



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

County Attorney

Board Action

File #: 20-081

Commissioner Philbeck - County Attorney - To Authorize the Re-Conveyance of a Warranty Deed to The Trustees of Gaston College for 3.15 Acres Including the Life Skills Building

STAFF CONTACT

Charles Moore - County Attorney

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

On June 1, 1997 Gaston County executed a Lease with The Trustees of Gaston College in order to finance a portion of the cost of a project that consisted of the acquisition, construction and equipping of an approximately 15,680 square foot building (Life Skills Building) on lands owned by the Board of Trustees on the campus of Gaston College.

On June 26, 1997 The Trustees of Gaston College conveyed a Deed containing 3.15 acres for the Life Skills Building site to Gaston County. Per Article V, Section 5.2 of the Lease, the Board of Trustees has the option to purchase the leased property at the end of the lease term for the purchase option price of \$100.00. The Board of Trustees has notified the County of its desire to exercise this Purchase Option as the lease term has terminated, and have requested the County convey the property back to The Trustees of Gaston College.

POLICY IMPACT

N/A

ATTACHMENTS

Warranty Deed

DO NOT TYPE BELOW THIS LINE

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:

NO.	DATE	M1	M2	CBrown	JBrown	AFrale	BHovis	TKelgher	TPhilbeck	RWorley	Vote
2020-046	02/25/2020	BH	JB	A	A	AB	A	AB			

DISTRIBUTION:

Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

Excise Tax: \$ 0.00 (See G.S. 105-228.28)

Mail To: Carl Stewart, Esq., 283 West Main Avenue, Gastonia, NC 28052
Drawn By: Charles L. Moore, Esq., P.O. Box 1578, Gastonia, NC 28053

STATE OF NORTH CAROLINA

WARRANTY DEED

COUNTY OF GASTON

THIS WARRANTY DEED made and entered into as of the ____ day of February, 2020, by and between the **COUNTY OF GASTON**, a body politic and corporate and a political subdivision of the State of North Carolina, with an address at P.O. Box 1578, Gastonia, NC 28053-1578 (hereinafter referred to as "Grantor"), and **THE TRUSTEES OF GASTON COLLEGE**, a body corporate which constitutes the local administrative board of Gaston College, an institution of the North Carolina system of community colleges, and is duly organized and existing under the laws of the State of North Carolina, having an address at 201 Highway 321 South Dallas, N.C. (hereinafter referred to as "Grantee");

WITNESSETH THAT:

WHEREAS, Grantor and Grantee entered into that certain Lease Agreement dated June 1, 1997 (the "Agreement");

WHEREAS, this deed is being given by Grantor to Grantee to convey the real property herein described to the Grantee pursuant to the terms of the Agreement;

NOW, THEREFORE, for and in consideration of the premises and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and as authorized by the General Statutes of North Carolina, the Grantor has and by these presents does grant, bargain, sell, and convey unto the Grantee in fee simple all of that certain tract or parcel of land situated and located in the Dallas Township, Gaston County, North Carolina, and being more particularly described as follows:

Beginning at a new rebar located S 8-01-28 E 33.01 feet from the intersection of the center line of the Fire Science Road and the center line of Loop Road as shown on an unrecorded plat of survey for Gaston College, Life Skills Building, prepared by Keith Lackey, registered Surveyor, dated May 5, 1996, and runs thence from said beginning

point S 74-18-35 E 302.45 feet to a new rebar; thence S 10-48-28 W 348.45 to a new rebar; thence N 78-40-03 W 396.07 feet to a new rebar; thence N 10-48-28 E 233.93 feet to a new rebar; thence N 45-32-02 E 166.25 feet to the beginning.

Containing 3.15 acres and being part of the property conveyed to Gaston College by deed recorded in Deed Book 856 at Page 517 in the Gaston County Public Registry.

Being also the same property conveyed to Gaston County by deed dated June 26, 1997 from The Trustees of Gaston College, recorded in Deed Book 2675 Page 613 of the Gaston County Public Registry.

TO HAVE AND TO HOLD the aforesaid property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

AND THE GRANTOR covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: Valid and enforceable covenants, restrictions, conditions, rights of way and other easements of record.

All references herein to Grantor and Grantee shall include the parties and their respective successors and assigns, and this deed shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. The terms Grantor and Grantee shall include the singular, plural, masculine, feminine or neuter as required by the context.

IN TESTIMONY WHEREOF, the Grantor has caused this instrument to be duly executed and delivered in its name as of the day and year first above written.

GRANTOR:

COUNTY OF GASTON

[COUNTY SEAL]

By: _____

Name: Tracy L. Philbeck

Title: Chairman of Gaston County Board of Commissioners

ATTEST:

Name: Donna S. Buff

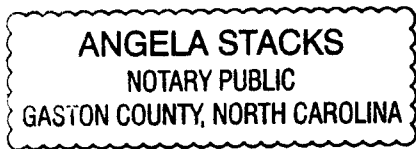
Title: Clerk to the Gaston County Board of Commissioners

STATE OF NORTH CAROLINA
COUNTY OF GASTON

I, Angela Stacks, a Notary Public of the County and State aforesaid, certify that Donna S. Buff, personally came before me this day and acknowledged that she is the Clerk to the Gaston County Board of Commissioners, and that by authority duly given and as the act of the COUNTY OF GASTON, a body politic and corporate and a political subdivision of the State of North Carolina, the foregoing instrument was signed in its name by Tracy L. Philbeck, the Chairman of Gaston County Board of Commissioners, sealed with its County seal, and attested by her as its Clerk.

Witness my hand and official stamp or seal, this 25th day of February, 2020.

[NOTARY STAMP/SEAL]



Angela Stacks
Notary Public
My Commission Expires: August 8, 2024