



Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: 3/17/2020

New Business

Department: LEGAL

Presenter(s): MICHAEL FRUE

Contact(s): MICHAEL FRUE

Subject: RESOLUTION AUTHORIZING EXECUTION OF NON-WARRANTY DEED FOR PROPERTY LOCATED AT 27 CHATHAM RD IN ASHEVILLE

Brief Summary: A tax foreclosure was completed in 1974 and the Board accepted an offer for the property in 1995, but for unknown reasons conveyed it to a separate Grantee by Quitclaim Deed in 1997. There is no record of an upset bid and there is no record of an assignment of the 1995 bid. Further, the 1997 deed from the County has a vague description so a prospective buyer's title company will not insure over the description defect. The Grantee of the 1997 deed paid his taxes every year until his death in December 2019.

County Legal is of the opinion that there is no reasonably foreseeable risk in agreeing to correct the vague description and grant a new non-warranty deed to the heirs with a correct description for the same 27 Chatham Road property.

Recommended Motion & Requested Action: Approve the Resolution Authorizing Execution of Non-Warranty Deed

County Manager's comments and Recommendation: Manager recommends approval as presented.