

**Resolution Approving Certain Tract of Real Property
Be Sold by Electronic Auction**

WHEREAS, Rutherford County owns a certain parcel of real property showing as having address of 0 Yates Ln., Lake Lure, NC 28746, Rutherford County Revenue Department Parcel ID Number:1617637 as shown and described hereinbelow, that is surplus to its needs; and

WHEREAS, North Carolina General Statute GS 160A-270 permits Rutherford County to sell real property at electronic auction upon approval of the Board of Commissioners and, upon resolution previously adopted by the Board, after publication of an electronic notice announcing the electronic auction;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF RUTHERFOD COUNTY APPROVES THE FOLLOWING:

1. The Board of Commissioners of Rutherford County authorizes the sale by electronic auction of that certain parcel of land hereby deemed as surplus and being more particularly described as follows:

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, and being more particularly described as follows:

Lot 113, Section 13, Apple Valley Phase II, Fairfield Mountains, Rutherford County, North Carolina, as shown on a plat of record in Plat Book 15 at Page 51, Rutherford County Registry. Subject to restrictive covenants and restrictions as filed of record in Book 386, Pages 404 through 440, Register of Deeds, Rutherford County, North Carolina and any amendments and Supplemental Declarations pertaining thereto.

BEING a portion of the property which was conveyed by Fairfield Communities, Inc., a Delaware Corporation with a principal office at Lake Lure, North Carolina as beneficial owner, and Lawyers Title Insurance Corporation, a Virginia Corporation, as Nominee for Fairfield Communities, Inc., under the terms of a Title clearing Agreement dated January 27, 1983 to Charles Boesch by deed dated October 9, 1988, and of record in Deed Book 536 at Page 267, Rutherford County Registry.

See Deed from Bruce Franklin Anderson to Wilder Wadford and Steve Herman recorded in the Office of the Register of Deeds in Rutherford County in Deed Book 627, Page 404

Also being identified as Parcel ID#1617637, Rutherford County Tax Office.

Address: 0 Yates Ln.

Being the same and identical property conveyed to Rutherford County by Commissioner's Deed recorded in Book 702 at Pages 190, Rutherford County Registry.

2. The County Manager or his designee is authorized to sell the above described real property by electronic auction at www.govdeals.com, to be conducted beginning at 9:00 A.M., August 5, 2025, and ending at 7:30 P.M. on August 25, 2025.

3. The terms of the sale shall be net cash. The buyer must present at the auction a bid deposit of five percent (5%) of the amount of the bid, either in cash or with a certified check. This deposit will be held by Rutherford County until either the Board of Commissioners rejects the high bid for the property or, if the Board of Commissioners accepts the high bid, the closing of the sale. The

deposit will be forfeited to Rutherford County if the high bidder refuses to close the sale after the bid has been approved by the Board of Commissioners.

4. The property shall be sold as-is with no warranty of physical condition. County shall provide deed with special warranty. Winning bidder shall be responsible for existing liens, taxes, HOA fees and any title search upon the property.

5. After the auction, the high bid for each parcel shall be reported to the Board of Commissioners. The board of Commissioners will accept or reject the bid within 30 days after the bid is reported to it. No sale may be completed until the council has approved the high bid.

6. Rutherford County reserves the right to withdraw any listed property from the auction at any time before the auction sale of the property.

ADOPTED this the 4th day of August, 2025.

Bryan A King, Chairman

ATTEST:

Clerk, Board of Commissioners