

**REQUEST FOR BOARD ACTION**  
**HENDERSON COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** 3 September 2013

**SUBJECT:** Review of proposed gift to county of lot and house in Mills River

**PRESENTER:** Charles Russell Burrell

**ATTACHMENT(S):** Recorded Non-Warranty Deed  
Property Record Card and Tax Department photographs

**SUMMARY OF REQUEST:**

The County Attorney's Office received the attached deed. It is an attempted gift to the County of a lot and manufactured home located in the Town of Mills River.

Under North Carolina law, the presumption of the acceptance of a gift can be overcome where there is "a dissent or renunciation by the grantee".<sup>1</sup> If the Board's inclination is to decline this gift, notification of the same would be given to the attempted donor's, and renunciation of the gift would be recorded in the Henderson County Registry.

The County Manager and his staff have reviewed this site, and are unaware of any plans for County use of this property. The Assessor and Collector's Office have determined that the property is subject to one or more existing Deeds of Trust, and was the subject of a bankruptcy last decade.

*Ad valorem* real property taxes have been paid on the property through and including those due in 2012.

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

**BOARD ACTION REQUESTED:**

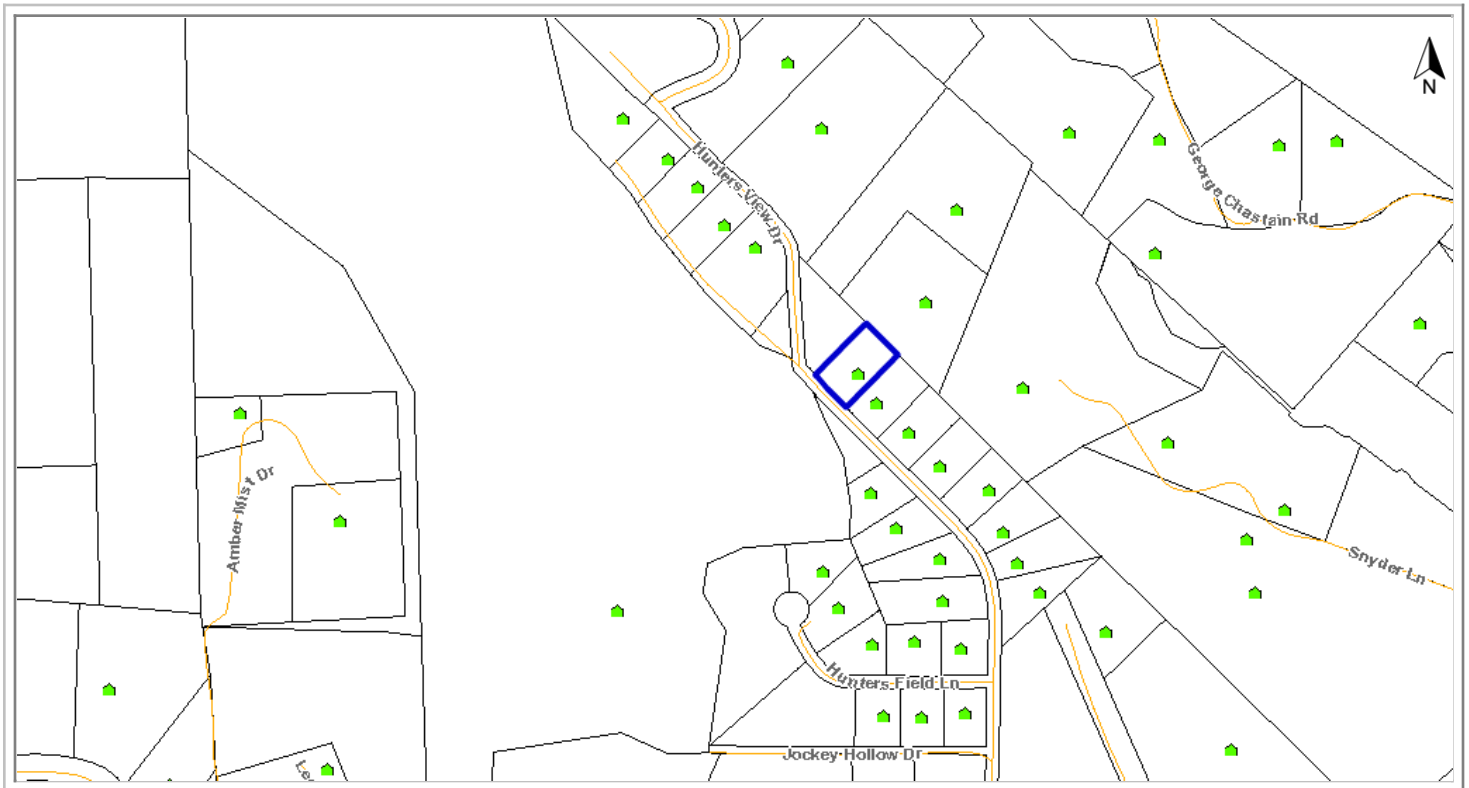
Renunciation of this attempted gift.

