REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE:	4 February 2008
SUBJECT:	Sale of tax foreclosed property in Evans Addition to Fruitland Subdivision – Final Approval
ATTACHMENT(S):	Copy of original offer

SUMMARY OF REQUEST:

On 7 January 2008, this Board preliminarily accepted a bid to purchase certain tax-foreclosed lot located in Evans Addition to Fruitland Subdivision for the sum of \$750.00.

The upset bid procedure for this property is now complete. No upset bids on this property were received. The last and highest bid for this property is the original bid, from Fred R. Dorsey.

Proposed below is a proposed final acceptance of the offer, and authorization to close the transaction upon payment in full.

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

BOARD ACTION REQUESTED:

Final approval of the sale of tax foreclosed property.

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

I move that the Board give final acceptance to the offer of Fred R. Dorsey, to purchase real property, upon payment in full of the offer price of \$750.00, and further, that the Chairman of the Board of Commissioners, County Manager and County Attorney take such steps, including the execution by the Chairman of a quitclaim deed, as necessary to close such transaction.

NORTH CAROLINA COUNTY OF HENDERSON

INITIAL OFFER TO PURCHASE TAX FORECLOSED PROPERTY

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 **1000** 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 $\underline{uNKNDWN}$, described in such foreclosure as

-71061262 OT #13, Block

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 OME Haw developed Fifty Dollars (\$/50.00), said bid deposit being five percent (5%) of the cash price portion of the consideration of the purchase or \$150.00, whichever is greater. To defray the cost of advertising, the undersigned will also pay to the Clerk the actual cost of advertising this Offer to Purchase for upset bids in the Times News.

This the 26 day of JUNE (Seal) Signature Print Name: IR (Seal) Signature Print Name: 5 L Address: Sworn to and subscribed before me this the $26^{\prime\prime}$ day of $\overline{\checkmark}$ 200 Babcock My Commission Expires: Notary Public

Mr. Fred R. Dorsey or Mrs. F. R. Dorsey P.O. Box 429, 113 E. Evans Ave. Edneyville, NC 28727 8833 6,2007 66-30/531 563 Date Pay to the Order of___ en cox nty U \$ 150.00 0 No 1100. Dollars T Security feat are included. Details on the FIRST CITIZENS BANK Charten For_ Mro. 1:0531003001:0056165851851 08833 and

685-3226

June 19, 2007

Russell Burrell Henderson County Attorney 100 N. King St. Hendersonville, NC 28792

Dear Russell:

Suzie and I hope you are doing well.

It has been brought to our attention that Henderson County owns a small lot in our "subdivision".

This lot is identified as Lot #13, Block 2, in Evans Addition to Fruitland. On County Assessor records, it is parcel # 99-29080.

The lot is approximately 50 feet wide by 82 feet deep. We own similar small lots on either side and in front.

We would like to offer the county \$500.00 for this lot. Thank you so much for your consideration.

Fred & Suzie Dorsey

P. O. Box 429 Edneyville, NC 28727

Frd/sd

Attachments

SURVEYED, AUGUST 1926. A SUBDIVISION OF LOTS 2.3 AND 4. OF THE LANDS OF L. PITTILLO. CLEAR CREEK TOWNSHIP-HENDERSON COUNTY-NOPTH CAROLINA. WM. IRVING EVANS-OWNER AND DEVELOPER. EARE ANS 202 RECORDED IN PLATEOUK PAGE ION TO FRUI SCALE, I INCH= 60 FEET. 61 20 G N 1586 SR ŪŪ

NORTH CAROLINA, HENDERSON COUNTY.

THIS DEED MADE this 4th day of June, 1951, by and between W. G. McCALL, Sheriff of Henderson County, North Carolina, party of the first part and HENDERSON COUNTY (a County of the State of North Carolina), party of the second part.

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WITNESSETH:

