

From: cball@ashevillenc.gov <cball@ashevillenc.gov>
Sent: 4/25/2017 1:02:12 PM
To: Jon.Creighton@buncombecounty.org
Cc:
Subject: FW: Montford Park-Outlier County Owned Property
Attachments: [Agmt with City Regarding Tax Property.pdf](#)

Jon,

Can we chat about this?

Cathy

From: Jannice Ashley
Sent: Tuesday, April 25, 2017 12:49 PM
To: Debbie Ivester <divester@ashevillenc.gov>
Cc: Nikki Reid <Nreid@ashevillenc.gov>; Cathy Ball <cball@ashevillenc.gov>
Subject: RE: Montford Park-Outlier County Owned Property
Importance: High

I was just talking to Michael Frue on something else-he said best way to resolve is to have Cathy give Jon Creighton a call. Cathy give me a call if you need to be filled in.

Jannice

Jannice Ashley
Sr. Assistant City Attorney
City of Asheville
828-259-5612

From: Debbie Ivester
Sent: Tuesday, April 25, 2017 12:34 PM
To: Jannice Ashley
Cc: Nikki Reid; Cathy Ball
Subject: RE: Montford Park-Outlier County Owned Property

For the sake of the grant application, this Friday is my drop dead date to have all the materials in order.

If we can get a letter from the county this week then that will work.

Another option is to use the existing property image. See attached. The actual project that PARTF funds will be used is the hatched line area. We do own this property. So the site control would be limited to this area. I can redraw this to clearly represent it on the property image.

Will that work for us?

From: Jannice Ashley

Sent: Tuesday, April 25, 2017 11:55 AM
To: Debbie Ivester <divester@ashevillenc.gov>
Cc: Nikki Reid <Nreid@ashevillenc.gov>; Cathy Ball <cball@ashevillenc.gov>
Subject: RE: Montford Park-Outlier County Owned Property
Importance: High

I don't think that we can represent that we have this property (depends on the map you are attaching but the County parcels are right in the middle of Montford Park complex). We may be able to get a letter from the County indicating our right to use (or a Right of Entry) this week that will suffice for now. But we have to discuss strategy on this ASAP with Cathy Ball and Nikki.

Jannice

From: Debbie Ivester
Sent: Wednesday, April 19, 2017 11:22 AM
To: Jannice Ashley
Subject: FW: Montford Park-Outlier County Owned Property

Jannice
I am continuing to compile the materials for the PARTF grant for the Montford Complex renovation project which requires the attached. What does mean for this process? Grant is due May 1 and my final time to complete the application packet is week of 4/24/17.
Thanks Debbie

From: Michael C. Frue [<mailto:Michael.Frue@buncombecounty.org>]
Sent: Monday, April 17, 2017 2:30 PM
To: Jannice Ashley <JAshley@ashevillenc.gov>
Cc: Nikki Reid <Nreid@ashevillenc.gov>; Debbie Ivester <divester@ashevillenc.gov>; Al Kopf <akopf@ashevillenc.gov>; Jon Creighton <Jon.Creighton@buncombecounty.org>
Subject: RE: Montford Park-Outlier County Owned Property

Hi Jannice -

It appears that the County and the City are at an impasse in this matter. Nothing has changed since the Fall.

Thank you.

Michael C. Frue
Buncombe County
Senior Staff Attorney
200 College Street, Ste 300
Asheville, NC 28801
p. 828-250-4121
c. 828-231-1572

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Jannice Ashley [<mailto:JAshley@ashevillenc.gov>]
Sent: Thursday, April 13, 2017 10:41 AM
To: Michael C. Frue <Michael.Frue@buncombecounty.org>
Cc: Nikki Reid <Nreid@ashevillenc.gov>; Debbie Ivester <divester@ashevillenc.gov>; Al Kopf <akopf@ashevillenc.gov>
Subject: FW: Montford Park-Outlier County Owned Property

Hi Michael;
I need to raise this question of county transfer of outlier parcels in Montford Park again-City will be moving forward with improvements to the Park this Spring and really want to resolve this. Below is our email exchange from this past Fall. The land swap suggested will not work for the City-not sure if Cathy Ball got to discuss with Jon Creighton. Also, I have since discovered a longstanding memorandum of

understanding between the City and County as well as a 2014 email exchange between Nikki and Curt Euler (to which the For Sale list was attached) that appear to suggest that as parcels acquired by the Board of Tax Supervision, the County would agree to transfer/sell to City if City expresses an interest in ownership. The parcels in question appear on the attached for sale list-on is Madison St. and Madison St. (pg. 2).