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

***I move that the Board refuse the offered gift from Steve Morris and wife, Shawn Morris and Tammy Marsh and husband, Scott Marsh.***

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<sup>1</sup> *Webster's Real Estate Law in North Carolina*, §10.58, note 326.



**WARNING: THIS IS NOT A SURVEY**

Parcel Information

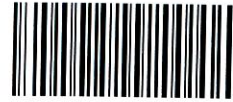
|                                  |  |                                    |                                      |
|----------------------------------|--|------------------------------------|--------------------------------------|
| <b>Parcel Number:</b>            | 9940210                                  | <b>Pin:</b>                        | 9620230583                           |
| <b>Listed to:</b>                | MORRIS, STEPHEN O ;<br>HUTCHINS, TAMMY F | <b>Neighborhood:</b>               | HUNTERS RIDGE                        |
| <b>Mailing Address:</b>          | 805 DAVIS CIR                            | <b>Township:</b>                   | Mills River                          |
| <b>Mailing City, State, Zip:</b> | HENDERSONVILLE, NC<br>28791              | <b>Municipality:</b>               | MILLS RIVER                          |
| <b>Physical Address:</b>         | 426 HUNTERS RIDGE RD                     | <b>Tax District:</b>               | 60 Mills River Town                  |
| <b>Deed:</b>                     | 742/203                                  | <b>Plat:</b>                       | Not Available                        |
| <b>Date Recorded:</b>            | 08/03/1989                               | <b>Elementary School District:</b> | MILLS RIVER                          |
| <b>Revenue Stamps:</b>           | 12                                       | <b>Middle School District:</b>     | RUGBY MIDDLE                         |
| <b>Property Description:</b>     | Lot # 27 HUNTERS RIDGE                   | <b>High School District:</b>       | WEST HIGH                            |
| <b>Map Sheet:</b>                | 9620.00                                  | <b>Soil:</b>                       | Evard soils, 15 to 25 percent slopes |
| <b>Assessed Acreage:</b>         | 0.3900                                   | <b>Voting Precinct:</b>            | Mills River South                    |
| <b>Building Value:</b>           | \$36,200.00                              | <b>Commissioner District</b>       | 3                                    |
| <b>Land Value:</b>               | \$25,600.00                              | <b>Agricultural District</b>       | None Found                           |
| <b>Value To Be Billed:</b>       | \$61,800.00                              |                                    |                                      |



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.



This document presented and filed:  
07/26/2013 09:23:11 AM



NEDRA W. MOLES, Henderson COUNTY, NC  
Transfer Tax: \$0.00

**NORTH CAROLINA  
NON-WARRANTY DEED**

Excise Tax: \$0.00

Recording Time, Book and Page

Tax Map No. *J*

Parcel Identifier No.

Mail after recording to: Elkins Law Firm, PA 228 6<sup>th</sup> Ave E Suite 1B, Hendersonville, NC 28792

This instrument was prepared by: H. Trade Elkins

THIS DEED made this 10<sup>th</sup> day of July, 2013 by and between

**GRANTOR**

Mailing Address:

Steve Morris and wife, Shawn Morris  
Tammy Marsh and Husband, Scott Marsh

**GRANTEE**

Mailing Address:

Henderson County Body Politic  
1 Historic Courthouse Square, Suite 5  
Hendersonville, North Carolina 28792

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of \_\_\_\_\_, \_\_\_\_\_ Township, \_\_\_\_\_ County, North Carolina, and more particularly described as follows:

See attached exhibit "A"

The property hereinabove described was acquired by Grantor by instrument recorded in Book 742,  
Page 203.

A map showing the above described property is recorded in Plat Book N/A, Page N/A.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances  
thereto belonging to the Grantee in fee simple.

Grantor makes no warranty, express or implied, as to the title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, or, if corporate, has  
caused this Deed to be executed by its duly authorized officers and its seal to be hereunto affixed, the  
day and year first above written.

Steve Morris (SEAL)  
Steve Morris

Shawn Morris (SEAL)  
Shawn Morris

Tammy Marsh (SEAL)  
Tammy Marsh

Scott Marsh (SEAL)  
Scott Marsh

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NORTH CAROLINA HENDERSON COUNTY

I, certify that the following person(s) personally appeared before me this day, each acknowledging to  
me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the  
capacity indicated: Steve and Shawn Morris, Grantor(s). Witness my hand and official stamp or seal,  
this the 10 day of July, 2013.

