

*Commission Members*

Sharon C. Bryant  
Beth Walker  
Sarah Proctor  
Leander Morgan  
Steve Strickland  
Julius Parham  
Tabari Wallace



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

*Chair*

Vacant

*Co-Chair*

Kip Peregoy

*Executive Director*

Zeb Hough (Interim)

*Ex-Officio Members*

Rick Prill  
Barbara Best  
Hazel Royal

June 26, 2023

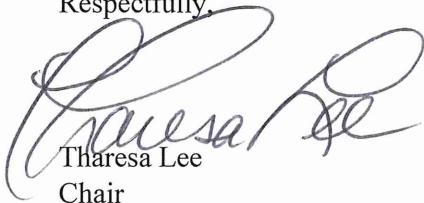
Marvin Williams  
City of New Bern  
PO Box 1129  
New Bern, NC 28563

Dear Mr. Williams:

Please call a special meeting of the Redevelopment Commission of the City of New Bern for Wednesday, June 28, 2023, at 6:00 p.m. to be held in the City Hall Courtroom located at 300 Pollock Street. The purpose of the meeting is as follows:

1. Discussion and election of a presiding officer in lieu of absence of Chair and Vice-Chair.
2. Consider Adopting a Resolution requesting to convey 908 Bloomfield Street back to the City of New Bern along with the allocated funds of \$350,000.00.
3. Discussion regarding 911 Eubanks Street to give staff direction.
4. Discussion on a Request for Proposals for Jones Street Project to give staff direction.
5. Adjourn.

Respectfully,



Theresa Lee  
Chair

This constitutes official notice of the above special meeting.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD  
CALL (252) 639-2931 NO LATER THAN 3 P.M. THE DATE OF THE MEETING.

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Item 1. Discussion and election of a presiding officer in lieu of absence of Chair and Vice-Chair.

<b>Date of Meeting:</b> 6/28/2023	<b>Presenter:</b> Commissioner Beth Walker
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	A discussion needs to be held and a vote taken to determine a presiding officer in the event the Chair and Vice-Chair are unable to attend a meeting at the same time.
<b>Actions Needed by Board:</b>	Hold discussion.
<b>Backup Attached:</b>	
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

**Additional Notes:**

# AGENDA ITEM COVER SHEET



## Agenda Item Title:

Item 2. Consider Adopting a Resolution requesting to convey 908 Bloomfield Street back to the City of New Bern along with the allocated funds of \$350,000.00.

<b>Date of Meeting:</b> 6/28/2023	<b>Presenter:</b> Commissioner Tabari Wallace
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	This item was on the last agenda and the Wellness Work Group recommended that the Bloomfield property be conveyed back to the City along with the allocated funds. This recommendation was made following a meeting held with City staff and members of the commission, where options were presented for the construction and management of the proposed Health and Wellness Community Center. At the June 14th meeting, there was a motion made for the process of adopting the work group's recommendation. Unfortunately, discussion and debate ensued before a second could be requested. As time is of the essence, and at the direction of several commissioners, it was requested to schedule a special board meeting to discuss the conveyance of the Health and Wellness Community Center.
<b>Actions Needed by Board:</b>	Adopt a resolution from the Board to request the Board of Aldermen to consider taking the ownership of the property on Bloomfield Street to construct the Health and Wellness Community Center consistent with the drafted plans provided by the Commission. The Commission would also need to propose at the same time to convey back to the City the remaining funds of the \$350,000.
<b>Backup Attached:</b>	Resolution, Quitclaim Deed
<b>Is item time sensitive?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

**Additional Notes:**

## **RESOLUTION**

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

Section 1. That the Quitclaim Deed dated June 28, 2023, by and between the Redevelopment Commission of the City of New Bern and the City of New Bern, a copy of which is attached hereto and incorporated herein by reference, be and the same is hereby approved, and the Chairman and Vice Chairman are hereby authorized and directed to execute the same for and on behalf of the Commission.

