



NEW BERN

CITY OF NEW BERN

Redevelopment Commission of
The City of New Bern
303 First Street, P.O. Box 1129
New Bern, NC 28563-1129
(252) 639-7587

Commission Members

Stephanie Lovick
Leander Morgan
Jay Tripp
Steve Strickland
Beth Walker
Tabari Wallace
Julius Parham

Chair

Tharesa Lee

Vice-Chair

Kip Peregoy

Ex-Officio Members

Sabrina Bengel

Barbara Best

Jameesha Harris

Wednesday August 10, 2022, 6:00 p.m.
Development Services Conference Room
303 First Street New Bern, NC 28562

START	6:00 p.m.	
1.	Agenda Item: Welcome & Call to Order, Roll Call, Guiding Principles	Agenda Item Completed:
	Presenter: Kip Peregoy, Vice-Chair	Estimated Time: 5 min
2.	Agenda Item: Public Comment	Agenda Item Completed:
	Presenter: Kip Peregoy, Vice-Chair	Estimated Time:
	Limit 4 minutes per speaker	
3.	Agenda Item: Approval of Minutes	Agenda Item Completed:
	Presenter: Kip Peregoy, Vice-Chair	Estimated Time: 5 min
	Goal: Share Info Obtain Input <u>Make Decisions</u>	Formal Approval Needed? <u>Yes</u> No
	Supporting Materials: Minutes from the July 13, 2022, Regular Meeting are provided for review and approval.	
4.	Agenda Item: Recognition of Alderman Bengel and Alderwoman Harris.	Agenda Item Completed:
	Presenter: Kip Peregoy, Vice-Chair	Estimated Time: 10 min
	Goal: <u>Share Info</u> <u>Obtain Input</u> <u>Make Decisions</u>	Formal Approval Needed? <u>Yes</u> No
	Background Information: Alderman Sabrina Bengel (Ward 1) and Alderwoman Jameesha Harris (Ward 2) have served as ex-officio members of the Commission since its inception. Alderman Bengel and Alderwoman Harris tenure as ex-officio members will conclude upon the swearing in of the new Board of Aldermen. The Commission will recognize their service and support of the Commission.	

	Supporting Materials: Resolutions	
	Action Items: Adopt Resolutions	
5.	Agenda Item: Consider Adopting a Resolution to initiate the upset bid process for 827 Cedar Street.	Agenda Item Completed:
	Presenter: Kip Peregoy, Vice-Chair	Estimated Time: 15 min
	Goal: <u>Share Info</u> <u>Obtain Input</u> <u>Make Decisions</u>	Formal Approval Needed? <u>Yes</u> No
	Background Information: The City Clerk has received an offer to purchase request from William Richardson for \$1,140.00, he is interested in purchasing 827 Cedar Street, a Redevelopment Commission owned property. If the Resolution is adopted the property will go through the upset bid process and will be awarded to the highest bidder.	
	Supporting Materials: Resolution, Offer to purchase, Craven County GIS information, and receipt for deposit on the offer to purchase.	
	Action Items: Adopt Resolution	
6.	Agenda Item: Consider Adopting a Resolution recommending initiation of the upset bid process for 209 Bryan Street. Or Consider Adopting a Resolution to request conveyance of real property located at 209 Bryan Street to the Redevelopment Commission.	Agenda Item Completed:
	Presenter: Kip Peregoy, Vice-Chair	Estimated Time: 10 min
	Goal: <u>Share Info</u> <u>Obtain Input</u> Make Decisions	Formal Approval Needed? <u>Yes</u> No
	Background Information: Mr. C. E. Diggs is interested in the property owned jointly by the City and County.	
	Supporting Materials: Resolution, Map and PowerPoint	
	Action Items: Adopt a Resolution for recommendation to the City of New Bern.	
7.	Agenda Item: Consider Adopting a Resolution recommending initiation of the upset bid process for 821 West Street. Or Consider Adopting a Resolution to request conveyance of real property located at 821 West Street to the Redevelopment Commission.	Agenda Item Completed:
	Presenter: Kip Peregoy, Vice-Chair	Estimated Time: 10 min
	Goal: <u>Share Info</u> <u>Obtain Input</u> Make Decisions	Formal Approval Needed? <u>Yes</u> No