My Commission Expires: 4-12-14

Teresa N. Moore  
Notary Public

Print Notary Name: Teresa N. Moore



NORTH CAROLINA Henderson COUNTY

I, certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Tammy and Scott Marsh, Grantor(s). Witness my hand and official stamp or seal, this the 10 day of July, 2013.

My Commission Expires: 4-12-14

Teresa N. Moore  
Notary Public

Print Notary Name: Teresa N. Moore



**EXHIBIT "A"**

BEING all of Lot Twenty-Seven (27) of the Property of Laughter, Laughter and Owens, as shown on plat prepared by Clarence Jenkins, which plat is recorded in the office of the Register of Deeds of Henderson County in Plat Cabinet A, Slide 326, reference to which is made for a more complete description.

This property is subject to the Restrictive Covenants recorded on February 7, 1989 in Deed Book 732 at Page 739, Henderson County Registry.

Also subject to that Road Maintenance and Water Rights Agreement recorded in Deed Book 741 at Page 55, Henderson County Registry.

Being a portion of the property conveyed to Odell Owens, Jr. by deed recorded in Book 733 at Page 123, Henderson County Registry.

PARCEL: 9940210

2014

PIN:

9620-23-0583.000



# Henderson County Property Record Card

## Physical Address: 426 HUNTERS RIDGE RD

### Property Details as of 8/15/2013 9:48 AM

|  |                          |                          |                    |
|--|--------------------------|--------------------------|--------------------|
| Status: ACTIVE                             | Corp. Limit: MILLS RIVER | Deeded Acreage: 0.00     | Utilities: E, U, W |
| Neighborhood: HUNTERS RIDGE(832)           | Special District:        | Calculated Acreage: 0.39 | Flags: 07M         |
| Land Class: RESIDENTIAL-SINGLE FAMILY(110) | Fire District:           | Assessed Acreage: 0.39   |                    |
| Pin History:                               |                          |                          |                    |

Deed Book/Page: 000742 / 00203    Deed Date: 8/3/1989    Stamps: \$12    Description: HUNTERS RIDGE

|  |              |
|--|--------------|
| Name: <b>MORRIS, STEPHEN O<br/>HUTCHINS, TAMMY F</b>               | Sale Type:   |
|  | Sale Price:  |
|  | Sale Date:   |
| Mailing Address: 805 DAVIS CIR<br>HENDERSONVILLE NC 28791-3251 USA | Source:      |
|  | Sale Status: |

### Listing Details

Listed by: NMAZZ    Date Listed: 11/4/2005    Contacted: N    Lister Notes:

| DATE      | BLDG # | DESCRIPTION   |
|-----------|--------|---|
| 3/8/2012  |        | AC CHNG FROM .33 TO .39 FOR 2012 PER MAPPING  |
| 3/5/2012  |        | ***assessed acreage changed due to remapping. no deeded acreage in survey or deed.*** |
| 3/24/2006 |        | CHNG PHYSICAL DEPR TO P & TOOK OF DK FOR 2007   |

### Assessed Value Summary

| SEQ                                 | SIZE ZONED | DESCRIPTION | DEFAULT RATE | CONDITION | INFLUENCE | ADJUSTED RATE | MARKET VALUE    |                 |
|-------------------------------------|------------|-------------|--------------|-----------|-----------|---------------|-----------------|-----------------|
| 1                                   | .39 AC. OU | 4-RES BL    | \$40,000.00  |           | S-1.64    | \$65,600.00   | \$25,600        |                 |
| <b>Total Market Value for Land:</b> |            |             |              |           |           |               | <b>\$25,600</b> | <b>\$25,600</b> |

| TYPE  | BLDG # | SEQ | DESCRIPTION          | GRADE   | PERCENT GOOD | YEAR BUILT | PERCENT COMPLETE | MARKET VALUE    |
|---|--------|-----|----------------------|---------|--------------|------------|------------------|-----------------|
| Main Bldg   | 1      |     | 426 HUNTERS RIDGE RD | C(100%) | P(67%)       | 1988       | 100%             | \$36,200        |
| <b>Total Market Value of All Listed Improvements:</b> |        |     |                      |         |              |            |                  | <b>\$36,200</b> |

**Total All Adjustments: \$0**

**Total Market Value of Property: \$61,800**

|                      |     |                 |     |
|----------------------|-----|-----------------|-----|
| Veteran's Exclusion: | \$0 | Deferred Value: | \$0 |
| Tax Relief:          | \$0 | Exempt Value:   | \$0 |
| Historic Deferral:   | \$0 |                 |     |

