



## REQUEST FOR BOARD ACTION

ITEM NO. 22.

**DATE OF MEETING:** July 11, 2011

**REQUESTED BY:** Rick Benton, County Manager

**SHORT TITLE:** Resolution Authorizing Advertisement for Upset Bids for Property Owned by Pender County (PIN # 2295-82-4292) Located Off Long Creek Loop Road in Long Creek Township

**BACKGROUND:** The County has received an offer to purchase a surplus parcel owned by Pender County. Mr. Theron Whitehead has presented an offer of \$6,000 for a 1.5 acre parcel located off Long Creek Road in Long Creek Township. There are no improvements on the property. The 2011 tax value for the parcel is \$6,000. Mr. Whitehead resides on an adjoining parcel. A copy of the offer, plat of the property, and aerial map including tax information of the property is attached.

If the Commissioners are inclined to accept the offer to purchase, the statutes provide for public notification of the offer, and an upset bid process to allow other interested parties an opportunity to bid on the property as well. A resolution is required that declares the property surplus, and initiates the upset bid process.

**SPECIFIC ACTION REQUESTED:** To consider a resolution declaring the property surplus, and authorizing advertisement for upset bids for the property.

**COUNTY MANAGER'S RECOMMENDATION**

Respectfully recommend approval.

*RB*

Initial

**RESOLUTION**

**NOW, THEREFORE BE IT RESOLVED** by the Pender County Board of Commissioners that:

- 1) An offer to purchase a certain real property owned by the County, identified as Pender County PIN #2295-82-4292-0000, has been received by the County Manager's Office;
- 2) The Board desires to dispose of this certain surplus property;
- 3) The following described property is hereby declared to be surplus to the needs of the County:  
Pender County PIN # 2295-82-4292-0000, 1.5 acre more or less, located off Long Creek Loop Road in Long Creek Township (Deed 1295/357)
- 4) The County has received an unsolicited offer to purchase the property in the amount of \$6,000;
- 5) The County Manager is authorized and directed to receive, on behalf of the Pender County Board of Commissioners, upset bids for the purchase of the real property described above;
- 6) The County Clerk shall advertise this notice, pursuant to NCGS 160A-269;
- 7) The Pender County Board of Commissioners reserves the right to reject any or all bids.

The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS \_\_\_\_\_

YEA VOTES: Brown \_\_\_ Tate \_\_\_ Rivenbark \_\_\_ Ward \_\_\_ Williams \_\_\_

\_\_\_\_\_  
George R. Brown, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
ATTEST

\_\_\_\_\_  
Date

**Theron Whitehead**  
**287 Long Creek Loop Rd.**

**Rocky Point, N.C. 28457**

**June 20, 2011**

279-6609

Pender County

Rick Benton, County Manager

805 S. Walker Street

Burgaw N.C. 28457

Re: Purchase of property from Pender County

Mr. Benton:

I would like to present Pender County with an offer for a property owned by Pender County. The property is located off of Long Creek Loop Rd., behind 263 Long Creek Loop Road. This property is found in deed book 1295 on page 357. It was purchased by the county on December 30, 1997. It is 1.5 acres of unoccupied property. I would like to make an offer of \$6,000 to purchase this property.

I have attached a copy of the map and the most recent deed to this property.

Please feel free to contact me at anytime regarding this matter.

Thank you for your time

Mr. Theron Whitehead

910-279-6609



PENDER COUNTY NC 12/30/97  
\$2.00



Real Estate  
Excise Tax

FILED

OK 1295PF357

97 DEC 30 PM 2:42

JOYCE H. SWICEGOOD  
REGISTER OF DEEDS  
PENDER COUNTY, NC

Excise Tax \$2.00

Recording Data

This deed prepared by Corbett & Fister, Attorneys at Law, P. O. Drawer 727, Burgaw, NC 28425.

**DEED**

THIS DEED, made this 8<sup>TH</sup> day of December 1997, by:

JW

GRANTOR	GRANTEE
ROBERT H. CORBETT, COMMISSIONER	PENDER COUNTY

The designation Grantor and Grantee as used in this instrument shall include the designated parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter form as required by context. Feminine or masculine pronouns shall be substituted for those of neuter form or vice versa and the plural substituted for the singular number or vice versa in any place in which the context may require such.