	Background Information: Mr. C. E. Diggs is interested in the property owned jointly by the City and County.	
	Supporting Materials: Resolution, Map and PowerPoint	
	Action Items: Adopt a Resolution for recommendation to the City of New Bern.	
8.	Agenda Item: Working Group Reports	Agenda Item Completed:
	Presenter: Working Groups	Estimated Time: 15 min
	Goal: <u>Share Info</u> Obtain Input Make Decisions	Formal Approval Needed? Yes <u>No</u>
	Background Information: Working Group Reports from: Health, Housing, and Neighborhood. 908 Bloomfield (Health and Wellness Center) and 911 Eubanks	
	Supporting Materials:	
	Action Items:	
9.	Agenda Item: Closed Session (If needed)	Agenda Item Completed:
	Presenter: Kip Peregoy, Vice-Chair	Estimated Time: 15 min
	Goal: <u>Share Info</u> Obtain Input Make Decisions	Formal Approval Needed? Yes <u>No</u>
	Background Information:	
	Supporting Materials:	
	Action Items:	
10.	Adjournment	
Next Meeting: September 14, 2022		

RESOLUTION

THAT WHEREAS, the Redevelopment Commission of the City of New Bern owns certain real property identified as 827 Cedar Street, Craven County parcel identification number 8-007-363; and

WHEREAS, North Carolina General Statute § 160A-269 and § 160A-514 permit the Commission to sell property by upset bid after receipt of an offer for the property; and

WHEREAS, the Commission has received an offer to purchase the above described property in the amount of \$1,140.00 submitted by William Richardson; and

WHEREAS, William Richardson has paid the required five percent (5%) deposit on the offer; and

WHEREAS, the Redevelopment Commission deems it to be in the public interest and in furtherance of its redevelopment plan to convey its interest in the property subject to certain covenants, conditions and restrictions.

NOW, THEREFORE, BE IT RESOLVED BY REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN:

Section 1. The Redevelopment Commission of the City of New Bern authorizes the sale of its interest in the property described above through the upset bid procedure of North Carolina General Statute § 160A-269 and § 160A-514.

Section 2. The Redevelopment Commission is authorized to sale its interest in the property subject to to such covenants, conditions and restrictions as the Commission may deem to be in the public interest and in furtherance of the purposes of the redevelopment plan pursuant to North Carolina General Statute § 160A-514; and

Section 3. Said covenants, conditions and restrictions are set forth in Exhibit A attached hereto and incorporated by reference.

Section 4. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.

Section 5. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if

any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

Section 6. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Redevelopment Commission.

Section 7. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

Section 8. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check or certified check. The Commission will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset bid if a qualifying higher bid is received. If the Commission accepts the final high bid, the deposit of the final high bidder will be applied to the purchase price at closing, and if the final high bidder is unable to complete the purchase of the property, the deposit shall be forfeited.

Section 9. The terms of the final sale are:

(a) The Board of Aldermen of the City of New Bern must approve the sale pursuant to North Carolina General Statute § 160A-514.

(b) The Redevelopment Commission must approve the final high offer before the sale is closed, which it may do within thirty (30) days after approval of the sale by the Board of Aldermen; and

(c) The buyer must pay with cash at the time of closing.

Section 10. The Commission reserves the right to withdraw the property from sale at any time before the final high bid is accepted, and the right to reject all bids at any time, specifically including the initial offer.

Section 11. If no qualifying upset bid is received after the initial public notice, and if the offer set forth above has not been subsequently rejected, the offer set forth above is hereby accepted, and the appropriate city officials are authorized to execute the instruments necessary to convey the property to William Richardson.

ADOPTED THIS 10th DAY OF AUGUST, 2022.

KIP PEREGOY, Vice Chair



Redevelopment Commission Property for Review



Property Site

Current Owner(s): Redevelopment Commission
Address: 827 Cedar St
Acres: 0.019
Parcel ID: 8-007-363
Current Use: Vacant



1 inch = 40 feet

0 20 40 80 Feet

Imagery 2021

NORTH CAROLINA

OFFER TO PURCHASE AND CONTRACT

CRAVEN COUNTY

William L Richardson, as Buyer, hereby offers to purchase and REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN, as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parcel of land described below (hereafter referred to as the "Property"), upon the following terms and conditions:

1. REAL PROPERTY: Located in or near the City of New Bern, Craven County, North Carolina, being known as and more particularly described as:

Street Address: 827 Cedar Street

Subdivision Name:

Tax Parcel ID No.: 8-007-363

Plat Reference:

Being all of that property more particularly described in Deed Book 3640, Page 1169 in the Craven County Registry.

