

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 3 June 2013

SUBJECT: Offer to purchase tax-foreclosed property

ATTACHMENT(S): Offer to purchase tax foreclosed property; map (provided by offeror)

PRESENTER: Charles Russell Burrell

### SUMMARY OF REQUEST:

Mayra E. Las Marroquin has offered to purchase a parcel of real estate which was subject to a tax foreclosure by the County.

The property is described as Lot 6, Corn Mountain Estates, 0.35 acres, Henderson County PIN 96-42999421, with a tax value of \$11,300.00. The offered price is the sum of Two Thousand Dollars (\$2,000.00).

It is believed that this lot was originally foreclosed by the County in or before 1988.

If the Board agrees to provisionally accept either of these offers (or both), it/they would be subject to advertisement in *The Hendersonville Tribune* 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.

**NOTE: Lot 6 is shown on the County's property records as not having been divided from (that is, without a defined boundary with) Lot 7 (see attached Henderson County GIS map provided by offeror). It will be difficult if not impossible to draft a deed with a proper description in the absence of a survey, and the purchaser should be required to agree to either obtain their own survey or reiterate their release of the County from liability in the event a description is inadequate.**

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 Mayra E. Las Marroquin to purchase the parcel described in this agenda item, subject to the procedures required by this Board for tax foreclosure sales and subject to the condition stated in this agenda item.***

THE REAL PROPERTY DESCRIBED in Attachment A (hereafter, "the real property"), having been foreclosed and bid in by Henderson County for non-payment of *ad valorem* real property taxes, the undersigned hereby offers(s) to purchase the real property from the County for the sum of Two Thousand Dollars (\$ 2,000.00 ) 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 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 further understands that Henderson County does not, and will not, make any warranties as to the property, its title, or its fitness for any particular use or purpose.

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 \_\_\_\_\_, described in such foreclosure as

Lot #6, COYD MOUNTAIN ESTATE, PARCEL # 9929233

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 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. 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 15 day of February, 2013.

[Signature] (Seal)  
Signature

MAYRA E. HAS MARROQUIN  
Printed Name:

\_\_\_\_\_  
Signature (Seal)

\_\_\_\_\_  
Printed Name:

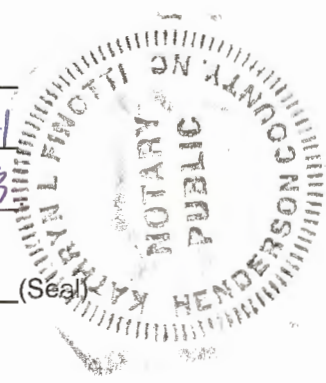
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PO BOX #1182

