

**Item Title:** Consideration of the Purchase of Property Declared Surplus by the Wake County Board of Education

**Specific Action Requested:**

**That the Board of Commissioners confirms that the County has no interest in acquiring the property described which has been declared surplus by the Wake County Board of Education in the proposed exchange with the Town of Fuquay-Varina.**

**Item Summary:**

**Purpose:** To meet statutory requirements regarding land dispositions by the Wake County Board of Education (School Board).

**Background:** In 2012 the County entered into Interlocal Agreement with the Town of Fuquay-Varina (the Town) and the School Board to master plan school and Town Park facilities in Fuquay-Varina, NC (“the ILA”). The Conceptual Master Plan has been finalized and the School Board and Town wish to exchange portions of their adjacent properties to carry out the Master Plan and accurately reflect the land ownership of each parties’ program.

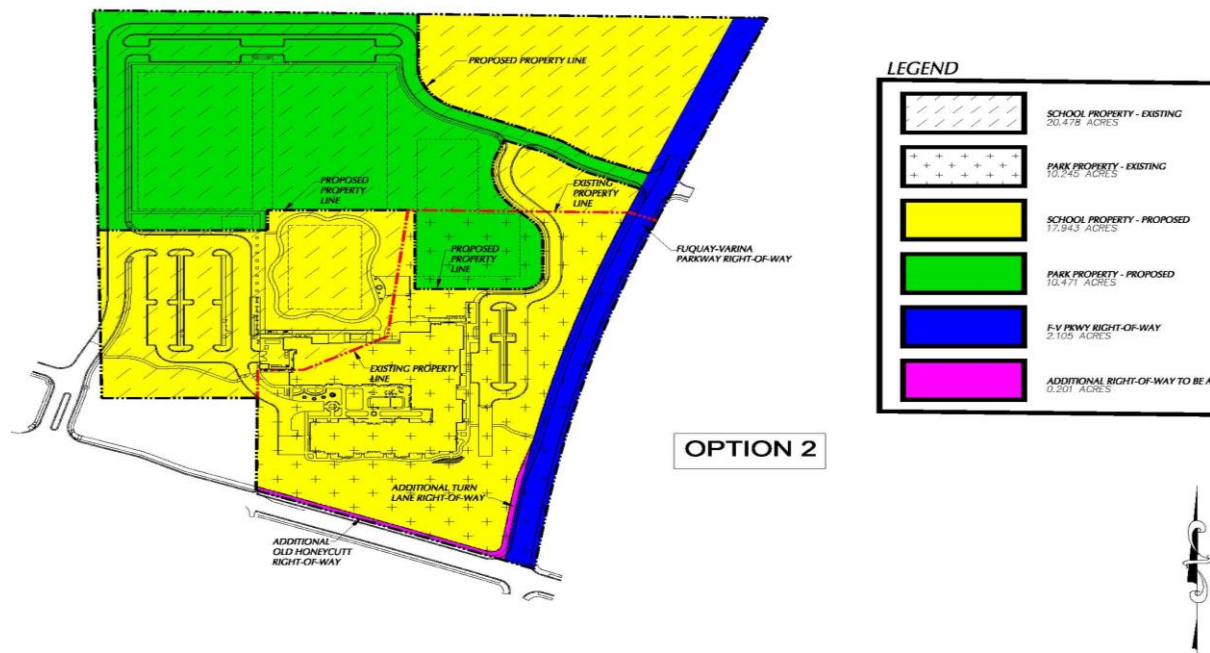
**Board Goal:** This action complements several initiatives in the Growth and Sustainability goal area.

**Fiscal Impact:** No fiscal impact to the County. The property to be exchanged is of equal value and no other consideration is proposed.

**Additional Information:**

NCGS §115C-518 provides that, when the School Board deems any real property is unnecessary or undesirable for public school purposes, the Board may dispose of the property according to the procedures prescribed by the General Statutes. The statute further provides, when any real property to which the Board of Education holds title is no longer suitable or necessary for public school purposes, the Board of Commissioners shall be afforded the first opportunity to obtain the property at the fair market value or at a price negotiated between the two Boards.

As part of the Master Plan referenced above, Wake County Public School System (WCPSS) is planning to open Southlakes Elementary School (formerly designated as E-35) in the 2020 school year. The Town is anticipating a developer dedication of a ±1.35 acres portion of an adjacent tract of land that will be added to the Town’s park development next to the southern side of the School Board’s property. Please reference the following map.



While such a proposed exchange of property was likely not anticipated by the General Statute cited above, the County Attorney's Office is of the opinion the Board should follow the formal consideration/declination process.

In this instance, County Staff recommends the Board decline to purchase the School Board property which is being offered to the Town for its park in exchange for the Town's property to be used as part of Southlakes Elementary.

**Attachments:**

1. Area Map
2. Interlocal Agreement