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WHEREAS, executions were issued by the Clerk of the Superior Court of Henderson County, upon tax judgments, for taxes due Henderson County for the year 1948, docketed in the Superior Court of said County conformably to Section 105-392 of the General Statutes of North Carolina, in which judgments Henderson County is plaintiff and the persons hereinafter named, respectively, are defendants, said executions directing the party of the first part to sell the parcels of real estate hereinafter described; and WHEREAS, the party of the first part offered said parcels of real estate, separately, for sale at public auction to the highest, cash bidder at the Court House door of Henderson County, on May 17, 1951, at 11 o'clock a.m., Eastern Standard Time, after first advertising said sale, as required by law, to wit: by notice published in the Henderson County for thirty days immediately preceding the day of sale, and by like notice posted at the Court House door of Henderson County for thirty days immediately preceding the day of sale, and after having mailed registered notices to the listing taxpayers, to-wit: the defendant or defendants in each of said judgments, more than ten days prior to said day of sale, said sale having been advertised and made **implicit** to any outstanding taxes or paving assessments other than the said County Taxes for 1948; and WHEREAS, at said sale, the party of the second part became the Purchaser, being the last and highest bidder, of all the parcels of real estate hereinafter described, at the respective prices hereinafter set out; and wHEREAS, the said sales were reported to the Clerk of the Superior Court of Henderson County as provided by law, and more than ten days have since elapsed and nb higher or up-set bid has been made for any of said parcels of real estate; and WHEREAS, the party of the second part has accounted for the purchase price by crediting the amount bid for each parcel of real estate on the judgment applicable thereto;

NOW, THEREFORE, the said party of the first part, for and in consideration of the premises and the amounts bid and paid as above mentioned, has Bargained and Sold, Conveyed and Confirmed, and by these presents does Bargain and Sell and Conveyed and Confirm unto the said party of the second part, its successors and assigns forever, all right, title and interest, which the defendants in said judgments (being the parties hereinafter named), now have, or, at any time after the levying of the taxes for which said judgments were rendered, have had, in the real estate hereinafter described following the names of said parties, respectively, said real estate being in Henderson County, North Carolina, to-wit:

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-2-		
BLUE RIDGE TOWNSHIP		
Pierce Hill 3-3/4 acres and house, Near Upward	\$ 17.78	
Thomas Stepp 2-5/8 acres, Pace Road	6.10	
L. C. Youngbacod 1 lot and filling station, Dana	33.25	
Jones Celreth Hill l acre and house, Ridge Road	6.07	
Miss Edna Kershaw l lot #23, Block #21, Lake View	6.20	
F. D. King 1/2 acre, Dana Road	6.66	
CLEAR CREEK TOWNSHIP		
Z. V. Corn Estate 9-1/10 acres and house, Home Place	7.12	
A. T. Hill 7 acres, Mountain Land	6.32	
M. F. D. Newton 1 lot #13, Block #2 Evens Sub. Div.	5.62)
Tommie Stepp 1 acre, Lanning land	5.76	
Mrs. O. V. F. Blythe Estate 6 acres, Cedar Cliff	5.61	
Macy C. McGreery Lot #19, Block #3, Evans Sub. Div.	6.07	
Mark Allen 6 acres, Mountain Land	5.85	
Eula Mae Bradford 2 acres, Clear Creek	5.97	
Carrie Mills 12 acres & house, Home Place	7.11	
CRAB CREEK TOWNSHIP		
Willie Hensley 27 acres & house, Crab Creek	13.95	
Ralph Morgan 3-81/100 acres, Little Mud Creek	5.68	
Thomas B. Whitted 1 lot, Kanuga	6.66	
EDNEYVILLE TOWNSHIP		
By Budging	关次发	

3/4 adros Bat Cave

-3-	
Mrs. Maude Coulson 4 lots, Edneyville, N.C.	\$ 6.47
C. M. Hicks 2-1/2 acres, Edneyville	6.47
Homer J. Hughes 1 lot, Sugar Loaf Road	6.07
Mrs. Mary Jackson 6-1/2 acres, Edneyville	7.10
B. T. Jones et al 2 lots #84 & 85, Bat Cave	5.07
Mrs. A. E. Millholland 1 lot #79, Block C, Bat Cave Manor	6.12
Mrs. Thomas J. Ramsour 1 lot, Bat Cave	6.07
G. H. Schuler 1 lot #2, Block #8, Sugar Loaf Road	0.12
Jesse Wilson Heirs 1 lot, Slick Rock	6.12
Fred Yeager 1 lot, Bat Cave Manor	6.12
GREEN RIVER TOWNSHIP	
E. L. Capps & wife 12 lots30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, Tuxedo	21.35
Mrs., H. L. Capps Estate 24 acres, Mountain land	4.91
Mrs. H. L. Capps Estate 45-1/2 acres & house, Mountain Land	15.77
Mrs. H. L. Capps Estate 36-1/2 acres, Joe Creek	0.34
George Freeman 6 lots & store building, Lake Summitt	19.10
George Freeman 1 acre & house, Tuxedo	29.02
George Freeman 5-1/2 acres, Tuxedo	7.76
George Freeman 3-9/10 acres, Tuxedo	5.27
George Freeman & wife, & H. E. Freeman l lot, Lake Summit	5.62
George Freeman & wife 1 lot, Lake Summit	5.26
Mae Bell Freeman, et al 61-6/8 acres, Mt. Olivet	7.74
D. A. Osteen 70 acres, Mt. Olivet	10.15