WITNESSETH

1. Grantor was empowered to offer the property described below for public sale by the orders entered in Pender County vs. Dell Yeoman; the spouse of Dell Yeoman; Perry Yeoman, Jr.; the spouse of Perry Yeoman, Jr.; William E. Yeoman; Gerphine Yeoman; Perry D. Yeoman; and Audrey L. Yeoman, 96 CVS 575 (Pender County, North Carolina), and
2. Grantee became the last and highest bidder.

NOW, THEREFORE, Grantor, for a valuable consideration paid by Grantee, receipt of which is acknowledged, conveys to Grantee in fee simple, the parcel of land located in Long Creek Township, Pender County, North Carolina, described as:

BEGINNING at a stake in the edge of the road, leading by Hertford Garrison hence and it being the said Hertford Garrison corner runs with said Garrison line South 12 East 450 feet to a stake in said line thence North 76 1/4 East 120 feet to a stake; thence North 9 West 450 feet to a stake in the edge of said road; thence with the edge of said road South 76 1/4 West 148 feet to the BEGINNING containing 1 1/2 acres, the same more or less.

Recorded and Verified  
Joyce M. Swicegood  
Register of Deeds  
Pender County, NC

Grantee shall have and hold the above land and all its privileges and appurtenances in fee simple.

Title to the property described above is subject to *ad valorem* taxes for 1998 and

**SURVEY REFERENCE:**  
DEED BOOK 388 AT PAGE #22  
PENDER COUNTY REGISTRY

**NOTES:**

1. CORNERS ARE MARKED AS NOTED ON MAP.
2. ALL DISTANCES ARE HORIZONTAL FIELD MEASUREMENTS.
3. AREA COMPUTED BY THE COORDINATE METHOD.
4. THIS PROPERTY IS ZONED RES.
5. THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARDOUS AREA.
6. NO KNOWN HORIZONTAL CONTROL WITHIN 2,000'.
7. TRACT NUMBERS 1 & 2 CANNOT BE USED FOR BUILDING DEVELOPMENT UNLESS A NEW PLAT IS APPROVED AND RECORDED UNDER THE PENDER COUNTY SUBDIVISION ORDINANCE.
8. NO KNOWN CORPORATE LIMITS, TOWNSHIP BOUNDARIES OR COUNTY LINES ON SUBDIVIDED TRACT.
9. THERE ARE NO ADJOINING SUBDIVISIONS OF RECORD.
10. BUILDING SETBACKS REQUIRED TO BE IN ACCORD WITH THE PENDER COUNTY ZONING ORDINANCE. (FRONT 30' // REAR 22' // SIDE 20')
11. NO KNOWN RAILROAD, UTILITY OR OTHER RIGHT OF WAY.
12. NO KNOWN AREAS OF ENVIRONMENTAL CONCERN.

This map is subject to any easements, agreements or rights of way prior to the date of this map that were not visible at any time of inspection.

No complete title search was performed for this survey.

All new access easements shown or designated on this plat, include the transfer of an easement to public entities and public utilities for the purpose of installation and maintenance of water, sewer, electric and communication lines.

All access easements shown or designated on this plat include the transfer of an easement to Pender County, its employees and agents for access for emergency personnel (police, fire & rescue) and Pender County and its employees for administration of all Pender County Ordinances.

"This lot is adjacent to a natural drainage way or perennial stream or/and a 20 ft. drainage easement is recorded from the lot to a natural drainage way or perennial stream."

**LEGEND:**

- ECM (EXISTING CONCRETE MONUMENT)
- EIP (EXISTING IRON PIPE)
- OR EIS (EXISTING IRON STAKE)
- ISS (IRON STAKE SET)
- EOA (EXISTING OLD AXLE)
- ▲ EXISTING NAIL
- PL (POINT)
- ⊕ POWER/UTILITY POLE
- PROPERTY LINE
- - - - - NON-SURVEYED LINE
- ⊕ (CENTER LINE)
- - - - - R/W (RIGHT OF WAY)
- - - - - FENCE

