

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY**

**BOARD OF COMMISSIONERS**

**MEETING DATE:** 6 November 2006

**SUBJECT:** Leon G. Bass offer to purchase tax-foreclosed property

**ATTACHMENT(S):** Cover letter and offer;  
Proposed Release;  
Property Record Card;  
PIN listing and map

**SUMMARY OF REQUEST:**

Leon G. Bass has offered to purchase, for the sum of Five Hundred Dollars (\$500.00), certain real estate which was subject to a tax foreclosure by the County. The property is described as 0.12 acres in Hunters Crossing subdivision, with Henderson County PIN 9559270793.

It is believed that this lot was originally reserved for a utility easement of some sort by the developer, and never conveyed. As best as can be determined, it is not used for any purpose at this time, and was foreclosed by the County in 1993.

If the Board agrees to provisionally accept this offer, it would be subject to advertisement and upset bid pursuant to your policy, adopted 29 June 2005. Although not required, as a courtesy it is the custom of the County to also give regular mail notice to adjoining property owners.

County staff will be present and prepared if requested to give further information on this matter.

**PROPOSED BOARD ACTION:**

If the Board is so inclined, the following motion is suggested:

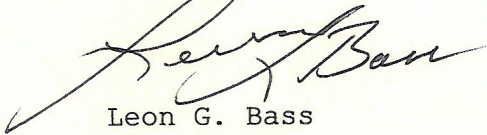
***I move that the Board provisionally accept the offer of Leon G. Bass to purchase the property described in this agenda item, subject to the procedures required by this Board for tax foreclosure sales.***

September 21, 2006

Gentlemen,

I hereby submit to you an offer of \$500.00 for a lot that was a part of my property (LOT 30) at one time. I have forwarded a copy of an obsolete survey to your legal department which shows that the partial lot of land was part of LOT 40 at one time. The partial lot encompasses approximately 5000 square feet and therefore is, for all practical purposes, unsuitable for development. Above and adjoining the property are the homes and condominiums of Carriage Park. Perhaps the trees on the lot obstruct their views. Nevertheless, I would not want to see the trees removed, which I fear may happen, if someone else acquires the property. There is a variety of wildlife, including five turkeys and many other birds and foxes currently using the land in question. My intention is to keep the land in its original natural state. Please consider releasing the partial property to me.

Thank you,

  
Leon G. Bass



THE REAL PROPERTY DESCRIBED in Attachment A (hereafter, "the real property"), having been foreclosed and bid in by Henderson County for nonpayment of *ad valorem* real property taxes, the undersigned hereby offers(s) to purchase the real property from the County for the sum of Five Hundred Dollars (\$ 500.00) cash plus the execution of a Release releasing Henderson County, its officers, employees, insurers, and assigns from any liability associated with the tax collection process, the advertisement and/or sale of tax lien or tax certificate process, the foreclosure process, and the sale processes associated with the below described property, both the cash and signing of the release being in consideration of the purchase of the real property.

IT IS UNDERSTOOD AND AGREED that the County must advertise the real property for upset bid (pursuant to N.C. Gen. Stat. §160A-269), and that any quitclaim deed to the purchaser will convey only such interest, if any, as the County may have in the real property by virtue of unpaid taxes and the foreclosure for non-payment thereof, and there will be no refund of the purchase price in the event of a failure of title. The undersigned is/are aware that there may have been procedural irregularities in the foreclosure and subsequent sale of said real property, and are aware that Henderson County has advised me to obtain legal counsel to perform a title search for the said property. The undersigned further understand(s) that there may be other irregularities not yet discovered and agree to accept the property (if this offer is approved by the Henderson County Board of Commissioners) subject to such irregularities, whether known or unknown.

The undersigned understand(s) that the Board of Commissioners may reject this Offer to Purchase at any time, even after a proposed acceptance and advertisement for upset bids.

