

RESOLUTION NO. _____

A RESOLUTION APPROVING EXECUTING TWELVE (12) STRUCTURE LEASES WITH MILESTONE DEVELOPMENT, INC.

WHEREAS, pursuant to N.C. Gen. Stat. §160A-272(c)(2) the County may lease a radio tower for communication purposes for a term up to twenty-five (25) years;

WHEREAS, on October 3, 2023, the Board of Commissioners authorized the County to enter into Marketing Master Agreement with Milestone Development, Inc.; and

WHEREAS, pursuant to the Marketing Master Agreement, Buncombe County agreed to enter into structure leases with Milestone for Milestone to market the available radio tower spaces to third parties to improve cellular and internet service in rural areas; and

WHEREAS, pursuant to N.C. Gen. Stat. §160A-272(b) on September 23, 2024, the County published a public notice describing the property to be leased, the annual lease payments, and announcing the council's intent to enter into these twelve (12) structural leases with Milestone Development Inc.;

WHEREAS, the structure leases are for the following radio towers,

1. The Busbee Tower located at 192 Busbee Mountain Road, Asheville, NC 28803, PIN: 9666-05-2215.
2. The Avery's Creek Tower located at 15 Commerce Way, Arden, NC 28704, PIN: 9634-26-4841.
3. The Crest Mountain Tower located at 175 Erwin Hills Road, Asheville, NC 28806, PIN 9629-48-5972.
4. The Flat Top Tower located at 72 T Randall Drive, Fairview, NC 28730, PIN: 9697-48-0317.
5. The High-Top Tower located at 323 T High Top Mountain Road, Candler, NC 28715, PIN: 9608-89-2429.
6. The Landfill Tower located at 91 Panther Branch Road, Alexander, 28701, PIN: 9723-08-5685.
7. The Sandy Mush Tower located at 210T Earlys Mountain Road, Leicester, NC 28748, PIN: 8782-02-7763.

8. The Swannanoa Tower located at 50T Sassafras Valley Road, Swannanoa, NC, 28778, PIN 9699-16-5876.
9. The Broad River Tower located 220T Still Spring Road, Black Mountain, NC 28711 at PIN: 0635-76-7924.
10. The Spivey Tower located at 1599 Spivey Mountain Road, Asheville, NC 28806, PIN: 9619-43-5767.
11. The Upper Hominy Tower located at 1795 Pisgah Highway, Candler, NC 28715, PIN: 8685-61-9840.
12. The Barnardsville Tower located at 717 Dillingham Road, Barnardsville, NC 28709, PIN: 9784-45-6871. Term will end on November 11, 2031 at 11:59 p.m.

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 structural lease for each of the twelve (12) radio towers owned by Buncombe County with Milestone Development, Inc. upon the Legal Department's approval of the structure lease form and any other legal requirements.
2. This resolution is effective upon adoption.

Adopted this 19th 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