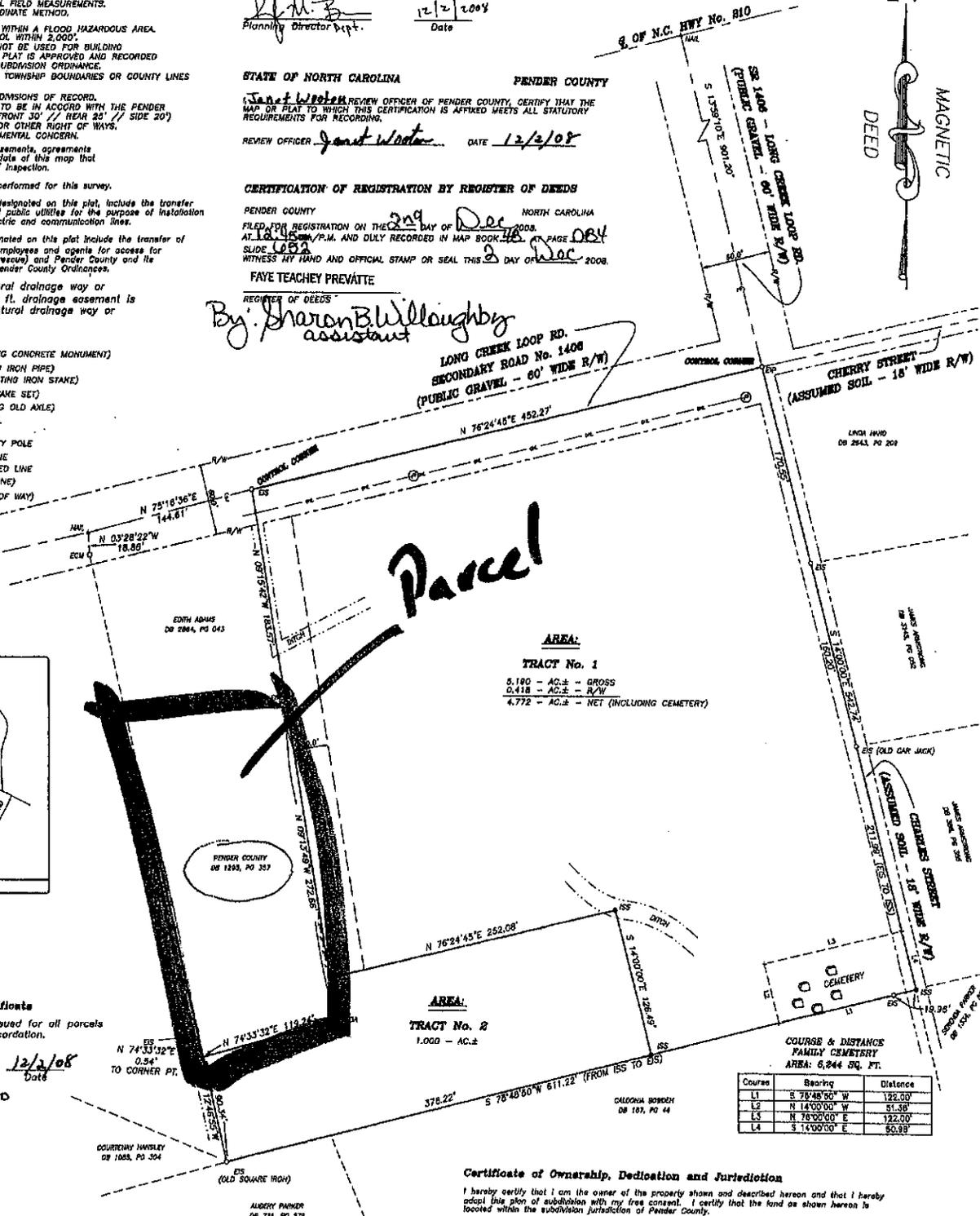
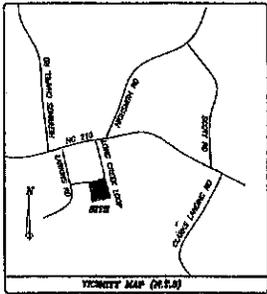
**Certificate of Final Plat Approval**  
Final Plat Approved Under The Pender County Subdivision Ordinance