The real property is described on Attachment A hereto, which is incorporated herein by reference. And the real property includes property foreclosed in the name of Henderson Co., described in such foreclosure as Hunters' Crossing lot PIN 9559270739

If the Board of Commissioners offers proposed acceptance of this Offer to Purchase, the undersigned will deposit with the Clerk to the Board of Commissioners a bid deposit in the amount of One Hundred and Fifty Dollars (\$ 150.00), said bid deposit being five percent (5%) of the cash price portion of the consideration of the purchase or \$150.00, whichever is greater. The undersigned will also pay to the Clerk the actual cost of advertising this Offer to Purchase for upset bids in the Times News, as estimated in advance by the Times-News to the Office of the County Attorney.

This the 18<sup>th</sup> day of September, 2006

Leon G. Bass (Seal)  
Signature

Print Name: LEON G. BASS

Andree Bass (Seal)  
Signature

Print Name: ANDREE BASS

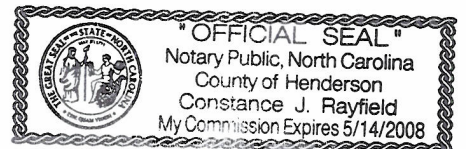
Address:  
43 HUNTERS LN  
HENDERSONVILLE, NC 28792

Sworn to and subscribed before me this the 18<sup>th</sup> day of September, 2006.

Constance J. Rayfield  
Notary Public

My Commission Expires:

[SEAL]



STATE OF NORTH CAROLINA  
HENDERSON COUNTY

RELEASE

I, Leon & Andree Bass, in consideration of \$1.00, the receipt of which is hereby acknowledged, and the sale of Lot PIN 9559270739 Hunter's Crossing Subdivision to us, do hereby fully and unconditionally release and forever discharge Henderson County, North Carolina, a body politic and corporate, and its officers, agents, employees, insurers, and assigns from any and all claims, losses, liabilities, demands, actions, or causes of action of any kind or character (including, without limitation, for attorneys' fees, costs, and expenses), whether known or unknown, with knowledge that such may exist, whether at law or in equity, whether in contract, tort, or under statute or otherwise, that I now have against Henderson County, its officers, agents, employees, insurers or assigns, or that might mature or accrue subsequent to the date of this Release, on account of, connected with or growing out of the following matters and things:

The County's acquisition of Lot PIN 9559270739 Hunter's Crossing Subdivision through the tax foreclosure process (including but not limited to the tax collection process, the advertisement of tax lien process, the foreclosure process, and the execution sale process), and subsequent resale of said Lot PIN 9559270739 Hunter's Crossing Subdivision to Leon & Andree Bass (Bidder), any procedural irregularities in the County's acquisition, tax foreclosure process and subsequent resale to Leon & Andree Bass (Bidder), and any defects in title, liens or other encumbrances on or for Lot PIN 9559270739 Hunter's Crossing Subdivision, which may exist now, or surface in the future.

I hereby understand and agree that this Release shall be binding upon my executors, administrators, personal representatives, collectors, heirs, successors, and assigns, and shall inure to the benefit of Henderson County and all of its past, present, and future offices, directors, employees, agents, representatives, insurers, predecessors, and successors.

This the 18 day of Sept, 2006.

Leon G. Bass (Seal)  
Signature

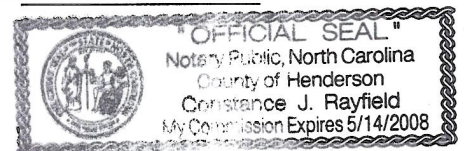
Print Name: LEON G. BASS

Andree Bass (Seal)  
Signature

Print Name: ANDREE BASS

Sworn to and subscribed before me this the 18<sup>th</sup> day of September, 2006.  
(Official Seal)