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J. D. Bowen 6-1/2 acres, Woodland E. B. Capps 3 acres, Green River 5.18	
E. B. Capps 5.18	
R. E. Ingold 1 lot #29, Block #15, Rocky Gorge 4.99	
C. L. Johnson 16.61 House and lot, Green River	
James Lister Myles 1 acre, Green River 5.68	
Susan Pace 6.01	
Sterling Investment Co. 6.07	
Henry I. Swain, Estate 5.07 2 lots #7 & 8, Block #9, Rocky Gorge 5.07	
R. A. Ward 1/2 acre, Saluda 5.39	
HOOPERS CREEK TOWNSHIP	
C. F. Creasman 2 acres & house, Hoopers Creek 19.18	
T. C. Justice 10.94 7 acresp Naples	
T. C. Justicen 28.26 4 acres, 'near Naples 28.26	
George Shipman 12.56 3-1/2 acres, Hoopers Creek	
T. C. Smith 31 acres & house, Naples 86.72	
E. N. Case 5-25/100 acres & house, Hoopers Creek 33.51	
P. Theodore Owenby 2-9/10 acres, Hoopers Creek 5.53	
Mrs. Effie Bagwell Smith 6.07 10 acres, Pryor land 6.07	
William Collington 7.45 3 acres, Rockwood 7.45	
Carolina Rosa Hazel 9.16 20 acres & house, Couch Mountain	
01 M. Mills 89 acres and house, Couch Mountain 14.93	
Boyd Williams 2-78/100 acres, Brickton 7.74	
Eugene Williams 7.74 2-78/100 acres, Brickton	
Mose Williams 20.14 5-54/100 acres, Brickton	

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20.14

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Nevada Williams 2-78/100 acres, Brickton	7•74
Page Williams 2-78/100 acres, Brickton	7.74
Samuel Williams 2-78/100 macres, Brickton	7.74
MILLS RIVER TOWNSHIP	
Troy C. Garren 1/2 acre & house, Etowah	16.96
Mrs. Ada Gilreath 43-4/10 acres, Brevard Road	30.56
Ruby C. Padgett & husband 54 acres & house, near Jognson Place	25.26
L. M. Simpson Estate l acre & house, Brevard Road	11.64
G. L. Smith 12≠1/2 acres & house, South Mills River	11.61
Edward C. Truitt & wife 30 acres & house, Brevard Road	22.63
S. S. & D. B. Whitaker 17 acres, Senard Creek	7 •7 4
Clyde Bishop 1 acre & house, Moore property	11.46
Roy Meece & wife 4 acres & house, Fanning Bridge	8.10
R. K. Metcalf 68/100 acres, Boylston Road	5.29
HENDERSONVILLE TOWNSHIP	
A. A. Ames Lot #3, Block #9, Laurel Park	13.52
Mrs. Celeste K. Burrows 2 lots #14 & 15, Greater Druid Hills	10.57
Loyd Cable 1 acre & house, Yale Station	12.70
Cecil Camp House and lot, Crab Creek, 1 lot Ogecola Lake	14.61
James L. Capps House & lot #124, Park Street	15.01
J. F. Capps 5 acres & house, Little River Road	15.96
Olive Ferguson 1 lot Laurel Park	12.09
Christine & Clara Fisher House & lot, East Barnwell Street	67.85
W. P. Fisher 13 acres & barn, Ballenger land	31.62

