

**RESOLUTION TO AUTHORIZE SALE OF PROPERTY TO
THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY**

WHEREAS, the Fayetteville Public Works Commission (PWC) owns certain intangible personal property more specifically described as four thousand seventy-one (4,071) renewable energy certificates originated by the Southeastern Power Administration as a result of hydro generation at the John H. Kerr Dam during the period January 1, 2022, to December 31, 2022 (the “Property”); and

WHEREAS, North Carolina General Statute §160A-274 authorizes PWC to exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property upon such terms and conditions as PWC deems wise, with or without consideration; and

WHEREAS, PWC has determined that it is in the best interest of PWC to sell the Property to the North Carolina Eastern Municipal Power Agency and deems it wise to do so in the amount of \$84,228.99.

**THEREFORE, LET IT BE RESOLVED BY THE COMMISSIONERS OF THE
FAYETTEVILLE PUBLIC WORKS COMMISSION THAT:**

1. PWC authorizes the sale of the Property to the North Carolina Eastern Municipal Power Agency pursuant to N.C.G.S. §160A-274.
2. The Property shall be conveyed, as is, to North Carolina Eastern Municipal Power Agency in exchange for payment in the amount of \$84,228.99 pursuant to the terms of the inter-governmental Renewable Energy Certificates Spot Purchase and Sales Agreement attached hereto as Exhibit A, which agreement is hereby approved by PWC.
3. Pursuant to Charter Section 6A.9, PWC refers the sale of the Property to the City Council of the City of Fayetteville for approval by resolution.

Adopted this 24th day of May, 2022.

FAYETTEVILLE PUBLIC WORKS COMMISSION

Ronna Rowe Garrett, Chairwoman

ATTEST

Evelyn O. Shaw, Secretary