

RESOLUTION # _____

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAX

WHEREAS, a deed from Asheville REI, LLC to Kelli Greene Petersen, Unmarried, for property located at 10 Pensacola Heights was mistakenly recorded twice with the Buncombe County Register of Deeds, (once via electronic filing as filed in Book 5390, Page 1220 and separately in person as filed in Book 5390, Page 1136), resulting from confusion involving outstanding ad valorem property taxes which generally must be paid in advance; and

WHEREAS, as a result of this duplicate recording of the same deed an excise tax of \$278 was paid twice to the Buncombe County Register of Deeds; and

WHEREAS, pursuant to NCGS §105-228.37, Clement Law Firm, PLLC made timely written request for a refund of overpayment of excise tax caused by the recording error a copy of which is attached; and

WHEREAS, this Board held a hearing on this request for refund on the date indicated below and upon motion made, seconded, and duly adopted has determined that it is in the best interests of the citizens and residents of the County that this request be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That the County Manager or her designee is hereby authorized to process a refund to Clement Law Firm, PLLC in the amount of \$278.00 in accordance with NCGS §105-228.37.
2. That this resolution shall be effective upon its adoption.

This the 1st day of March, 2016.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

County Attorney