W. P. Fisher and wife 5' acres, Ballenger land	11.71
Dr. W. N. Fortescue et al 9 lots 7th & Justice Street	119.73
William C. Helmly House and lot, Laurel Park	51.69
William C. Helmly 2 lots #4 & 5, Block C, Laurel Park	4.91
Charles Hill 4 lots #92, 93, 94, and 95, East Flat Rock	8.46
Donald Hill House and lot, Sta te Street	17.67
Mrs. Druscilla & A. T. Hill House and lot, Williams Street	13.41
A. H. Hopkyn-Rees Lots 60, 61 & house, Esgah Drive	52.47
R. M. Jackson House and lot, Willow Road	11.29
A. F. Jones 3 lots and house, East Flat Rock	36.23
Maybell Keefe l lot, Mud Creek	7.03
Alton R. Keith House and lot, 4th Avenue, West	99.03
J. H. & Mildred A. Lampley 28-1/10 acres, and 2 houses, Shaws Creek	99.88
R. C. Lowrance House and lot, 642 Cherry Street	28.52
Corrie D. McCarson 29 acres and house, off Haywood Road	16.96
James McCarson Estate 39 acres and house, off Haywood Road	19.08
John M. McCullough and wife 4 lots #70 and 71, 73 and 74, Toms Hill	6.90
Floyd McGuinn and wife House and lot, Kanuga Road	73.15
H. N. Pitt l lot #5, Block #4, Miami Terrace	5•97
Richard G. Rand and wife 3/4 acre, East Flat Rock	5.62
J. W. Redden and wife House and lot, State Street, #844	25.32
H. P. Reid House and lot, 2nd Avenue, East	39•23
H. P. Reid House and lot, 318 4th Avenue, East	82.47
Mrs. J. B. Sherman House and lot, off Highway #28	19.08

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Maude G. Spears Lot #95 and house, Kensington Road	76.57
Hubert L. Stepp 7-62/100 acres, Upward Road	15.80
Walter D. Stepp and wife l lot and Funeral Home, King Street	75.06
Alexine Taylor 2 lots #15 and 16, Block #3, Mud Creek bottom	7.46
Mrs. Eva Taylor 3 lots and house, Jones Street	22.40
Mont Ward 1-1/2 acres, Green Lumber Co. land	19.24
Mont Ward 40 acres below East Flat Rock	11.37
Mont Ward l lot and woodwork shop	38.01
James W. Williams, Jr. House and lot, East Flat Rock	18.38
Louis Williams & Sons 1/2 acre, Cherry Street	6.61
T. A. Williams & wife House and lot, 807 Allen Street	- 49:5F
Charles M. Anders 1 lot, Spartanburg Road	6.47
Albert E. Anderson 1-1/2 acres, more or less, and house and 6 lots, 2 thru 6 Spartanburg Highway	47.01
Mrs. Pearl Post Avery l lot #4, Block #6, Laurel Park	14.39
Mrs. H. M. Baker 1 lot, Highland Lake	6.07
Mrs. Emma Boxd Estate 1 lot, Highwand Lake	6.07
Mrs. Bess D. Brownlee 1 lot, East Flat Rock	5.97
E. C. Burgess l acre off Highway #28	14.12
L. M. Burgess - Lot #8, Hollywood Sub.	6.07
Arthur L. Burnett 1-1/4 acres and house, Featherstone Creek	6.48
Arbhur K. Butler 1 lot, Upward Road	ó.07
R. B. Bynum and wife lot #3, Block D - 5 th Ave. West	5.89
Ab Camp 1/2 acre, Edneyville Road	5.68
Henry Cash 1-1/2 lots, East Flat Rock	6.03

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W. P. Cox 1 lot, Peachtree Street	6.31
Alva C. Depass lot #188, East Flat Rock	6.07
Harry M. Dodd Lot #25, Mt. View Sub.	6-07
H. L. Fields Lot #5, Osceola Lake	6.47
Mrs. Minnie Gorgan 3 lots Egst Flat Rock	×.*
W. F. Hallett l lot, Mt. Home	6.38
William J. Harmon 1 acre, Clear Creek RoAA	6.07
Frank B. Haynes l lot, Highland Lake	6.07
Miss Emily F. Holmes Estate $1/4$ acre, Highland Lake	6.66
Nelson Hyder 1/2 acre, Edneyville Road	6.47
A. B. Isbell l acre near Chimney Rock Road	6.66
James Allen Johnson and wife l lot, Willow & Whitted Street	9.60
Thomas P. Lesene, Jr. 1/4 acre, East Flat Rock	6.07
J. D. Lynn and wife Lot #104, Palanza Park	5.68
C. P. Mabry 1 lot, East Flat Rock	6.66
Jack D. Merriman 5 lots, #8, 9, 10, 13, 14, Laurel Park	28,06
Mrs. William E. Mickle Lot #213, Highland Lake	6.07
L. A. Mullinax 8 lots, #235, 236, 237, 238, 239, 240, 241, 242, East Flat Rock	5.53
Claudian Northup Lot #237, Highland Lake	6.07
Craig Patterson 1 Lot, Highland Lake	5•94
T. H. Penland and wife 1 lot and house and 1 lot, Pace Street	43.42
John Redmond 1 lot, Druid Hills	6.26
J. D. Redmond 1 lot, Greater Druid Hills	5.68

