Resolution No. PWC2026.15

RESOLUTION TO DECLARE PERSONAL PROPERTY AS SURPLUS AND AUTHORIZE SALE OF PROPERTY BY PUBLIC AUCTION

WHEREAS, the Fayetteville Public Works Commission ("PWC") owns certain personal property more specifically described as one (1) 2004 Hyundai Enclosed Cab Excavator R320LC7, SN #N90110046, (the "Property") that is surplus to PWC's needs; and

WHEREAS, North Carolina General Statutes § 160A-270 permits the Commission to sell personal property with an estimated value of $30,000 or more by public auction upon approval by the Commission and after the publication of a notice announcing the auction;

THEREFORE, LET IT BE RESOLVED BY THE COMMISSIONERS OF THE FAYETTEVILLE PUBLIC WORKS COMMISSION THAT:

1. The Commission declares the Property as surplus and authorizes its sale by public auction.

2. Following the adoption of this Resolution, Commission staff shall cause notice of the sale and information about the Personal Property to be posted on the GovDeals website at www.govdeals.com at least ten (10) days prior to bid opening. The notice shall summarize the contents of this Resolution and specify the date and time end date of the auction.

3. The auction will be conducted electronically through the GovDeals website at www.govdeals.com, beginning no later than 9:00 a.m. on Friday, August 28, 2026.

4. The terms of the sale are (a) that the Property is sold in its current condition, as is, and the Commission gives no warranty whatsoever with respect to the Personal Property, whether express or implied by law; (b) that the winning bidder will pay the full amount of the winning bid by the close of business not later than five (5) business days from the time and date of the issuance of a Buyer's Certificate, as defined by GovDeals' "Buyer Terms and Conditions," in cash or with a certified check or cashier's check; and (c) such other terms of sale as may be posted on the GovDeals website for the public auction of the Property.

5. PWC shall reserve the right to withdraw the Personal Property from sale at any time and to reject all bids.

6. PWC's Chief Finance Officer is hereby authorized to execute conveyance documents on behalf of PWC to transfer title to the Personal Property to the winning bidder.

7. The Commission approves publishing this resolution as the notice of the public auction, and that such notice may be advertised by electronic means only.

ADOPTED this 26th day of August, 2026.

FAYETTEVILLE PUBLIC WORKS COMMISSION

Richard W. King, Chairman

ATTEST:

Donald L. Porter, Secretary