



# CITY OF CREEDMOOR

P.O. Box 765  
 111 MASONIC STREET  
 CREEDMOOR, NC 27522  
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 (919) 528-3332

**MAYOR**  
 ROBERT V. WHEELER

**CITY MANAGER**  
 GERALD C. SMITH, SR.

**COMMISSIONERS**  
 KECHIA BRUSTMEYER-BROWN  
 GEORGANA KICINSKI  
 DEL MIMS  
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 NEENA NOWELL

## RESOLUTION 2021-R-07

### A RESOLUTION AUTHORIZING THE SALE OF THE PROPERTY LOCATED AT 122 PECAN STREET IN CREEDMOOR

**WHEREAS**, the City of Creedmoor (the “City”) and Granville County (the “County”) jointly own the property located at 122 Pecan Street in Creedmoor (Granville County PIN 0896-41-6403) (the “Property”); and

**WHEREAS**, Granville County intends to transfer its ownership interest in the Property to the City of Creedmoor pursuant to N.C. Gen. Stat. § 160A-274(b); and

**WHEREAS**, the City has paid to have the house located on the Property demolished and removed, but there remains a considerable amount of inert debris both on and in the ground of the Property; and

**WHEREAS**, Mr. Larry Morgan, owns the adjoining property located at 124 Pecan Street (Granville County PIN 0896-41-5319) and has expressed a willingness to acquire the Property; and

**WHEREAS**, the Creedmoor Board of Commissioners recognizes that Mr. Morgan has already spent a considerable amount of time and money cleaning up and beautifying the land on Pecan Street; and

**WHEREAS**, the Creedmoor Board of Commissioners believes it would be in the best interest of the City to sell the Property, provided that the next owner agrees to remove all visible debris from the Property and also agrees to a prohibition on future development of the Property.

### NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF CREEDMOOR THE FOLLOWING:

**Section 1.** In recognition of the considerable work he has already contributed to the well-being of the Pecan Street neighborhood and in recognition of the considerable obligations and restrictions that will be imposed should he acquire the Property, the Creedmoor City Manager is hereby authorized to offer the Property for sale to Mr. Larry Morgan for One Thousand 00/100 Dollars (\$1,000.00).

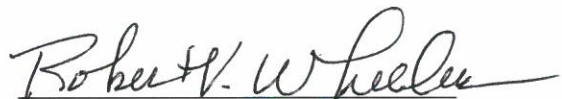
**Section 2.** The sale shall be pursuant to the public notice and upset bidding requirements of N.C. Gen. Stat. § 160A-269 and any other applicable law. For the purposes of G.S. § 160A-269, the adoption of this resolution shall constitute a tentative acceptance of Mr. Morgan’s offer to purchase the Property, and no further action by the Creedmoor Board of Commissioners shall be required prior to the initiation of the upset bid process. The Creedmoor Manager shall initiate the upset bid process after the County has transferred title to the Property to the City. Upon successful completion of the upset bid process, the Creedmoor City Attorney shall prepare a purchase contract for approval by the Creedmoor Board of Commissioners. The Creedmoor Board of Commissioners shall retain the right reject all bids prior to approval of the purchase contract.

**Section 3.** The sale of the Property to Mr. Morgan and to any other bidder shall be contingent upon the following requirements:


- A. Within ninety (90) days of the purchase of the Property, the purchaser shall remove all debris on the Property that is visible to the naked eye; and
- B. The deed granting title to the Property shall contain a covenant prohibiting the construction or placement of any dwelling unit of any size or any other structure greater than 100 square feet on the Property. The deed shall further grant the City of Creedmoor the right to enforce the covenant; and
- C. Violation of either requirement shall be considered a violation of the terms of the purchase agreement for the Property, and the City shall be entitled to bring suit to enforce the terms of the purchase agreement, with the City being entitled to damages or specific performance as well as attorney's fees incurred by reason of litigation brought to enforce the terms of the purchase agreement.

**Section 4.** This resolution shall be effective upon adoption.

**ADOPTED** by vote of the Board of Commissioners of the City of Creedmoor this, the 4<sup>th</sup> day of May, 2021 upon motion from Commissioner Kicinski.

  
Robert V. Wheeler, Mayor

ATTEST:

  
Terry A. Hobgood, Jr., City Clerk