Section 2. That the balance of the Three Hundred Fifty Thousand Dollars (\$350,000.00) previously allocated to the Commission for a health and wellness center be reallocated to the City of New Bern.

ADOPTED THIS 28<sup>TH</sup> DAY OF JUNE, 2023.

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THARESA LEE, CHAIRPERSON

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ZEB HOUGH, INTERIM EXECUTIVE DIRECTOR

Prepared by and return to:

Jaimee Bullock Mosley  
DAVIS HARTMAN WRIGHT LLP  
209 Pollock Street  
New Bern, NC 28560

PARCEL NOS. 8-006-318, 8-006-319, 8-006-320

REVENUE STAMPS: \$0.00

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

THIS QUITCLAIM DEED, made and entered into this 28<sup>th</sup> day of June, 2023, by and between **REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN**, (“Grantor”), and the **CITY OF NEW BERN**, a municipal corporation of the State of North Carolina, with a mailing address of Post Office Box 1129, New Bern, North Carolina, 28563, (“Grantee”);

W I T N E S S E T H:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to it in hand paid by the Grantee, the receipt of which is hereby acknowledged, the Grantor has remised and released, and by these presents does remise, release and forever quitclaim unto the Grantee, its successors and assigns, all right, title and interest of the said Grantor in and to those lots or parcels of land located in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

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DAVIS HARTMAN WRIGHT LLP  
Attorneys at Law  
209 Pollock Street  
New Bern, NC 28560

*The property herein conveyed does (not) include the primary residence of a Grantor.*

TO HAVE AND TO HOLD the aforesaid lots or parcels of land and all privileges and appurtenances thereunto belonging to the said Grantee, its successors and assigns, free and discharged from all right, title, claim, or interest of the said Grantor, or anyone claiming by, through or under the Grantor.

IN TESTIMONY WHEREOF, the **REDEVELOPMENT COMMISSION OF THE CITY OF NEW BERN** has caused this instrument to be executed in its corporate name by its Chairman as of the day and year first above written.

**REDEVELOPMENT COMMISSION OF THE  
CITY OF NEW BERN**

(SEAL)

By: \_\_\_\_\_ (SEAL)  
Tharesa Lee, Chairman

ATTEST:

\_\_\_\_\_  
Kip Peregoy, Vice Chairman  
Redevelopment Commission of the City of New Bern

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public in and for said County and State, do hereby certify that on \_\_\_\_\_ day of June 2023, before me personally appeared THARESA LEE, with whom I am personally acquainted, who, being by me duly sworn, says that she is the Chairman of the Redevelopment Commission of the City of New Bern and that KIP PEREGOY is the Vice Chairman of the Redevelopment Commission of the City of New Bern, a North Carolina municipal corporation and that by the authority duly given and as the act of said public body, the foregoing instrument was signed in its name by its Chairman for the purposes therein expressed, and attested by KIP PEREGOY as its Vice Chairman.

WITNESS my hand and official seal this the \_\_\_\_\_ day of June, 2023.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

EXHIBIT A  
PROPERTY DESCRIPTION

TRACT 1: (Parcel No. 8-006-318)

All that certain lot or parcel of land in Craven County, North Carolina, in the City of New Bern, lying and being situated on the east side of Bloomfield Street, and more particularly described as Lot No. 52 of Pavietown (a plat of which is of record in the office of the Register of Deeds of Craven County in book 106, page 385, reference to which is hereby made.) Together with the dwelling and improvements situated thereon, and being No. 908 Bloomfield Street according to the present postal enumerations of dwellings and buildings in the City of New Bern.

Being the same lot or parcel conveyed and described in the deed from J. C. Franks and his wife, Daisy Belle Franks, to W. H. Marshall and his wife, Hattie Marshall, dated January 17, 1941, and recorded in the office of the Register of Deeds of Craven County in book 354, page 142, reference to which is hereby made; which said deed created a tenancy by the entirety, and upon the death of the said W. H. Marshall, Hattie Marshall, his wife, became seized of title in fee simple to the said lot and premises.

