

RESOLUTION AUTHORIZING THE EXCHANGE OF CERTAIN PROPERTY

WHEREAS, Union County owns two parcels of real property adjacent to Friendly Baptist Church Road in Union County, one parcel being approximately 2 acres and the other parcel being approximately 1.371 acres, as such property was conveyed to Union County by deed on December 17, 2021, and recorded in Book 8348, Pages 0478-0482 in the office of the Union County Register of Deeds (having property tax identification numbers #08231002B and 08231002C) (hereafter referred to as the “County Property”), with the County Property valued at \$140,000; and

WHEREAS, Josh Courtright and Courtright Homes, LLC (collectively “Courtright”) have the personal property of all known or unknown claims, demands, damages, actions, causes of action of whatever kind or nature against Union County, including the Union County Health Department, and the North Carolina Department of Health and Human Services, including the Division of Public Health, and their present or former officers, employees, agents and servants, both individually and in their official capacities, or otherwise, related to the evaluation, issuance, approval, denial, suspension, or revocation of any wastewater permits and authorizations, specifically including but not limited to any well permits, repairs or authorizations for repairs of systems, or for any evaluation, preparation, excavation, or installation related to any installation or expansion of the wastewater systems on property owned by Courtright Homes, LLC, located at 5305 Friendly Baptist Church Road in Union County, North Carolina, or on the County Property or any additional property in any way connected to, either directly or indirectly, the approval or operation of a well or wastewater system on such properties, or the expansion of the wastewater system, or any alleged breach of duty, neglect, violation of constitutional rights, financial losses, lost sales, construction loan costs, lost wages or income, interest or mortgage rates, recoupment of expenses, payments to third parties, emotional distress, pain and suffering, and any and all other damages on account of or arising from the matters set out herein (the “Courtright Property”), which Courtright Property is valued at \$140,000; and

WHEREAS, Union County and Courtright desire to exchange the County Property and the Courtright Property through Union County conveying the County Property to Courtright Homes, LLC, in exchange for Courtright releasing and forever discharging the Courtright Property; and

WHEREAS, as part of a settlement agreement related to this exchange, Union County will also receive \$70,725.10 from the State of North Carolina related to the County Property; and

WHEREAS, pursuant to N.C.G.S. § 153A-176 and § 160A-271, Union County is authorized to make such exchange if authorized by the Board of Commissioners by a resolution adopted at a regular meeting of the Board upon at least 10 days’ public notice; and

WHEREAS, Union County has given the required public notice, and the Board is convened in a regular meeting.

NOW, THEREFORE, BE IT RESOLVED by the Union County Board of Commissioners (the “Board”) as follows:

1. The Board hereby authorizes the exchange of the County Property and Courtright Property as described above.
2. The County Manager is authorized to execute the appropriate instruments necessary to carry out the exchange.

Adopted this the 21st day of October, 2024.

J.R. Rowell, Chairman
Union County Board of Commissioners