Let me know next steps to move this forward.

Thanks, Jannice

Jannice Ashley
Sr. Assistant City Attorney
City of Asheville
828-259-5612

From: Jannice Ashley
Sent: Monday, September 26, 2016 3:12 PM
To: 'Michael C. Frue'
Cc: Al Kopf; Nikki Reid; Jon Creighton
Subject: RE: Montford Park-Outlier County Owned Property

OK, got it. Will discuss and get back to you.

From: Michael C. Frue [<mailto:Michael.Frue@buncombecounty.org>]
Sent: Monday, September 26, 2016 3:07 PM
To: Jannice Ashley
Cc: Al Kopf; Nikki Reid; Jon Creighton
Subject: RE: Montford Park-Outlier County Owned Property

We would not use the swap statute. See Â§160A-274.

Thank you.

From: Jannice Ashley [<mailto:JAshley@ashevillenc.gov>]
Sent: Monday, September 26, 2016 2:49 PM
To: Michael C. Frue <Michael.Frue@buncombecounty.org>
Cc: Al Kopf <akopf@ashevillenc.gov>; Nikki Reid <Nreid@ashevillenc.gov>; Jon Creighton <Jon.Creighton@buncombecounty.org>
Subject: RE: Montford Park-Outlier County Owned Property

Let me discuss with our real estate manager Nikki Reid-I don't know anything about the parcels you mention-is this something the County has requested in the past? My initial thought is the exchange proposed does not seem equal value wise (which it would have to be if we used the landswap statute)-and also, the City's desire to have these 2 small parcels that lie entirely within Montford Park quitclaimed is not in anyway critical. When we discovered it, we thought that the parcels must have inadvertently been retained and we were trying to make the process easier on our partner, the Montford Park Players who are undertaking a major improvement project and will have to get sign off on their permits by both the City and the County if we are both land owners.

Thanks, Jannice

Jannice Ashley, AICP
City of Asheville
Assistant City Attorney
828-259-5612 Office
828-989-9625 Mobile

From: Michael C. Frue [<mailto:Michael.Frue@buncombecounty.org>]
Sent: Monday, September 26, 2016 2:29 PM
To: Jannice Ashley
Cc: Al Kopf; Nikki Reid; Jon Creighton
Subject: RE: Montford Park-Outlier County Owned Property

Hi Jannice -

I think we should be able to work out a trade.

The County could quit claim these two Montford Park parcels to the City in exchange for a quit claim deed from the City to the County for five parcels off Valley Street next to County Planning identified as PIN#'s 9649-50-6393; -8479; 8447; 8405; and 7472 as well as an affordable accommodation for the County to make City water available for an affordable housing project on Oakland Road identified as PIN 9648-12-5918.

Thank you.

Michael C. Frue
Senior Staff Attorney
46 Valley Street
Asheville, NC 28801
p. 828-250-4825
c. 828-231-1572

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Jannice Ashley [<mailto:JAshley@ashevillenc.gov>]
Sent: Monday, September 26, 2016 10:00 AM
To: Michael C. Frue <Michael.Frue@buncombecounty.org>
Cc: Al Kopf <akopf@ashevillenc.gov>; Nikki Reid <Nreid@ashevillenc.gov>
Subject: Montford Park-Outlier County Owned Property

Hi Michael;

You may recall that at the time I got in touch with about the Clingman Greenway Easement changes, I also mentioned that we have discovered some parcels in Montford Park that still belong to the County and we are hoping you would be willing to quit claim them to us. Attached is a map showing Montford Park which was acquired by the City by deed from Anne Mosely in 1975 (14.33 acres) , you will also see the two parcels in question-PIN 96399285580-0.08 acres-acquired by the County in 1932-appears to be a tax sales; and PIN 96399282150-acquired by the County in 1984, also appears to be a tax sale.

Please let me know what other information you might need to transfer this property to the City.

Thanks, Jannice

Jannice Ashley, AICP
City of Asheville
Assistant City Attorney
828-259-5612 Office
828-989-9625 Mobile