



**Resolution Authorizing the Purchase of Property Located at
4222 S. Croatan Highway, Nags Head, North Carolina**

WHEREAS, the Town of Nags Head, North Carolina desires to purchase property located at 4222 S. Croatan Highway, Nags Head, NC, 27959, Dare County Tax Parcel No. 006539000 (the "Property") from the Board of Trustees of Kitty Hawk United Methodist Church (the "Church") in anticipation of relocating Douglas A. Remaley Fire Station 16, currently located at 5314 South Croatan Highway, Nags Head, NC, 27959 and/or for any other public purpose; and

WHEREAS, the Board of Commissioners previously authorized the Town Manager and Town Attorney as its negotiating agents to negotiate the terms of the Town's purchase of the Property, to enter into a purchase agreement to purchase the property, and to seek the removal of any potential encumbrances on the title to the Property; and

WHEREAS, the Town Manager signed for and on behalf of the Town an Agreement for the Purchase and Sale of Land (the "Contract") under which the Town would purchase the Property from the Church, subject to certain express conditions precedent stated in the Contract, and the Contract was accepted and signed by the Church on September 19, 2024; and

WHEREAS, the Town Manager and Town Attorney subsequently negotiated with the Old Nags Head Cove Association, Inc. (the "Association") for the Association to release any potential encumbrance on the Property stemming from the Association's existing subdivision restrictive covenants for Old Nags Head Cove residential subdivision (the "Release") in exchange for the Town imposing certain limited restrictions on the Property in favor of the Association to create a buffer strip and provide for notice of any subsequent sale (the "New Covenant"); and

WHEREAS, the Board of Commissioners desires to approve the Contract, proceed with the closing of the purchase of the Property, accept the Release from the Association, and authorize the placement of the New Covenant as an encumbrance on the Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Nags Head, North Carolina, meeting in regular session on the 2nd day of April, 2025, that:

1. The Contract between the Church as Seller and the Town as Buyer for the Town's purchase of the Property is approved.
2. The Release is approved.
3. The New Covenant is approved.
4. The Mayor, the Town Clerk, the Town Manager, and the Finance Officer are authorized to accept and record the deed for the Property from the Church to the Town, to sign and record the Release, to sign and record the New Covenant, to sign the settlement statement, and to sign any other closing documents that are required or necessary for the Town to close the purchase of the Property pursuant to the Contract.

ADOPTED this 2nd day of April, 2025.

Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

Brittany A. Phillips, Town Clerk

