MEMORANDUM

To: Mayor and City Councilors

From: Rich Olson, City Manager

Date: June 4, 2015

Re: Consideration – Accept Offer to Purchase City-Owned Property located in Morgans Corner

BACKGROUND:

As reported to the City Council during the April 27, 2015 Council meeting, the City received communication from Morgans Corner Solar Energy indicating their interest in purchasing a 17.8 acre parcel of City-owned property identified as PIN: 7977499329 and Map P112-107. The Council agreed to consider the sale of this property and adopted Resolution #2015-04-03 on April 27, 2015 declaring the property surplus and authorizing the City Clerk to begin the upset bid process as required by North Carolina General Statutes §160A-269 once a formal Offer of Purchase was received.

ANALYSIS:

On May 7, 2015, the City received an offer to purchase this parcel in the amount of $10,000 from Morgans Corner Solar Energy, LLC (attached) accompanied by the required deposit of $500. The required statutory upset bid process was followed and receipt of this offer including an invitation for sealed upset bids was published in The Daily Advance and posted on the City's website and the City's official bulletin board. No other offers for this property were received.

FINANCIAL:

The Finance Committee discussed this matter during their meeting of June 4, 2015. Upon motion made by Councilman Horton, seconded by Councilman Donnelly, the Committee unanimously recommended approval by the City Council.

STAFF RECOMMENDATION:

By motion, accept the offer of $10,000 made by Morgans Corner Solar Energy, LLC for the property identified as PIN: 7977499329 and Map P112-107 with a physical address of 00000 Mill Pond Road and direct that the City Attorney prepare the required documents to effect the sale.

RCO/vdw

Invenergy

May 7, 2015

Richard Olson,
Manager
City of Elizabeth City
PO Box 347
Elizabeth City, NC 27907

RE: 00000 Millpond Road, Elizabeth City, North Carolina

Dear Mr. Olson,

Morgans Corner Solar Energy LLC plans to construct the Morgans Corner Solar Farm in northern Pasquotank County, North Carolina. The Project is located along Highway 158 and Blindman Road, approximately 11- miles northwest of downtown Elizabeth City. This project will bring significant investment to the region by increasing the tax base, making annual payments to local land owners, and creating local jobs during project construction.

As part of this project Morgans Corner Solar Energy LLC proposes to purchase a 17.8-acre parcel owned by the City of Elizabeth City and identified as PIN 7977-499329, Map P112-107 with a physical address of 00000 Mill Pond Road ("Property") On April 27, 2015 the City of Elizabeth City Council (the "Council") adopted a resolution declaring this property surplus and authorizing its sale by upset bid process. By this letter Morgans Corner Solar Energy LLC submits a bid of Ten Thousand Dollars ($10,000.00.) conditioned upon the Town's agreement that Invenergy will acquire any claims the Town may have arising from land approvals with respect to the Property as a term of the purchase agreement between Invenergy and the Town.

It is our understanding, per North Carolina General Statute 160A-269, that we are required to submit a deposit of five percent (5%) with the City Clerk once the Council proposes to accept our offer. We are prepared to submit a deposit of $500 immediately following notice of acceptance.

We appreciate the City's willingness to work with us through this process and look forward to hearing from you shortly. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Kelly Meyer
Vice President
Morgans Corner Solar Energy LLC