2. PURCHASE PRICE: The purchase price is \$1,140.00 and shall be paid as follows:

(a) \$ 100.00, EARNEST MONEY DEPOSIT with this offer by [X] cash [] bank check [] certified check to be held by Seller until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise properly terminated. In the event this offer is not accepted, then all earnest monies shall be refunded to Buyer. In the event of breach of this contract by Seller, all earnest monies shall be refunded to Buyer upon Buyer's request. In the event of breach of this contract by Buyer, then all earnest monies shall be forfeited to Seller upon Seller's request, but such forfeiture shall not affect any other remedies available to Seller for such breach.

(b) \$ 1,040.00, BALANCE of the purchase price in cash or readily available funds at Closing.

3. CONDITIONS:

(a) This contract is not subject to Buyer obtaining financing.

(b) The Property must be in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted.

(c) The Property is being sold subject to all liens and encumbrances of record, if any.

(d) Other than as provided herein, the Property is being conveyed "as is".

(e) This contract is subject to the provisions of G.S. §160A-269 and § 160A-514. Buyer acknowledges that this contract is subject to certain notice provisions and the rights in others to submit upset bids in accordance therewith.

(f) Title shall be delivered at Closing by QUITCLAIM DEED

4. SPECIAL ASSESSMENTS: Seller makes no warranty or representation as to any pending or confirmed governmental special assessments for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, or pending or confirmed owners' association special assessments. Buyer shall take title subject to all pending assessments, if any.

5. PAYMENT OF TAXES: Any ad valorem taxes to which the Property is subject shall be paid in their entirety by Buyer.

6. EXPENSES: Buyer shall be responsible for all costs with respect to any title search, title insurance, recording of the deed and its legal fees. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this agreement, and for any excise tax (revenue stamps) required by law.

7. EVIDENCE OF TITLE: Not Applicable.

8. CLOSING: Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and all documents and papers necessary in connection with Closing and transfer of title within thirty (30) days of the granting of final approval of the sale by the City of New Bern's Board of Aldermen pursuant to G.S. §160A-514. The deed is to be made to William L. Richardson.

9. POSSESSION: Unless otherwise provided herein, possession shall be delivered at Closing.

10. PROPERTY INSPECTION, APPRAISAL, INVESTIGATION:

(a) This contract is not subject to inspection, appraisal or investigation, as the Property is being bought "as is." Seller makes no representation as to water, sewer, conditions, title, access, or fitness for any intended use.

(b) CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION.

11. RIGHT OF ENTRY, RESTORATION AND INDEMNITY: Buyer and Buyer's agents and contractors shall not have the right to enter upon the Property for any purpose without advance written permission of the Seller. If such permission is given, Buyer will indemnify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injury to any person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property. This indemnity shall survive this contract and any termination hereof.

12. OTHER PROVISIONS AND CONDITIONS: (ITEMIZE ALL ADDENDA TO THIS CONTRACT AND ATTACH HERETO.): None.

Buyer Initials W.L.R., Seller Initials

- 13. **RISK OF LOSS:** The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller.
- 14. **ASSIGNMENTS:** This contract may not be assigned without the written consent of all parties, but if assigned by agreement, then this contract shall be binding on the assignee and the assignee's heirs, successors or assigns (as the case may be).
- 15. **PARTIES:** This contract shall be binding upon and shall inure to the benefit of the parties, i.e., Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.
- 16. **SURVIVAL:** If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.
- 17. **ENTIRE AGREEMENT:** This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties.
- 18. **NOTICE AND EXECUTION:** Any notice or communication to be given to a party herein may be given to the party or to such party's agent. This offer shall become a binding contract (the "Effective Date") when signed by both Buyer and Seller and such signing is communicated to the offering party. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party, and the parties adopt the word "SEAL" beside their signatures below.