Constance J. Rayfield My Commission Expires: \_\_\_\_\_  
Notary Public

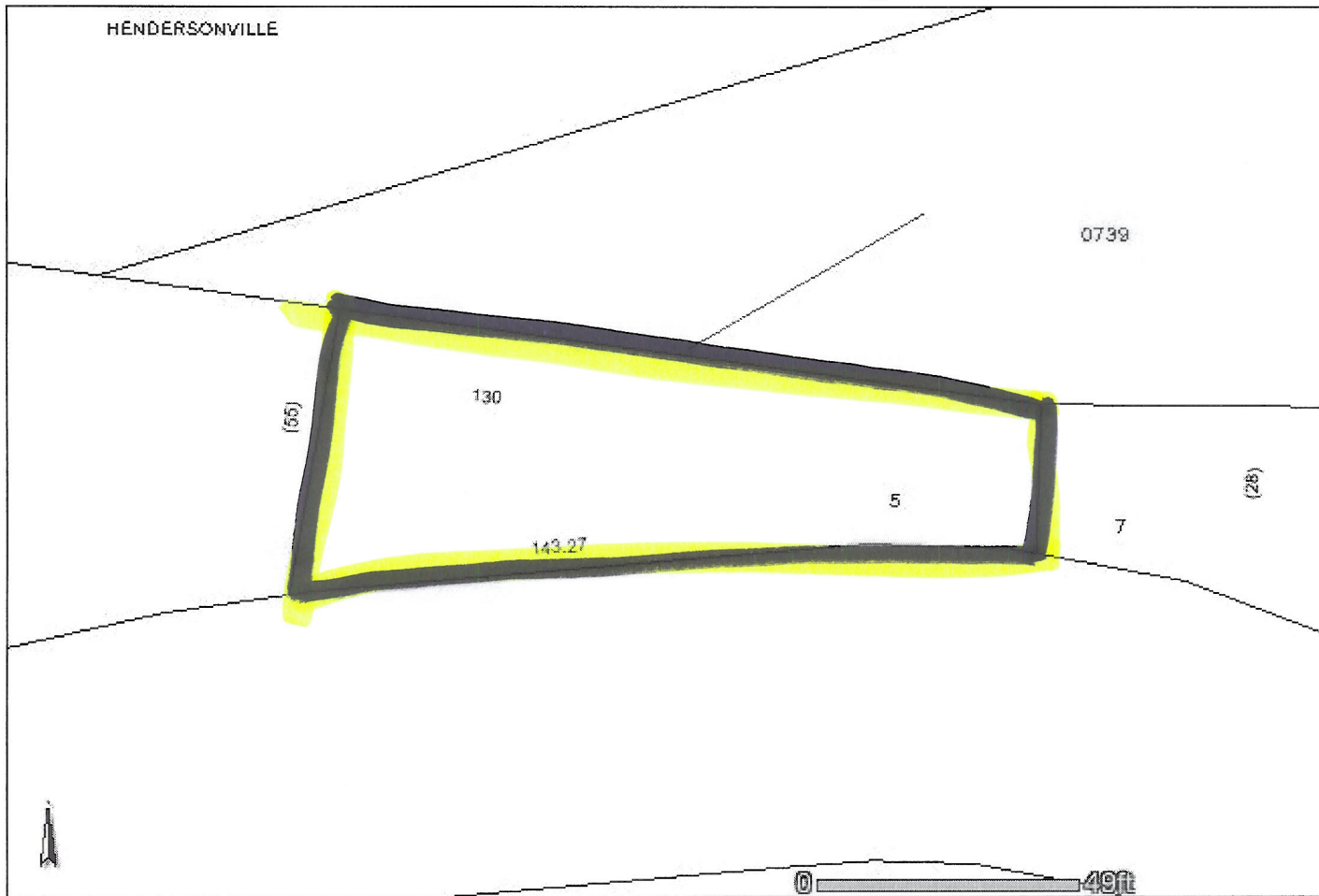


Henderson County Property Record Card										1/1	DATE	9/18/2006				
OWNERSHIP										REVENUE STAMPS		SALES INFORMATION				
HENDERSON COUNTY GRANITE PROPERTIES INC 200 NORTH GROVE ST SUITE 102 HENDERSONVILLE NC 28792										REVENUE		DATE TRANSFERRED				
PROPERTY ADDRESS										0.00		04/01/93				
PHYSICAL SITUS UNKNOWN										VERIFIED SALE		SALE DATE				
PROPERTY DESCRIPTION										DATE		SOURCE				
HUNTERS CROSSING (RESERVED) LOT										11/17/98		ESTIMATE				
LAND INFORMATION										ID		VISITATION DATA				
SEG	1	2	3	4	5	SECTION	A	B	C	D	E	F	G	H	I	J
TYPE	36					TYPE										
ACRE	0.12					SQFT										
SQFT						STORIES										
RATE	10000					WALL										
SOIL						YEAR										
USE						E. AGE										
ADJ						CDU										
AMOUNT DEFERRED					\$0	GRADE										
MARKET VALUE					NA until Jan. 2007	MKT F										
OUTBUILDINGS										BUILDING INFORMATION		BUILDING SKETCH (No Sketch Available)				
BLDG						PHYS										
TYPE						FUNCT										
USE						BSMT A	%									
SIZE						BSMT F	%									
GRADE						ATTIC A	%									
YEAR						ATTIC F	%									
CDU						BEDROOMS										
VALUE						FULL										
GENERAL REMARKS										TAX VALUE SUMMARY		INCOME				
DISCLAIMER										COST		MARKET				
Current property values are not available from this property record card. Please contact the Assessor's Office to obtain a current tax value. The information on this site is current as of January 25, 2005. This information is collected for inventory of property found within this jurisdiction and is compiled from recorded deeds, plats, and other public records and data. Users of this information are hereby notified that the aforementioned sources should be consulted for verification of the information contained in this report.										NA until Jan. 2007		NA until Jan. 2007				