Being the same lot or parcel conveyed and described in the deed from Bishop S. Rivers and wife, Blance L. Rivers, to Samuel D. McCotter and Robinette Smith, dated January 9, 1989 and recorded in the office of the Register of Deeds of Craven County in book 1214 page 45, reference to which is hereby made.

TRACT 2: (Parcel No. 8-006-319)

All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

In the City of New Bern in the Townsite known as Pavietown, a plot of which is recorded in Book 106 at Page 385 and being a part of lot 53 in said townsite, described as follows: Beginning at a point on the east side of Bloomfield Street at a point 104 feet from the northeast intersection of Bloomfield and Main Streets, it being the southwest corner of Lot #53, thence running northwardly with Bloomfield Street 48 feet; thence eastwardly and parallel with Main Street 102 feet; thence southwardly and parallel with Bloomfield Street 48 feet to the line of Lot #52; thence westwardly 102 feet to the beginning.

Being the same property as described in Deed Book 1092 at Page 182 of the Craven County Registry.

TRACT 3: (Parcel No. 8-006-320)



All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

Tract One:

Beginning at a point 31 feet 9 inches North of the Southwestern corner of Lot No. 54 in the plan of Pavietown as platted and recorded in Book 106, Page 385 in the Office of the Register of Deeds of Craven County and running Northwardly 25 feet 5 inches along the Eastern side of Bloomfield Street in the southern line of Lot No. 55; thence eastwardly along said southern line 102 feet, more or less, to the western line of Lot No. 44; thence Southwardly along said western line 25 feet 5 inches to a stake; thence westwardly parallel with southern line to the point of beginning on Bloomfield Street; it being a part of Lot No. 54 as described in the deed from Geo. W. Pavie et als to Ellen Nixon in Book 123, Page 246; and being the same conveyed to said A. T. Dill by L. R. Selby by deed dated 26<sup>th</sup> day of March, 1914, recorded in Book 202, Page 47, to which deeds reference is hereby made for further description.

Tract Two:

In the City of New Bern in the townsite known as Pavietown, a plot of which is recorded in Book 106, Page 385, and described as follows:

Beginning on the east side of Bloomfield Street at a point 4 feet south from the southwest corner of Lot No. 54 and running thence northwardly with the east line of Bloomfield Street 35 feet 9 inches; thence eastwardly and parallel with Main Street 102 feet; thence southwardly and parallel with Bloomfield Street 35 feet 9 inches, thence westwardly and parallel with Main Street 102 feet to the point of beginning. Being the same land conveyed by J.C. Franks to Major L. Dudley by deed dated December 28, 1946, recorded in Book 405, Page 139, in the Office of the Register of Deeds of Craven County.

Being the same property as described in Deed Book 1494 at Page 316 of the Craven County Registry.

EXHIBIT B  
Restrictive Covenants

WHEREAS, the real property described in Exhibit A and bearing postal addresses 908, 910 and 914 Bloomfield Street, New Bern, North Carolina ("Property") is located in the redevelopment area of the City of New Bern; and

WHEREAS, Grantor is a redevelopment commission which exists and operates for the public purposes of acquiring and replanning such areas and of holding or disposing of them in such manner that they become available for economically and socially sound redevelopment; and

WHEREAS, Goal 5 of the Grantor's redevelopment plan is to encourage community health and wellness by increasing the number of healthcare, wellness, and recreation options in the redevelopment area; and

WHEREAS, Grantor and Grantee understand and agree that restrictive covenants contained herein are intended to comply with the goals of Grantor's redevelopment plan and the provisions of Article 22 of Chapter 160A of the General Statutes and shall be binding on Grantee, and all subsequent owners of the Property.

