



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Legislation Details (With Text)

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**Type:** Consent **Status:** Passed  
**File created:** 8/19/2020 **In control:** Town Council  
**On agenda:** 9/9/2020 **Final action:** 9/9/2020  
**Title:** Authorize the Sale of Public Housing Property at 605 Oak Avenue.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Notice of Offer – Upset Bid, 2. Site Map, 3. Draft Offer to purchase Town-Owned Property, 4. A RESOLUTION AUTHORIZING THE SALE OF PROPERTY IN THE OAKWOOD PUBLIC HOUSING COMMUNITY (2020-09-09/R-6)

Date	Ver.	Action By	Action	Result
9/9/2020	1	Town Council	adopted	Pass

### Authorize the Sale of Public Housing Property at 605 Oak Avenue.

**Staff:**

Loryn Clark, Executive Director  
Faith M. Brodie, Director

**Department:**

Housing and Community  
Public Housing

**Overview:** The Town received an offer of \$21,000 to purchase a small portion of Town property located at 605 Oak Avenue in Carrboro, North Carolina to make improvements to their home. This property is a part of the Oakwood Public Housing community.



### Recommendation(s):

That the Council review the offer and authorize sale of Property as described through the procedure of North Carolina General Statute § 160A-269.

### Background and Discussion:

- The homeowner of 612 N. Greensboro Street, Carrboro wishes to purchase 1/10<sup>th</sup> of an acre of Town-owned land adjacent to her property.
- The property is located at the entrance to the Oakwood neighborhood.
- The 1/10<sup>th</sup> of an acre is well beyond any area that would impact the residents, buildings, or visitors to Oakwood.
- N.C.G.S 160A-269 requires the offeror to deposit five percent (5%) of their bid with the Town Clerk, and that the Town publish notice of the offer.
- Within 10 days of the notice any person may offer an “upset bid”.
- The Town may reject the offer.

**Fiscal Impact/Resources:** The offer is for \$21,000 for 1/10<sup>th</sup> of an acre. McPhaul Appraisal used the most recent local available comparable, which is the NCDOT land purchase for a roundabout at Estes and North Greensboro in Carrboro. David S. Smith, an appraiser we have used for other public housing

property, confirmed that this is a reasonable offer for the property at \$4.96/sf.



**Attachments:**

- Resolution
- Notice of Offer - Upset Bid
- Site Map
- Offer to Purchase Town Owned Property

**A RESOLUTION AUTHORIZING THE SALE OF PROPERTY IN THE OAKWOOD PUBLIC HOUSING COMMUNITY (2020-09-09/R-6)**

WHEREAS, the Town received an offer to purchase 1/10<sup>th</sup> of an acre Town-owned land at 605 Oak Avenue in Carrboro that is part of the Oakwood Public Housing Community for \$21,000.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes sale of Property as described through the upset bid procedure of North Carolina General Statute § 160A-269.

BE IT FURTHER RESOLVED that the Town Clerk shall publish a notice of the proposed sale ('Notice'). The Notice shall describe the Offer and terms under which the Offer may be upset.

BE IT FURTHER RESOLVED that persons wishing to upset the Offer shall submit a sealed bid with their offer to the office of the Town Clerk within 10 days after the Notice is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids timely received, if any, and the qualifying highest bid, if any, will become the new offer. If multiple qualifying high bids are submitted that offer the same dollar amount, the first such qualifying higher bid received will become the new offer.

BE IT FURTHER RESOLVED that if a qualifying higher bid is received, the Town Clerk shall cause a new notice of upset bid to be published and shall continue to do so until a 10-day period has passed without any qualifying higher upset bid having been received.

BE IT FURTHER RESOLVED that a qualifying higher bid must be accompanied by a deposit in the amount of five percent (5%) of the new bid amount; the deposit must be by certified check. The Town will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will credit the deposit of the final high bidder at closing.

BE IT FURTHER RESOLVED that Council hereby authorizes sale of the Property to the highest bidder for the amount of the final high bid and authorizes the Town Manager or Deputy Town Manager to execute a quit claim deed or deeds to the final high bidder in a form compliant with G.S. § 160A-269. The final high bidder must pay with a certified check at the time of closing and will be responsible for all closing costs associated with the transaction, including but not limited to surveying, exhibit, legal description, advertising, deed preparation, and recording fees.

BE IT FURTHER RESOLVED that the Town Council reserves the right to withdraw the Property from sale at any time and has the right to reject at any time all bids.

This the 9<sup>TH</sup> Day of September, 2020.

**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By adopting the resolution, the Council authorizes sale of Property as described through the upset bid procedure of North Carolina General Statute § 160A-269.