

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 3 February 2014

SUBJECT: Offer to purchase tax-foreclosed property

ATTACHMENT(S): Offer to purchase tax foreclosed property; supporting documents

PRESENTER: Charles Russell Burrell

SUMMARY OF REQUEST:

Donald K. Henderson has offered to purchase a parcel of real estate which was subject to a tax foreclosure by the County.

The property is described as 22 Rice Road, in Fletcher, Henderson County, with parcel identification number 9926669 (PIN 9653845717), with a tax value of \$16,900.00. The offered price is the sum of Twenty-two Dollars (\$22.00), plus the buyer will within thirty (30) days of closing demolish and remove all existing structures on the premises, and abandon and close the existing open well under the supervision of the Department of Public Health within thirty (30) days.

It is believed that this lot was originally foreclosed by the County in 1970. No taxes have been received on the property since that time.

If the Board agrees to provisionally accept this offer, it would be subject to advertisement in *The Hendersonville Tribune* and ten-day period for upset bids pursuant to your policy. 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 Donald K. Henderson 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.

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 AND SEE ATTACHMENT "B" Dollars (\$ 2200) 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 COUNTY
22 RICE ROAD LOT # 581628

PARCEL # 9926669 PIN # 9652845717

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 00/100 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 2 day of January, 2014.

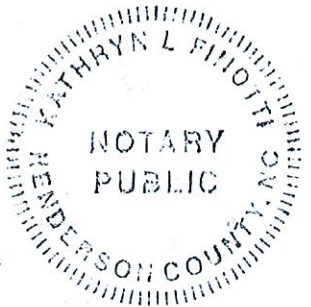
Donald K. Henderson (Seal)
Signature

Print Name: Donald K. Henderson

____ (Seal)
Signature

Print Name: _____

Address:
30 Rice Road
Fletcher, NC 28732



Sworn to and subscribed before me this the 2nd day of January, 2014.

Kathryn L. Finotti
Notary Public

My Commission Expires: 3-23-18 [SEAL]

ATTACHMENT "B"

INITIAL OFFER TO PURCHASE TAX FORECLOSED PROPERTY

It is agreed upon by both parties that if the offer to purchase is accepted the buyer will, at his own expense, (1)demolish and clean-up the existing structures on said property and (2) abandon/close-up the existing open well under the supervision and approval of the Henderson County Health Department. It is also agreed that all work will be completed within thirty (30) days after purchase and is subject to inspection by Henderson County to insure compliance of same.

Donald K. Henderson (Seal)

Signature

Print Name: Donald K. Henderson

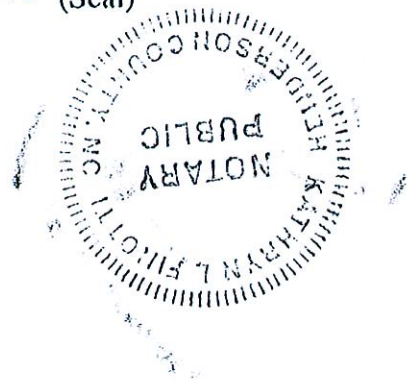
Address:


30 Rice Road

Fletcher, N.C. 28732

Sworn to me and subscribed before me this the 2 day of January; 2014.

Kathryn L. Fitch My Commission Expires: 3-23-18 (Seal)
Notary Public




Bank

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK
OFFICIAL CHECK
 HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

52-0133
 112
85038865-7

RE: DONALD & JESSICA HENDERSON DATE: 01/02/2014


PAY TO THE ORDER OF
 Henderson County
 Two Hundred AND 00/100

\$200.00

DRAWER: TD BANK, N.A.
 AUTHORIZED SIGNATURE

RUB HERE TO VIEW TRUE WATERMARK
 SECURITY FEATURES: Deposit on Back

⑆850388657⑆ ⑆011201335⑆ 6265079404⑆


Bank

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK
OFFICIAL CHECK
 HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

52-0133
 112
85038864-6

RE: DONALD & JESSICA HENDERSON DATE: 01/02/2014

PAY TO THE ORDER OF
 Henderson County
 One Hundred Fifty AND 00/100

\$150.00

DRAWER: TD BANK, N.A.
 AUTHORIZED SIGNATURE

RUB HERE TO VIEW TRUE WATERMARK
 SECURITY FEATURES: Deposit on Back

⑆850388646⑆ ⑆011201335⑆ 6265079404⑆

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Henderson County Real Property Data

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Building Summary

Data last updated on: 1/2/2014
Ownership current as of: 3/26/2013

Parcel Number **9926669**

PIN # **9653845717**

Property Search

Location Address
22 RICE RD

Property Description
Lot # SR1628 ON RICE RD

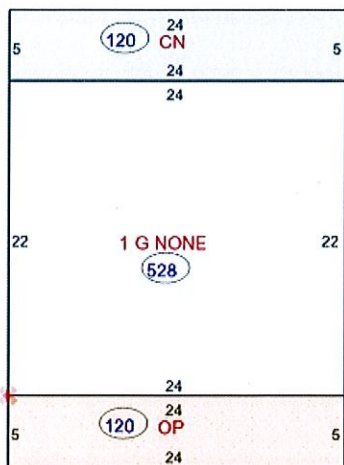
[Go](#)

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

[Parcel](#) [Buildings](#) [Land](#) [Deeds](#) [Notes](#) [Sales](#) [Photos](#) [Tax Bill](#) [Map](#)

Building Location Address 22 RICE RD		Building Description MA-SINGLE FAMILY		Card 1 of 1	
Bldg Type	SINGLE FAMILY	Year Built	1937	Effective Year	1937
Units	0	Additions	2	Remodeled	
Heated Area	528	Interior Adj.			
Story Height	1 STORY	Other Features			
Style	CONVENTIONAL				
Basement	NONE				
Exterior	ALUMINUM SIDING				
Const Type	NONE				
Heating	NONE				
Air Cond	NO AIR CONDITIONING				
Plumbing	FULL:0 HALF: 0				
Main and Addition Summary				Other Improvements	
Story	Type	Code	Area	Inc	
1	/ALUMINUM SIDING/NONE		528		
0	OPEN FRAME PORCH	OP	120		
0	CANOPY	CN	120		
					Base Bldg Value \$371
					Grade E 55%
					Cond % VP 1%
					Market Adj.
					Market Adj
					Accrued %
					Percentage Complete 100
					Current Card Value \$400
					All Other Cards
					Assessed Land Value \$16,900
					Assessed Total Value

Building Sketch



Photograph



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Prints best in landscape mode.



WARNING: THIS IS NOT A SURVEY.

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January 2, 2014

