

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY

### BOARD OF COMMISSIONERS

**MEETING DATE:** 17 March 2014

**SUBJECT:** Final approval of sale of tax foreclosed property

**PRESENTER:** Charles Russell Burrell

**ATTACHMENT(S):** Affidavit of publication

#### SUMMARY OF REQUEST:

This Board gave preliminary approval to the sale of certain tax-foreclosed property located in Echo Lake, in Hendersonville Township, Henderson County, at its meeting 7 October 2013. The offer was made by W. H. Stewart, Jr., and the property is described as:

The property is described as Lot 32 (also known as Lot L 32), Echo Lake, Henderson County parcel identification number 0107555, with a tax value of \$13,600.00. The offered price is the sum of Two Thousand Five Hundred Dollars (\$2,500.00).

This lot was originally foreclosed by the County 2 October 1987.

As noted at the time of the initial approval of this offer, the lot description is such that 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.

#### BOARD ACTION REQUESTED:

Final approval of the bid.

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

***I move that the Board provisionally accept the offer of W. H. Stewart, Jr., to purchase the parcel described in this agenda item, and direct the execution of a quitclaim deed to Stewart on the condition that Stewart release the County from liability in the event the property description, above, is inadequate.***

**NOTICE OF OFFER  
TO PURCHASE  
TAX FORECLOSED  
PROPERTIES**

The Hendersonville Tribune

Affidavit of Publication

HENDERSON COUNTY, NORTH CAROLINA

Before the undersigned, a Notary public of Henderson County, North Carolina, duly commissioned, qualified and authorized by law to administer oaths, personally appeared

Angela Georgi of

The Hendersonville Tribune, a newspaper published, issued and entered as second-class mail in the City of Hendersonville, in said County and State; that he/she is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is displayed hereto, was published in The Hendersonville Tribune, on the following date or dates:

1/9 2014

Said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and is a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

The 10 day of January 2014  
Angela Georgi

Sworn and subscribed before me,  
this 10 day of January 2014  
[Signature]

Notary Public, My commission expires  
August 18, 2017

Henderson County has received an offer on the following described real estate which has been foreclosed for nonpayment of Henderson County taxes and is now owned by the County:  
The property is described as Lot 32 (also known as Lot L 32), Echo Lake, Henderson County parcel identification number 0107555, with a tax value of \$13,600.00. The County has on file an offer in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) for the County's interest in the property, if any, subject to the condition that a quitclaim deed, conveying only such interest as the County may own in the property by virtue of unpaid taxes, will be issued, and that there will be no refund of the purchase price in the event of a failure of title. Any prospective purchaser may file an increased bid with the County Attorney's Office within ten (10) days from the date of publication of this notice. If an increased bid is filed the bid now on file with the County must be raised by not less than ten percent (10%) of the first \$1,000 thereof plus five percent (5%) of the remainder thereof. The increased bid must be accompanied by a deposit of five percent (5%) of the amount of the increased bid, or \$150.00 whichever is greater, plus the actual cost of advertising the increased bid. These monies must be paid to the County Attorney's Office at the time said raised bid is filed. If an increased bid is filed, the property will again be advertised for sale. Any prospective purchaser will be required to sign a release in favor of the County as part of the consideration for the purchase of the property. If no increased bid is filed within ten (10) days from date of this publication, the bid which is now on file will go before the Board of Commissioners for final acceptance.

Published this the \_\_\_\_\_  
day of \_\_\_\_\_,  
2014.

Teresa L. Wilson  
Clerk to the Board  
of Commissioners  
(HL1099) 1/9