NOW, THEREFORE, the Subject Property shall be and shall permanently remain subject to the following agreement, easements, covenants and restrictions:

1. These covenants shall be administered solely by the Redevelopment Commission of the City of New Bern, its successor in interest or assigns. Upon any conveyance of the Property by the City of New Bern ("City"), the Redevelopment Commission's rights under these Restrictive Covenants shall pass to the City who shall thereafter administer these covenants. Additionally, upon the City's conveyance of the Property, the City may record additional covenants and restrictions to further the purposes of the City, and to further the purpose of providing health care and wellness opportunities to the public on the Property.

2. The Property shall be used and operated solely as a health care, wellness, or community facility.

3. Grantor conveys the Property to the Grantee for so long as the Property is used and operated as a health care, wellness or community facility.

4. These restrictions shall be covenants and restrictions running with the land.

5. Each provision of this document shall be interpreted in such a manner as to not affect the validity of the conveyance of the Property under G.S. §160A-266 and G.S. §160A-514. However, if the application of any provision shall be invalid or shall result in the invalidity of the

conveyance of the Property under G.S. §160A-266 and G.S. §160A-514, that provision shall be null and void. The provisions of this document are declared to be severable.

6. In the event of a violation of these covenants and restrictions, all legal and equitable remedies, including injunctive relief, specific performance, and damages, shall be available to either the Grantor or the City as the case may be depending upon whether the City has subsequently conveyed the Property. No failure on the part of the Grantor (or the City) to enforce any covenant or restriction herein nor the waiver of any right hereunder by the Grantor (or the City) shall discharge or invalidate such covenant or restriction or any other covenant, condition or restriction hereof, or affect the right of the Grantor (or the City) to enforce the same in event of a subsequent breach or default. In any case where a court finds that a violation has occurred the court may require the City (or subsequent grantee if the City has conveyed the Property) to reimburse the Grantor (or the City) for all expenses incurred in stopping, preventing and correcting the violation, including but not limited to reasonable attorney's fees.

# AGENDA ITEM COVER SHEET

## Agenda Item Title:

Item 3. Discussion regarding 911 Eubanks Street to give staff direction.

<b>Date of Meeting:</b> 6/28/2023	<b>Presenter:</b> Commissioner Julius Parham
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	<p>Commissioner Parham and staff met with Habitat per the direction given at the last board meeting. During that meeting, the group toured the Eubanks property and several other parcels in the surrounding area. They spoke at length about the possibility of doing “cluster develop” to affect the entire neighborhood.</p> <ul style="list-style-type: none"><li>• The plan that was discussed during the visit was to have the Eubanks House conveyed over to Habitat. They have eight (8) families that have already been vetted and qualified for LMI housing, which would satisfy CDBG.</li><li>• They are also looking for the RDC to approve their request for the property across from the Eubanks House for two additional homes to begin building by this Fall. Two of the properties are owned by The RDC and one is City/County owned. They would be asking for the properties to be donated to them for their proposal.</li></ul>
<b>Actions Needed by Board:</b>	Hold discussion and give staff direction. The Habitat team was very interested in proceeding and would like to know what the next steps might be .
<b>Backup Attached:</b>	
<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

**Additional Notes:**

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Item 4. Discussion on Request for Proposals for Jones Street Project to give staff direction.

<b>Date of Meeting:</b> 6/28/2023	<b>Presenter:</b> Commissioner Beth Walker
<b>Department:</b> Redevelopment Commission	<b>Person Submitting Item:</b>

<b>Explanation of Item:</b>	This item was also raised at the June 14th meeting. The direction was discussed to pursue to the City a request their assistance to put out a request for proposals for contractors to construct homes similar to the intended small home designs for the Jones Street Property. There was never a motion or a vote and so no action was adopted
<b>Actions Needed by Board:</b>	Hold discussion and give staff direction.
<b>Backup Attached:</b>	
Is item time sensitive? <input type="checkbox"/> Yes <input type="checkbox"/> No	

**Additional Notes:**