

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: 30 June 2014
SUBJECT: Restricting Athletics and Activities Center
PRESENTER: Charles Russell Burrell
ATTACHMENT(S): Proposed Covenant of Restriction

SUMMARY OF REQUEST:

The PARTF grant for the Athletics and Activities Center requires that the property be restricted, so that it “may not be converted to other than public recreation use (whether by transfer, sale or in any other manner) without approval of DENR”.

The proposed Covenant, to be recorded after execution, accomplishes this.

County staff will be present and prepared if requested to give further information on this matter.

BOARD ACTION REQUESTED:

Approval of the proposed Covenant.

If the Board is so inclined, the following motion is suggested:

I move that the Board approve the Covenant of Restriction regarding the Athletics and Activities Center property.

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

COVENANT OF RESTRICTION

This Covenant of Restriction is made and published by the County of Henderson, a body corporate and politic (“the County”), concerning real property owned by it located within the City of Hendersonville, North Carolina, as stated below:

WITNESSETH:

The County has acquired title to real estate located at 708 South Grove Street, Hendersonville, North Carolina, by deed recorded in Book 1521, at Page 619, of the Henderson County Registry, which is incorporated herein by reference (“the real estate”); and,

The County has secured a North Carolina Department of the Environment and Natural Resources Parks and Recreation Trust Fund Grant to further the development of the real estate; and,

As a condition to such Grant, the County is required to restrict the real estate to certain conditions binding upon itself and any subsequent owner of the real estate, and hereby does so.

NOW, THEREFORE, the County does hereby for itself, its successors and assigns, covenant with the State of North Carolina by placing upon the real estate the following condition:

This property was acquired with State financial assistance from the N.C. Parks and Recreation Trust Fund, and pursuant to a contractual requirement this property may not be converted to other than public recreation use (whether by transfer, sale or in any other manner) without approval of DENR.

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This the 30th day of June, 2014.

COUNTY OF HENDERSON

By: _____
CHARLES D. MESSER
Chairman, Board of Commissioners

ATTEST:

TERESA L. WILSON
Clerk to the Board

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document in the capacity noted:

Charles D. Messer, Chairman, Board of Commissioners of Henderson County
Teresa L. Wilson, Clerk to the Board of Commissioners of Henderson County

This the _____ day of June, 2014.

Notary Public Signature

Notary Public Name

My commission expires: _____