

## A Resolution to Approve an Interlocal Agreement with Rutherford County Board of Education

**WHEREAS**, the Rutherford County Board of Education (the “Board of Education”) owns certain real property located on Day Break Drive, Rutherfordton, NC 28139, Rutherford County Revenue Department Parcel ID Number: 1656865 (the “Old R-S Middle School Property”); and

**WHEREAS**, the Rutherford County Board of Education has, by resolution dated June 4, 2024, declared surplus that certain portion of the Old R-S Middle School Property inclusive of the former sixth grade building, cafeteria and surrounding grounds identified as approximately 2.3 acres on the attached Exhibit A (the “Surplus Parcel”); and

**WHEREAS**, North Carolina General Statute §115C-518 requires the Board of Education to offer the Surplus Parcel to the Rutherford County Board of Commissioners for potential acquisition prior to disposal according to applicable law; and

**WHEREAS**, the Rutherford County Board of Commissioners adopted A Resolution Acknowledging Rutherford County Board of Education Declaring Surplus Certain Real Property in which the County Manager was authorized, working with the County Attorney and County staff, to negotiate the terms and conditions of an agreement for the purchase and sale of the Surplus Property pursuant to N.C. Gen. Stat. §115C-518 and to present such proposed agreement to the Board of Commissioners for its consideration or approval; and

**WHEREAS**, the attached Interlocal Agreement was duly negotiated with the Rutherford County Board of Education and is such an agreement for the purchase of the Surplus Property upon terms and conditions that meet the statutory obligations of both entities and are in the best interests of the citizens of Rutherford County;



COUNTY COMMISSIONERS

Bryan King, *Chairman* | Alan Toney, *Vice Chairman* | Michael Benfield | David Hunt | Greg Lovelace  
Steve Garrison, *County Manager* | Hazel S. Haynes, *Clerk to the Board* | Richard Williams, *County Attorney*

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY AS FOLLOWS:**

The Board of Commissioners of Rutherford County hereby approves the Interlocal Agreement by and between the Rutherford County Board of Education and the County of Rutherford and authorizes the Chairman of the Board of Commissioners of Rutherford County to execute the same on behalf of the County.

**ADOPTED** this the 4<sup>th</sup> day of November, 2024

Approved: \_\_\_\_\_  
Chairman Bryan A. King  
Rutherford County Board of Commissioners

Attest:

\_\_\_\_\_  
Clerk, Board of Commissioners

(Seal)