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Mrs. Paralee Robertson 1 acre, Clear Creek Road	6.07
H. L. Rogers et al 3- 1/4 acres, Old Flynn Property	5•79
A. G. Sargent 1 lot, Sargent land	5,68
George M. Sarven 1 lot #162, Mountain Home	0.38
L. A. Sentell Lot #21, Block #12, Osceola Lake	6.47
S. E. Sexton 1 lot, Maxwell Sub. Div.	6.07
S. E. Sexton 1 lot, Bishop land	3.87
Southern Fruit Products Co. Lot #21, Block #9, Miami Terrace	0.07
Mrs. William Steen 1 lot, Flat Rock	0.07
R. J. Stockley House and lot, #226, Highland Lake	6.38
Saul G. Stoney 1 lot, East Flat Rock	6.07
Arthur W. Swift 2 acres, Cantrell Land	0.07
C. D. Woodward and wife 7 lots #72, 139, 141, 155, 217, 223, 225, East Flat Rock	6.47
Jack Bryson Estate 3-1/2 acres, mountain land	5.70
Dara Burnsides House and lot 818 - 1st Ave. West	1988-991
Jacob P. Carson 1 lot #42, Brooklyn	6.19
Mrs. Daisy H. Edwards 1/2 acre and house, East Flat Rock	7.04
Thomas Featherstone 3/4 acre, Howard Gap	5.97
Alberta Jowers House and lot, Valley Street	17.86
Daisy Long and James E. Bright 1 lot on Railroad, East Flat Rock	5.44
Ira Ray Lucas and wife House and lot, Whitted Street	14.05
James Mitchum, Jr. 2/3 of lot, Whitted Street	17.64
Alberta Jowers Mooney House and lot, Cherry Street	12.63
Kate Lee Potts House and lot #805, V _a lley Street	11.29

89.

H. S. Simmons 4 acres and house, East Flat Rock, 3-1/4 acres, East Flat Rock

TO HAVE AND TO HOLD THE SAME, together with all hereditaments and appurtenances thereunto in any wise appertaining, unto the said party of the second part, its successors and assigns forever, in as full and ample manner as the party of the first part, as Sheriff as aforesaid, is authorized and empowered to convey the same.

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IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.

Il molall ff of fienderson County. (SEAL)

23.03

NORTH CAROLINA, HENDERSON COUNTY.

I, & Att R. Nestury, Seputy, Clerk of the Superior Court of Henderson County do certify that W. G. McCall, Sheriff of Henderson County, personally appeared before me this day and acknowledged the due execution by him of the foregoing deed for the purposes therein expressed. Let the foregoing deed and this certificate be registered. WITNESS my hand this 5 day of June, 1951.

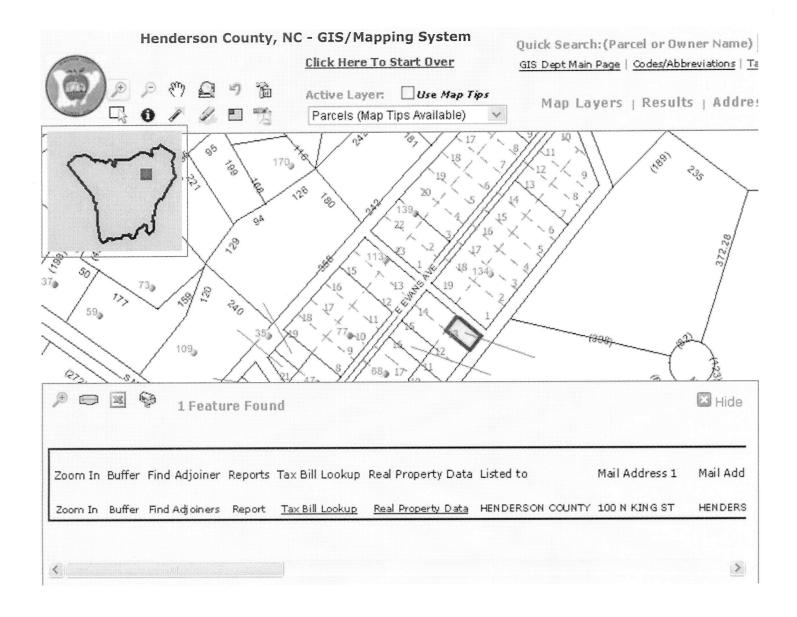
Clerk Superior Courts

Filed for Record in the office of the Register of Deeds for Henderson County, North Carolina on this $\frac{195}{100}$ at $\frac{1420}{100}$ o'clock 0 M. and Recorded and Verified on the day day of _o'clock M in Book 308 _ at page 81 son

