parcel conveyed to the County in Deed Book 1231, Page 224 in the Henderson County Registry (the "Sugarloaf Property");

WHEREAS, the Board owns approximately 2.95 acres located at 812 Stoney Mountain Road, said property having the Pin number 9650618525 and which contains certain improvements, including the Henderson County Schools' bus garage (the "Stoney Mountain Road Property");

WHEREAS, pursuant to N.C.G.S. §160A-274 units of local government may exchange property with each other upon such terms and conditions as agreed to by the parties; and

WHEREAS, it is the desire of the County and Board to exchange their respective properties as set forth below.

NOW, THEREFORE, the Parties agree as follows:

1. The County, at its earliest convenience, will convey to the Board the Sugarloaf Property and the Board shall construct a new facility for the maintenance and repairs of school buses and other fleet automobiles (the "Facility").
2. Within 60 days of the completion of the Facility, the Board shall convey to the County the Stoney Mountain Road Property.
3. The County and Board authorize their respective representatives to effectuate the above property exchange by executing any necessary documents.

NOW WHEREFORE, the Parties hereto have caused this MOU to be executed by their duly authorized representatives.

**THE HENDERSON COUNTY
BOARD OF PUBLIC EDUCATION**

Mr. Blair Craven, Chairperson

Date

**THE HENDERSON COUNTY
BOARD OF COMMISSIONERS**

Mr. William Lapsley, Chairperson

Date