BUYER:

(If an individual)

William L. Richardson (SEAL)

Name: William L. Richardson

Date: August 01, 2022

Address: 140 Staten Road
New Bern, NC 28562

Phone: 252-259-7879

SELLER

REDEVELOPMENT COMMISSION
OF THE CITY OF NEW BERN

By: _____ (SEAL)

Its: _____

Date: _____

(If a business entity)

By: _____ (SEAL)

Its: _____

Address: _____

Phone: _____

Buyer Initials W.R. Seller Initials _____

Craven County Geographic Information System

Craven County does NOT warrant the information shown on this page and should be used ONLY for tax assessment purposes.

This report was created by Craven County GIS reporting services on 8/1/2022 11:02:24 AM

Parcel ID : 8-007 -363
Owner : REDEVELOPMENT COMMISSION OF THE
Mailing Address : PO BOX 1129 NEW BERN NC 28563
Property Address : 827 CEDAR ST
Description : 827 CEDAR ST\$
Lot Description :



Subdivision :

Assessed Acreage : 0.000 **Calculated Acreage :** 0.020
Deed Reference : 3640-1169 **Recorded Date :** 11 17 2020
Recorded Survey :
Estate Number :
Land Value : \$1,520 **Tax Exempt :** Yes
Improvement Value : \$0 **# of Improvements :** 0
Total Value : \$1,520
City Name : NEW BERN **Fire tax District :**
Drainage District : **Special District :**
Land use : VACANT-TRACT SUITABLE COMM DEV

Recent Sales Information

SALE DATE	Sellers Name	Buyers Name	Sale Type	Sale Price
11/17/2020	NEW BERN-CITY OF	REDEVELOPMENT COMMISSION OF THE	MULTI-PARCEL SALE-2 OR MORE PA	\$0
8/7/2019	FEDERAL HOME LOAN MORTGAGE CORP	NEW BERN-CITY OF	STRAIGHT TRANSFER	\$0
4/4/2019	BRYAN, JOHN L JR	FEDERAL HOME LOAN MORTGAGE CORP	STRAIGHT TRANSFER	\$0
10/22/1996	CLARK, WILLIE BELL	BRYAN, JOHN L JR	STRAIGHT TRANSFER	\$0
7/9/1996	WHITFIELD, JOHN T & LEAH	CLARK, WILLIE BELL	STRAIGHT TRANSFER	\$6,500

List of Improvements to Site

No improvements listed for this parcel

CITY OF NEW BERN, INC.

Department Gov Board

Receipt No. 88532

\$ 100⁰⁰

DATE RECEIVED 8/1 20 22

Received of William L. Richardson

One hundred and 00/100 Dollars

in payment for the following: Deposit for bid on 827 Cedar St
(Redevelopment Commission)

By Brenda Blanco
City Clerk

White - Customer
Pink - Department
Canary - Finance

RESOLUTION TO RECOMMEND INITIATION OF UPSET BID

THAT WHEREAS, the City of New Bern and Craven County own certain real property identified as 209 Bryan Street, more particularly identified as Craven County parcel identification number 8-011-177(“Subject Property”);

WHEREAS, the Subject Property is located within the Redevelopment Area of the City of New Bern; and

WHEREAS, the Redevelopment Commission deems it advisable and in the public interest to have citizen participation in accomplishing the goals of the Redevelopment Commission; and

WHEREAS, Charles E. Diggs Jr. desires to purchase the Subject Property from the City of New Bern and Craven County; and

WHEREAS, the Redevelopment Commission reviewed Mr. Diggs’s intended use of the Subject Property on August 10, 2022, and said use is consistent with the Redevelopment Plan; and

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN:

That, based on the foregoing findings, the Redevelopment Commission hereby recommends the Board of Aldermen authorize the sale of its interest in the Subject Property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

This the 10th day of August 2022.

Kip Peregoy, Vice-Chair

**RESOLUTION TO REQUEST CONVEYANCE OF REAL PROPERTY TO THE
REDEVELOPMENT COMMISSION**

THAT WHEREAS, the City of New Bern and Craven County own certain real property identified as 209 Bryan Street, more particularly identified as Craven County parcel identification number 8-011-177 (“Subject Property”);

WHEREAS, the Subject Property is located within the Redevelopment Area of the City of New Bern; and

WHEREAS, Charles E. Diggs Jr. desires to purchase the Subject Property from the City of New Bern and Craven County; and

WHEREAS, the Redevelopment Commission reviewed Mr. Diggs’ intended use of the Subject Property on August 10, 2022, and said use is consistent with the Redevelopment Plan; and

