



# City of Fayetteville

433 Hay Street  
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## Legislation Text

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File #: 18-201, Version: 1

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**TO:** Mayor and Members of City Council

**THRU:** Kristoff T. Bauer, Deputy City Manager

**FROM:** Kecia N. Parker, NCCP, Real Estate Manager

**DATE:** May 14, 2018

**RE:**

**Adopt a Resolution Declaring Jointly Owned Real Property Surplus and Authorizing a Quitclaim Deed of the City's Title to the County**

**COUNCIL DISTRICT(S):**

Not in City Limits

**Relationship To Strategic Plan:**

A Desirable Place to Live, Work and Recreate

**Executive Summary:**

Cumberland County has requested that the City of Fayetteville quitclaim their interest in 5906 St. Micheals Drive known as Parcel ID 0454-51-2694 to clear up a cloud on title. This parcel was acquired through tax foreclosure and the County mistakenly deeded it to the City and the County even though it is outside of City limits. The County now has a buyer for the parcel and needs the City to quitclaim their interest so as to complete the sale.

**Background:**

On June 23, 2016, Parcel 0454-51-2694 located at 5906 St. Micheals Drive was conveyed to the County of Cumberland and the City of Fayetteville as a result of a tax foreclosure proceeding. This property was not in City limits and therefore the City should not have been a party to the deed. The Commissioner's Deed is recorded in Book 9886, Page 756 of the Cumberland County Registry. The County now has a buyer for the property and needs the City to quitclaim our interest to them so that they may complete the sale.

**Issues/Analysis:**

No known issues

**Budget Impact:**

There is no significant impact to the budget;

**Options:**

- Accept the County's request to declare the property surplus and quitclaim the City's title to the County according to the Resolution attached.
- Reject the County's request and retain a ½ interest in the properties.

**Recommended Action:**

Staff recommends adopting the attached Resolution declaring the property surplus and authorizing the City Manager to sign a Quitclaim Deed conveying the City's interest to the County.

**Attachments:**

Resolution

Map