

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 1 June 2009

SUBJECT: Offer to purchase tax-foreclosed property

ATTACHMENT(S): Offer to purchase tax foreclosed property (and attachments)

SUMMARY OF REQUEST:

The Wildwood Gardens Homeowners Association, Inc., has offered to purchase two parcels of real estate which were subject to a tax foreclosure by the County.

TRACT ONE: The property is described as Lot 5-18, Wildwood Gardens Subdivision, , 0.08 acres, deed book PIN 96-42999421, with a tax value of \$1,300.00. The offered price is the sum of Ten Dollars (\$10.00).

It is believed that this lot was originally foreclosed by the County in or before 2006.

TRACT TWO: The property is described as Lot 5-19, Wildwood Gardens Subdivision, , 0.08 acres, deed book PIN 96-42999653, with a tax value of \$1,000.00. The offered price is the sum of Ten Dollars (\$10.00).

If the Board agrees to provisionally accept either of these offers (or both), it/they would be subject to advertisement in *The Times-News* and ten-day period for upset bids 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 Wildwood Gardens Homeowners Association, Inc., to purchase the parcel described in this agenda item, subject to the procedures required by this Board for tax foreclosure sales.

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 Ten Dollars (\$10.00) 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, described in such foreclosure as County

Lot # 5-18 Wildwood Gardens
Parcel Number 9940152 Pin Number 9642999721

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 Ten Dollars (\$10.00), 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 12th day of March, 2009.

Tom Baldwin (Seal)
Signature

Print Name: Tom Baldwin

Signature

Print Name: _____:

Address:
wildwood Gardens Homeowners Assoc, Inc
c/o Baldwin Real Estate

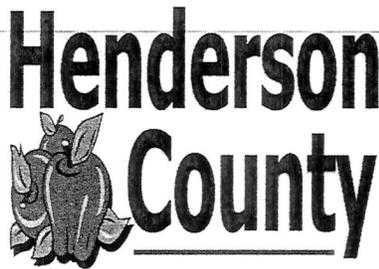
1796 Hendersonville Road, Suite U
Asheville, N.C. 28803

Sworn to and subscribed before me this the 12 day of MARCH, 2009.

[Signature]
Notary Public

My Commission Expires: 1/27/2013





Property Summary

Data last updated on: 3/12/2009
Ownership current as of: 2/13/2009

[Property Search](#)

Parcel Number **9940152** PIN # **9642999721**

Location Address
**0 NO ADDRESS
ASSIGNED**

Property Description
**Lot # #5-18 WILDWOOD
GARDENS**

[Search Results](#) [New Search](#)

- Parcel
- Buildings
- Land
- Deeds
- Notes
- Sales
- Photos
- Tax Bill
- Map

Property Owner: HENDERSON COUNTY	Owner's Mailing Address 100 N KING ST HENDERSONVILLE NC 28792	Property Location Address 0 NO ADDRESS ASSIGNED
Administrative Data	Transfer Information	Property Value
Old Map# 9642.00	Deed Date 12/12/2006	Total Appraised Land Value \$1,300
VCS 703B	Deed Book 001300	Total Appraised Building Value
City FLETCHER	Deed Page 00146	Total Appraised Value \$1,300
Fire District	Revenue Stamps 0.00	Elderly Exclusion
Township TOWN OF FLETCHER	Package Sale Date	Other Exemptions \$1,300
Land Class RESIDENTIAL-SINGLE FAMILY	Package Sale Price	Use Value Deferred
Spec District 1	Land Sale Date	Historic Value Deferred
Spec District 2	Land Sale Price	Total Deferred Value
History Parcel Number 1	Improvement Summary	Total Assessed Value
History Parcel Number 2	Total Units 0	
Acreage 0.08	Heated Area 0	
Permit Date		
Permit #		

Prints best in landscape mode

Thursday, March 12, 2009

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 Ten Dollars (\$10.00) 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.

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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, described in such foreclosure as County

Lot # 5-19 Wildwood Gardens
Parcel Number 9940153 Pin Number 9642999653

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 Ten Dollars (\$10.00), 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 12th day of March, 2009.

Tom Baldwin (Seal)
Signature

Print Name: Tom Baldwin

Tom Baldwin (Seal)
Signature

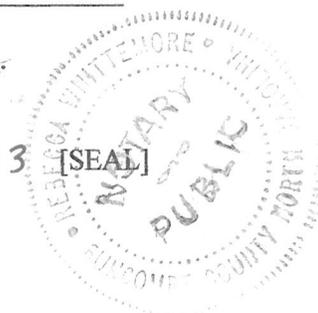
Print Name: _____:

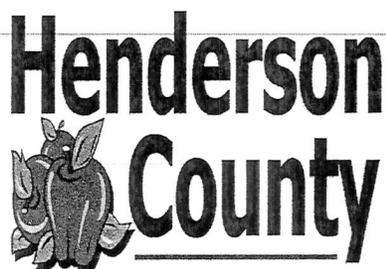
Address:
Wildwood Gardens Homeowners Association, Inc
c/o Baldwin Real Estate
1796 Hendersonville Road, Suite U
Asheville, N.C. 28803

Sworn to and subscribed before me this the 12 day of March, 2009.

Rebecca Whittemore
Notary Public

My Commission Expires: 1/27/2013 [SEAL]





Property Summary

Data last updated on: 3/12/2009
Ownership current as of: 2/13/2009

[Property Search](#)

Parcel Number **9940153** PIN # **9642999653**

Location Address
**0 NO ADDRESS
ASSIGNED**

Property Description
**Lot # #5-19 WILDWOOD
GARDENS**

[Search Results](#) [New Search](#)

Parcel	Buildings	Land	Deeds	Notes	Sales	Photos	Tax Bill	Map
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Land Class RESIDENTIAL-SINGLE FAMILY	Package Sale Price	Use Value Deferred
Spec District 1	Land Sale Date	Historic Value Deferred
Spec District 2	Land Sale Price	Total Deferred Value
History Parcel Number 1	Improvement Summary	Total Assessed Value
History Parcel Number 2	Total Units 0	
Acreage 0.06	Heated Area 0	
Permit Date		
Permit #		

Prints best in landscape mode

Thursday, March 12, 2009

WILDWOOD GARDENS HOMEOWNERS ASSOC., INC.

REAL ESTATE ESCROW ACCOUNT
C/O BALDWIN REAL ESTATE, INC.
1796 HENDERSONVILLE RD., SUITE U
ASHEVILLE, NC 28803
(828) 277-9898



1181

3/12/2009

PAY TO THE ORDER OF Henderson County

\$ **10.00

Ten and 00/100*****

DOLLARS

MEMO: Henderson County
Margaret Street
County Attorney's Office
1 Historic Courthouse Square, Suite 5
Hendersonville, N.C. 28792
Bid Deposit for Lot #5-18 Wildwood Gardens

762

⑈001181⑈ ⑆053100300⑆001212823783⑈

WILDWOOD GARDENS HOMEOWNERS ASSOC., INC.

REAL ESTATE ESCROW ACCOUNT
C/O BALDWIN REAL ESTATE, INC.
1796 HENDERSONVILLE RD., SUITE U
ASHEVILLE, NC 28803
(828) 277-9898



1182

3/12/2009

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1 Historic Courthouse Square, Suite 5
Hendersonville, N.C. 28792
Bid Deposit for Lot #5-19 Wildwood Gardens

763

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Security features. Details on back.



Security features. Details on back.