WHEREAS, the Redevelopment Commission deems it advisable and in the public interest to have citizen participation in accomplishing the goals of the Redevelopment Commission; and

WHEREAS, the Redevelopment Commission is authorized to impose covenants, restrictions and conditions regarding the use of real property and to prevent a recurrence of blighted areas pursuant to North Carolina General Statute § 160A-512(6); and

WHEREAS, the Redevelopment Commission deems it advisable and in the public interest for the conveyance of the Subject Property to occur subject to certain covenants, restrictions and conditions in order to effectuate the purposes of the Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN:

That, based on the foregoing findings, the Redevelopment Commission hereby requests title to the Subject Property described above so that the Redevelopment Commission can subsequently convey the Subject Property with covenants, restrictions, and conditions necessary to effectuate the purposes of the Redevelopment Plan.

This the 10th day of August 2022.

Kip Peregoy, Vice Chair



Redevelopment Commission Property for Review

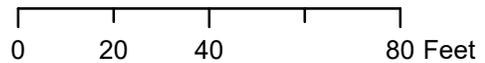


Property Site

Current Owner(s): Craven Co. & City of New Bern
Address: 209 Bryan St
Acres: 0.106
Parcel ID: 8-011-177
Current Use: Vacant



1 inch = 40 feet



Imagery 2021

**RESOLUTION TO REQUEST CONVEYANCE OF REAL PROPERTY TO THE
REDEVELOPMENT COMMISSION**

THAT WHEREAS, the City of New Bern and Craven County own certain real property identified as 821 West Street, more particularly identified as Craven County parcel identification number 8-007-225 (“Subject Property”); and

WHEREAS, the Subject Property is located within the Redevelopment Area of the City of New Bern; and

WHEREAS, Charles E. Diggs, Jr. desires to purchase the Subject Property from the City of New Bern and Craven County; and

WHEREAS, the Redevelopment Commission reviewed Mr. Diggs’s intended use of the Subject Property on August 10, 2022, and said use is consistent with the Redevelopment Plan; and

WHEREAS, the Redevelopment Commission deems it advisable and in the public interest to have citizen participation in accomplishing the goals of the Redevelopment Commission; and

WHEREAS, the Redevelopment Commission is authorized to impose covenants, restrictions and conditions regarding the use of real property and to prevent a recurrence of blighted areas pursuant to North Carolina General Statute § 160A-512(6); and

WHEREAS, the Redevelopment Commission deems it advisable and in the public interest for the conveyance of the Subject Property to occur subject to certain covenants, restrictions and conditions in order to effectuate the purposes of the Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN:

That, based on the foregoing findings, the Redevelopment Commission hereby requests title to the Subject Property described above so that the Redevelopment Commission can subsequently convey the Subject Property with covenants, restrictions, and conditions necessary to effectuate the purposes of the Redevelopment Plan.

This the 10th day of August, 2022.

Kip Peregoy, Vice Chair

RESOLUTION TO RECOMMEND INITIATION OF UPSET BID

THAT WHEREAS, the City of New Bern and Craven County own certain real property identified as 821 West Street, more particularly identified as Craven County parcel identification number 8-007-225 (“Subject Property”);

WHEREAS, the Subject Property is located within the Redevelopment Area of the City of New Bern; and

WHEREAS, the Redevelopment Commission deems it advisable and in the public interest to have citizen participation in accomplishing the goals of the Redevelopment Commission; and

WHEREAS, Charles E. Diggs, Jr. desires to purchase the Subject Property from the City of New Bern and Craven County; and

WHEREAS, the Redevelopment Commission reviewed Mr. Diggs’s intended use of the Subject Property on August 10, 2022, and said use is consistent with the Redevelopment Plan; and

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN:

That, based on the foregoing findings, the Redevelopment Commission hereby recommends the Board of Aldermen authorize the sale of its interest in the Subject Property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

This the 10th day of August, 2022.

Kip Peregoy, Vice Chair



Redevelopment Commission Property for Review



Property Site

Current Owner(s): Craven Co. & City of New Bern
Address: 821 West Street
Acres: 0.114
Parcel ID: 8-007-225
Current Use: Vacant



1 inch = 40 feet

0 20 40 80 Feet

Imagery 2021