

**A Resolution Acknowledging Rutherford County  
Board of Education Declaring Surplus Certain Real Property**

**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 has interest in the acquisition of the Surplus Parcel from the Board of Education upon such terms and conditions as may be in the best interests of the citizens of Rutherford County;

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

1. The Board of Commissioners of Rutherford County authorizes the County Manager, 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 Parcel pursuant to N.C. Gen. Stat. §115C-518.

2. The County Manager shall present the proposed agreement for the purchase and sale of the Surplus Parcel to the Board of Commissioners for its consideration and approval at a regular meeting or at such special meeting as may be called for that purpose.

**ADOPTED** this the 8<sup>th</sup> day of July, 2024

Approved:

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Chairman Bryan A. King  
Rutherford County Board of Commissioners



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*

Attest:

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Clerk, Board of Commissioners

(Seal)