		rson County Re roperty Data	al <u>Go Maps</u> Tax Bills
Henderson	Data last	updated on: 6/21/2007 current as of: 3/29/2007	Property Search
County	Parcel Number 9929080	PIN # 9691061262	and a second sec
MALUUIILY	Location Address	Property Description	
	0 E EVANS AVE	Lot # #13 EVANS S/D Search Results Ne	
	Parcel Buildings Land	Deeds Notes Sales Photos	Tax Bill Map

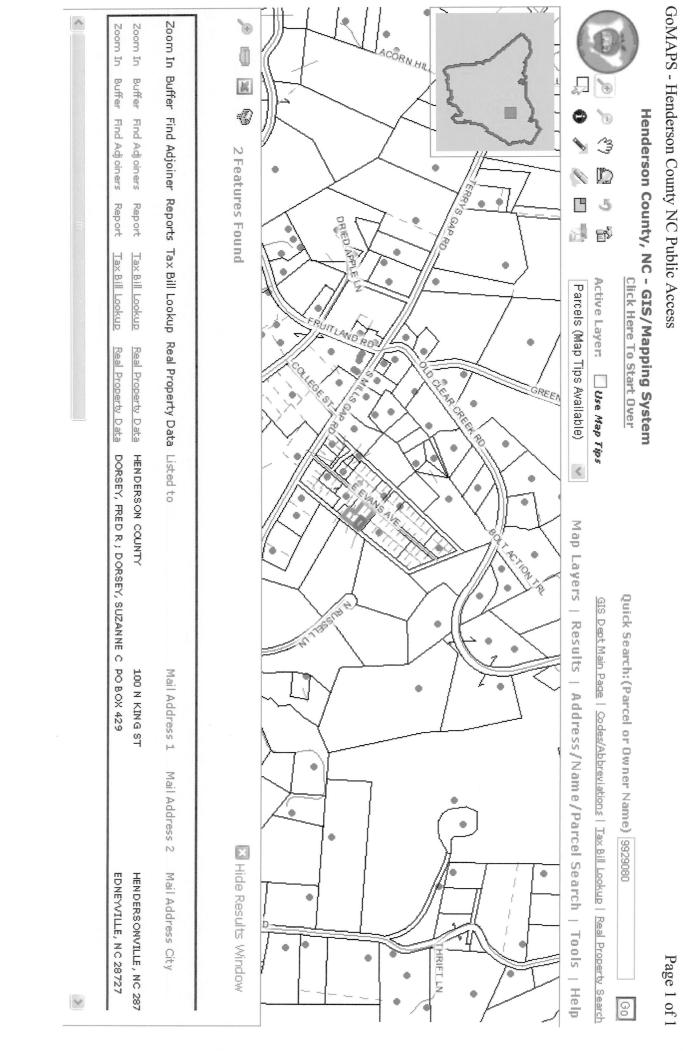
Property Owner:		Owner's Mailing Add	ress	Property Location Add	ress
HENDERSON COUNTY		100 N KING ST		0 E EVANS AVE	
		HENDERSONVILLE			
		NC 28792			
Administrative	Data	Transfer Informati	ion	Property Value	
Old Map#	9691.00	Deed Date	06/11/1951	Total Appraised Land	
VCS		Deed Book	000308		\$8,500
City	1005	Deed Page	00081	Total Appraised	
Fire District	EDNEYVILLE	Revenue Stamps	0.00	Building Value	
Township		Package Sale Date Package Sale Price		Total Appraised Value	\$8,500
Land Class	GOVERNMENTAL	Land Sale Date			
Spec District 1		Land Sale Price		Elderly Exclusion	
Spec District 2 History Parcel		Improvement Sum	imary	Other Exemptions	\$8,500
Number 1 History Parcel Number 2		Total Units Heated Area	0	Use Value Deferred Historic Value Deferre	d
Acreage Permit Date	0.08			Total Deferred Value	-
Permit #				Total Assessed Value	

Prints best in landscape mode



08-Aug-2007

http://gisweb/GoMaps/map/Index.cfm



GoMAPS - Henderson County NC Public Access



http://gisweb/GoMaps/map/Index.cfm

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