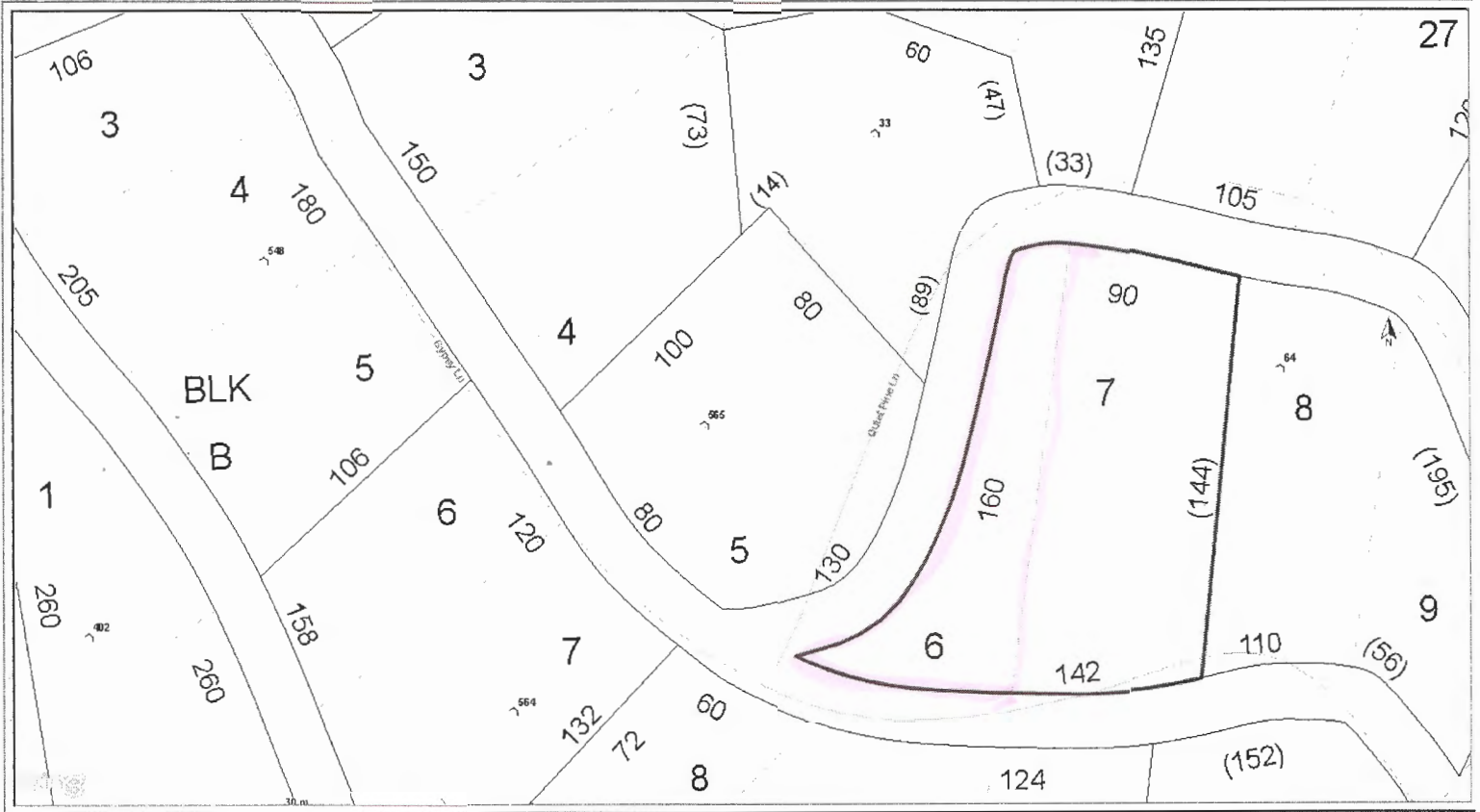
DANA NC 28721

Sworn to and subscribed before me this the 23rd day of April, 2013

[Signature]  
Notary Public

My Commission Expires: 3-23-18 (Seal)





WARNING: THIS IS NOT A SURVEY

Parcel Information

Parcel Number:	9929233	Pin:	9589190630
Listed to:	HENDERSON COUNTY ; JIMS MOBILE HOME INC	Neighborhood:	CORN MTN ESTATES
Mailing Address:	1 HISTORIC COURTHOUSE SQUARE	Township:	Blue Ridge
Mailing City, State, Zip:	HENDERSONVILLE, NC 28792	Municipality:	UNINCORPORATED
Physical Address:	0 NO ADDRESS ASSIGNED	Fire District:	
Deed:	713/453	Plat:	B 362
Date Recorded:	01/07/1988	Elementary School District:	SUGARLOAF
Revenue Stamps:		Middle School District:	APPLE VALLEY MIDDLE
Property Description:	Lot # 6,7 CORN MOUNTAIN ESTATE	High School District:	NORTH HIGH
Map Sheet:	9589.01	Soil:	
Assessed Acreage:	0.3500	Voting Precinct:	Blue Ridge North
Building Value:	\$0.00	Commissioner District:	4
Land Value:	\$11,300.00	Agricultural District:	None Found
Value To Be Billed:	\$0.00		



Henderson County  
Geographic Information Systems (GIS)  
200 North Grove Street  
Hendersonville, NC 28792  
P: (828) 698-5124  
F: (828) 698-5122

WARNING: THIS IS NOT A SURVEY.

All information or data provided (whether subscribed, purchased or otherwise distributed) is provided as is, without any warranties, including the warranties of merchantability or of fitness for a particular purpose. Henderson County and its employees make no warranties or guarantees, either express or implied. Use of the information or data subscribed, purchased or otherwise distributed, whether in hard copy or digital media, shall be at the user's own risk.