**Total All Adjustments: \$0**

**TOTAL ASSESSED VALUE: \$61,800**

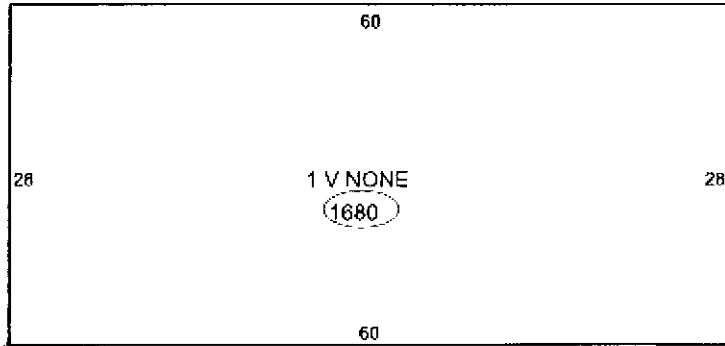
PARCEL: 9940210 BLDG # 1 of 1 2014 PIN: 9620-23-0583.000



| BASE RATE CALCULATION  |                            |              |
|------------------------|----------------------------|--------------|
| ADD/DEDUCT             | DESCRIPTION                | RATE         |
| BLDG TYPE & USE        | REAL PROPERTY MH (MH-REAL) | 38.93        |
| STORY HEIGHT           | 1 STORY                    | 0.00         |
| DESIGN & STYLE         | MANUFACTUR HOME            |              |
| BASEMENT               | NONE                       | 0.00         |
| EXTERIOR WALLS         | VINYL                      | 0.00         |
| HEATING                | FORCED AIR                 | 0.00         |
| AIR CONDITIONING       | NO AIR CONDITIONING        | (1.17)       |
| BATHS                  | EF(2) FULL(2) HALF(0)      | 0.00         |
| <b>TOTAL BASE RATE</b> |                            | <b>37.76</b> |

**Building Summary (Year Built:1988- Effective Year:1988)**

| SEQ ID                         | STRY | ADDN TYPE | FTPRINT AREA | BASE RATE | GRADE FACTOR | REPLACEMENT COST NEW | BLDG ADJ                     | PHYSICAL % GOOD | PERCENT COMPLETE | DEPRECIATED VALUE |
|--------------------------------|------|-----------|--------------|-----------|--------------|----------------------|------------------------------|-----------------|------------------|-------------------|
| BLDG                           |      |           | 1,680        | \$37.76   | C(100%)      | \$63,437             |                              | P(57%)          | 100%             | \$36,159          |
| Total Living Area Square Feet: |      |           | 1,680        |           |              |                      | Total Building Market Value: |                 |                  | \$36,159          |



Office Use Only:9940210 : 132311

**DISCLAIMER:** This information has been collected for inventory of property per NCGS 105-317(a)(3) and is provided in order to enable property owners to ascertain the method, rules, and standards of value by which this property has been appraised. This information is compiled from recorded deeds, plats, and other public records data. Users of this information are hereby notified that the aforementioned sources should be consulted for verification of the information contained in this report. The county assumes no legal responsibility.





**Owner** MORRIS, STEPHEN O  
**Location** 426 HUNTERS RIDGE RD  
**REID** 9940210

Date 11/04/2005



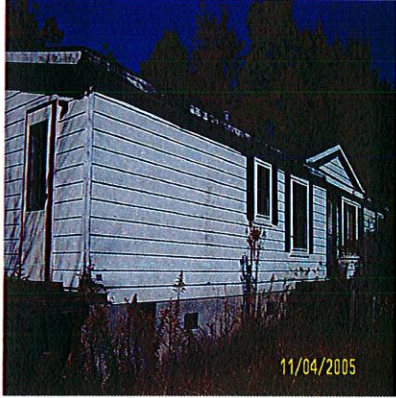
Card # 1 of 1





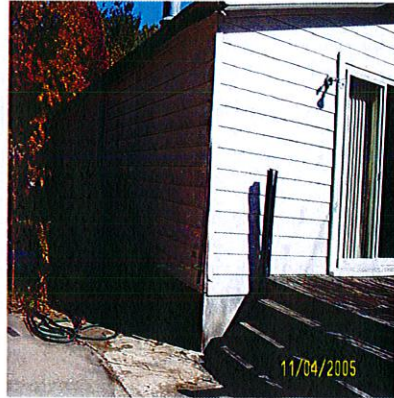
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Date 11/04/2005



Card # 1 of 1

Date 11/04/2005



Card # 1 of 1