



RESOLUTION TITLE: RESOLUTION AUTHORIZING SURPLUS DECLARATION AND SALE BY SEALED BID – MARY ELLEN NELSON CENTER (PARCEL ID #170825)

WHEREAS, North Carolina law authorizes counties to dispose of real property in accordance with the procedures in Article 12 of Chapter 160A by reference in G.S. 153A-176; and,

WHEREAS, G.S. 160A-268 permits sale of real property by advertisement for sealed bids; and,

WHEREAS, the real property owned by Gaston County and identified as Parcel ID #170825, commonly known as the “Mary Ellen Nelson Center,” more particularly described on the Gaston County tax maps and to be described in Exhibit A (Legal Description) attached to the deed (the “Property”), is not necessary or useful for current or reasonably foreseeable County purposes; and,

WHEREAS, the Board desires to declare the Property surplus and to dispose of it in a manner designed to obtain fair value and the best use for the citizens of Gaston County.

NOW, THEREFORE, BE IT RESOLVED by the Gaston County Board of Commissioners that:

1. Surplus Declaration. The Property (Parcel ID #170825, “Mary Ellen Nelson Center”) is hereby declared surplus.
2. Method of Sale. The Board authorizes sales of the Property using a sealed bid process pursuant to G.S. 160A-268 (as applied to counties by G.S. 153A-176).
3. Notice of Sale. The County will publish notice of sale by sealed bid for the Property in a newspaper of general circulation within Gaston County. The notice will specify the date, time, and location of the public bid opening and any conditions or preferences to be considered by the County when evaluating the bids.
4. Offer. The written offer must be submitted with a 5% bid deposit in the form of a cashier's check or money order made payable to Gaston County.
5. Report and Final Acceptance. The Board will consider the highest responsive, responsible bid for award. The Board reserves the right to accept or reject any and all bids in its discretion and may direct that the Property be readvertised.

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I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

6. Form of Conveyance; "As-Is." If a bid is accepted, the Chair (or County Manager) is authorized to execute a non-warranty or quitclaim deed (or other deed form approved by the County Attorney), and related documents, conveying the Property "AS-IS, WHERE-IS," with all faults, subject to all valid easements, rights-of-way, covenants, assessments, and encumbrances of record. The County may reserve easements or other property interests deemed necessary by the County Manager or County Attorney prior to closing.
7. Earnest Money; Closing. The deposit of the accepted high bidder shall be applied to the purchase price at closing or forfeited if the bidder fails to close as required by the purchase contract approved by the County Attorney. Remaining terms (including due diligence, closing timeline, and allocation of costs) shall be set in the County's contract documents.
8. Allocation of Sale Proceeds for Museum Leasing. Upon closing, the County Manager and Finance Officer are directed to bring forward a budget amendment, consistent with the Local Government Budget and Fiscal Control Act (G.S. Ch. 159), to allocate from net sale proceeds an amount not to exceed \$150,000.00 to be used solely to lease space for the Gaston County Museum to house the County art collection currently stored at the Mary Ellen Nelson Center.
9. Further Actions. The Chair, County Manager, Clerk, and County Attorney and Public Works Director are authorized and directed to take all actions necessary to implement this Resolution, including publishing notices, receiving deposits, and executing documents consistent with G.S. 153A-176 and G.S. 160A-268.

Adopted this ____ day of _____, 2025.

Chair, Gaston County Board of Commissioners

Exhibit A – Legal Description (to be attached to deed and/or notice)

Exhibit A

Property Description — Mary Ellen Nelson Center

Beginning at an iron stake in the north side of North Carolina Highway No. 277, the same being 0.6 miles north 71–53 west from North Carolina Highway No. 275, a common corner of the property of R. E. Summey and Gaston County, and runs thence with the property line of R. E. Summey north 15–15 east 657 feet to an old stone; thence north 71–53 west 200 feet to an iron stake, a new corner in the property owned by Gaston County; thence a new line in said property south 15–15 west 657 feet to an iron stake in the north edge of North Carolina Highway No. 277; thence with the north edge of said Highway south 71–53 east 200 feet to the beginning corner, containing three acres, more or less, as shown by unrecorded survey made by Findlay, Withers & McConnaughey.