*V. M. B.*  
Planning Director Dept.  
12/2/2008  
Date

STATE OF NORTH CAROLINA PENDER COUNTY  
I, *Janet Wooten*, REVIEW OFFICER OF PENDERS COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
REVIEW OFFICER *Janet Wooten* DATE *12/2/08*

**CERTIFICATION OF REGISTRATION BY REGISTER OF DEEDS**  
PENDER COUNTY NORTH CAROLINA  
FILED FOR REGISTRATION ON THE *2nd* DAY OF *Dec* 2008.  
AT *10:45* A.M. AND DULY RECORDED IN MAP BOOK *48* AT PAGE *084*  
SLIDE *082*  
WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS *2* DAY OF *Dec* 2008.

FAYE TEACHEY PREVATE  
REGISTER OF DEEDS  
By: *Sharon B. Willoughby*  
assistant



**AREA:**  
TRACT No. 1  
5.180 - AC.± - GROSS  
0.418 - AC.± - R/W  
4.772 - AC.± - NET (INCLUDING CEMETERY)

**AREA:**  
TRACT No. 2  
1.000 - AC.±

Course	Bearing	Distance
L1	S 78°48'00" W	132.00'
L2	N 14°00'00" W	51.90'
L3	N 78°00'00" E	122.00'
L4	S 14°00'00" E	50.99'

**Parcel Identifier Certificate**

Parcel Identifiers will be issued for all parcels shown on this plat after recordation.

*JW*  
Tax Supervisor  
12/2/08  
Date  
2295-87-6386-0000  
PARCEL ID #

PARCEL ID #

**Certificate of Ownership, Dedication and Jurisdiction**

I hereby certify that I am the owner of the property shown and described hereon and that I hereby accept this plan of subdivision with my free consent. I certify that the land as shown hereon is located within the subdivision jurisdiction of Pender County.

*Freda W. Perry*  
Owner  
11-22-08  
Date

Owner:  
FREDIA WILLIAM PERRY  
308 WEST FIRST STREET  
WELDON, NC 27880

**Surveyor Certificate II**

This plat is a survey that creates a subdivision of land within the subdivision area of a county or municipality that has an ordinance that regulates parcels of land.

**CERTIFICATION OF SURVEY AND ACCURACY**

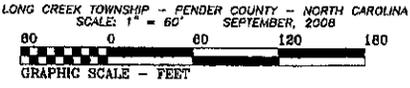
I, Frederick W. Jones, PLS, certify that this plat was drawn by me from an actual field survey made by me from information as noted hereon; that the boundaries not surveyed are clearly indicated as dashed lines; that this map was prepared in accordance with G.S. 47-30 as amended; that the ratio of precision as calculated is 1:10000+ and is correct to the best of my knowledge and belief. Witness my original Signature, License Number and Seal.

this 2 day of DECEMBER, AD, 2008.

*Frederick W. Jones*  
Frederick W. Jones, PLS  
NC License No. L-4503



FAMILY DIVISION  
FOR  
**LINDA HAND**



**Thompson & Jones Surveying Company**  
P.O. Box 1471  
111 East Franklin Street  
Burgaw, NC 28425  
Ph: (910) 259-2854  
F: (910) 259-0040  
Em: jonesurveying@bellsouth.net  
P: Jones  
Dep. Mgr: PK B HAND LINDA

MB 48 Pg 084 SL 652



Scale: 1:106



NAME: PENDER COUNTY  
ADDR: P O BOX 366  
CITY: BURGAW  
STATE: NC  
ZIP: 28425  
PROPERTY ADDRESS: LONG CREEK LOOP RD OFF  
PROPERTY DESCRIPTION: S/OFF 1406 D5  
DATE: 12/30/1997  
SALE PRICE: \$0.00  
DEED: 1295/357

TOWNSHIP: 104  
TNSH DESC: LONG CREEK  
ACRES: 1.5  
LAND VALUE: \$6,000.00  
BUILDING VALUE: \$0.00  
TOTAL VALUE: \$6,000.00  
DEFERRED VALUE: \$0.00  
SUBDIVISION: Null  
ZONE: R20  
TAX CODES: G01 F25 R40  
PIN: 2295-82-4292-0000