



RESOLUTION 2019-35
APPROVING CONVEYANCE OF PROPERTY PURSUANT TO G.S. 160A-279

WHEREAS, the Town of Davidson owns certain parcels of land containing approximately 20 acres, located on the south side of Beaty Street, known as Beaty Park; and

WHEREAS, North Carolina General Statute 160A-279 authorizes a town to convey real property by private sale to a nonprofit corporation, if the Town is authorized by law to appropriate funds to private organizations in order to carry out such program; and

WHEREAS, North Carolina General Statutes 160A-353 authorizes the Town to appropriate funds to establish parks; and

WHEREAS, the State of North Carolina has authorized the creation of conservation easements pursuant to the terms of the North Carolina Historic Preservation and Conservation Act, North Carolina General Statutes 121-34 et. seq. (the "Act") and North Carolina General Statute 160A-266 through 279, and 105-317, which provides for the enforceability of restrictions, easements, and covenants "appropriate to retaining land or water areas predominantly in their natural, scenic, or open condition; and

WHEREAS, the Town of Davidson has negotiated with the Davidson Land Conservancy [hereafter, DLC] to convey the 20 acre tract, described above, to DLC, in order that the property so conveyed may be preserved as a natural park through a conservation easement.

THEREFORE, THE TOWN BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Mayor of the Town of Davidson is authorized to execute all documents necessary to convey conservation easement to the 20 acre tract of land (Parcel #s: 003-284-06; 003-263-02; 003-284-02; 003-284-04; 003-284-03; 003-263-03; 003-263-98), and as shown in the attached existing conditions survey, excluding parcel 003-282-21.
2. The consideration for the conveyance is the set of conditions, covenants, and restrictions, contained in the attached conservation easement that, DLC has agreed to uphold and enforce.
3. The Town of Davidson shall convey a conservation easement to DLC. The easement of DLC in the property shall be in perpetuity.
4. The Town Clerk shall publish a notice summarizing the contents of this resolution, and the property may be conveyed at any time after 10 days after publication of the notice.

Adopted _____, 2019

Attest:

Rusty Knox, Mayor
Town of Davidson

Elizabeth K. Shores, Town Clerk

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