

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: 6 January 2020

SUBJECT: Offer to purchase tax-foreclosed property

ATTACHMENT(S): Notice as published

PRESENTER: Charles Russell Burrell

SUMMARY OF REQUEST:

Dustin J. Holland, on behalf of Diamond Falls Preserve, LLC, has offered to purchase 4.37 acres on Firemender Valley Trail (off Little Creek Road, near Chimney Rock State Park in the northeastern portion of Henderson County). The offer includes a purchase price of \$7,500.00, a deposit toward that price of \$500.00, plus an additional deposit for advertising fees of \$200.00.

Henderson County obtained its interest in this property via a tax foreclosure sale in 1987. No taxes have been received on the property since that time.

The Board gave provisional acceptance to this offer on November 4, 2019, subject to advertisement for upset bids. The notice of the offer and request for upset bids was published in the *Hendersonville Lightning*.

No upset bid was received.

Under your procedures and the General Statutes, once provisional acceptance has occurred, and no upset bids are received after published notice, the matter comes back before this board for a final decision on the sale.

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 give final acceptance to the offer of Dustin J. Holland, on behalf of Diamond Falls Preserve, LLC, to purchase the parcel described in this agenda item.

NOTICE OF OFFER TO PURCHASE TAX FORECLOSED PROPERTIES

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 located on Firemender Valley Trail, and described as 4.37 acres, in Edneyville Township, with real estate identification number 501768 (PIN 0622255169), with a tax value of \$57,000.00.

The offered price is the sum of Seven Thousand Five Hundred Dollars (\$7,500.00).

If the final sale is approved by the Board of Commissioners, a quitclaim deed, conveying only such interest as the County may own in the property by virtue of a foreclosure as a result 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 \$500.00, 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 review.

Published this the ____ day of _____, 2019.

Teresa L. Wilson
Clerk to the Board of Commissioners