TOTAL BUILDING VALUE										NA until Jan. 2007		NA until Jan. 2007				
BUILDING REMARKS										BUILDINGS		NA until Jan. 2007				
TOTAL MARKET VALUE										NA until Jan. 2007		NA until Jan. 2007				
TOTAL AMOUNT DEFERRED										NA until Jan. 2007		NA until Jan. 2007				
TOTAL TAX VALUE										NA until Jan. 2007		NA until Jan. 2007				

Rec	<a href="#">1</a>
PIN	9559270739
PID	9926183
Name_1	HENDERSON COUNTY
Name_2	GRANITE PROPERTIES INC
Prop_Desc	HUNTERS CROSSING (RESERVED) LOT
Map Sheet	9559.01
Nbr_Bldgs	0
Daterec	01-APR-93
Book/Page	818/199
Land_Value	<a href="#">Click Here for Values</a>
Bldg_Value	<a href="#">Click Here for Values</a>
Total_Val	<a href="#">Click Here for Values</a>
Nbhd_Desc	VALLEY HILL
Subdivision	
Stamps	0
Landuse	801
Address 1	200 NORTH GROVE ST SUITE 102
Address 2	
Address 3	
City	HENDERSONVILLE
State	NC
Postal Code	28792
Acreage	0.12
Create Map Print Page	<a href="#">Print Map</a>
Property Record Card	<a href="#">Print PRC</a>
Get Parcel Adjoiners	<a href="#">Adjoiners</a>
Show Building Photos	<a href="#">Photos</a>

Click on the blue record number to highlight and zoom to a parcel

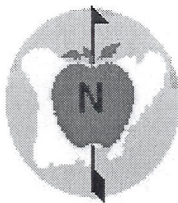
### Henderson County Parcel Print Page



\*\*\*WARNING: THIS IS NOT A SURVEY!\*\*\*

Date: 9/18/2006

This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The County and mapping company assume no legal responsibility for the information contained on this map.



Rec	1
PIN	9559270739
PID	9926183
Name_1	HENDERSON COUNTY
Name_2	GRANITE PROPERTIES INC
Prop_Desc	HUNTERS CROSSING (RESERVED) LOT
Map Sheet	9559.01
Nbr_Bldgs	0
Daterec	01-APR-93
Book/Page	818/199
Land_Value	NA Until January 2007
Bldg_Value	NA Until January 2007
Total_Val	NA Until January 2007
Nbhd_Desc	VALLEY HILL
Subdivision	
Stamps	0
Landuse	801
Address 1	200 NORTH GROVE ST SUITE 102
Address 2	
Address 3	
City	HENDERSONVILLE
State	NC
Postal Code	28792
Acreage	0.12