

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING THE EXECUTION OF A LEASE WITH ROBERT H. CATO AND WIFE SHERRY B. CATO AND MARVIN C. BAKER AND WIFE LAURIE BAKER FOR A TWO ACRE TRACT OF LAND IN THE BROAD RIVER TOWNSHIP.

- WHEREAS, pursuant to N.C. Gen. Stat. §160A-272(c)(2) the County may lease land for communication purposes for a term up to twenty-five (25) years;
- WHEREAS, starting on February 15, 2011, the County has a lease with Robert C. Cato, Sherry B. Cato, Marvin C. Baker and Laurie Baker with ingress and egress at 221 T Still Springs Road, Black Mountain, NC 28711, PIN: 0635-76-8356 for a two (2) acre tract of land where the County constructed a radio tower (herein "Premises"); and
- WHEREAS, both parties wish to cancel the 2011 lease and enter into a new lease of the Premises for a ten (10) year term with the County's option to extend the lease for three (3) additional five (5) year terms; and
- WHEREAS, in accordance with N.C. Gen. Stat. § 160A-272, on September 23, 2024, the County published notice giving a description of the property to be leased, the lease amount and the County's intent to enter into the lease of the Premises with the Cato and Bakers.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners for the County of Buncombe as follows:

1. The County Manager is authorized execute a Lease with the Catos and Bakers for a two-acre tract of land located at 221T Still Springs Road, Black Mountain, North Carolina for use as a radio tower site upon the Legal Department's approval of the lease form and any other legal requirements.
2. This resolution is retroactively effective on August 1, 2024.

Adopted this 19<sup>th</sup> day of November 2024.

**ATTEST:**

**BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE**

\_\_\_\_\_  
Sarah Gross, Clerk to the Board

BY: \_\_\_\_\_  
Brownie Newman, Chair

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney