

Notice of Tax Foreclosure Sale
18-CVD-242
Swain County vs. Adam Ball et. al.

Under and by virtue of an order of the District Court of Swain County, North Carolina, made and entered in the action entitled Swain County, a North Carolina Body Politic vs. Adam Ball, DBA Cold Mountain Enterprises, et. al., the undersigned commissioner will on the **24th day of May, 2019**, offer for sale and sell for cash, to the last and highest bidder at public auction, at the courthouse door in Swain County, North Carolina, at **11:00 A.M.** the following described real property:

Lying and being in the Charleston Township, Swain County, North Carolina.

The property conveyed is in the Charleston Township, Swain County, North Carolina, and is Lot 6 as shown on a map of a survey by James T. Herron, RLS, dated 2-18-98, entitled FOX RUN RIDGE, drawing number 632-347-A. That map is incorporated by reference into this description.

The property is more particularly described as BEGINNING on an iron pin set in the line of Lot 5 near the eastern margin of a subdivision road. Then with the line of Lot 5, S 78 49 37 E 236.09 feet to an iron pin set in the western margin of the subdivision road; and S 78 49 37 E 25.00 feet to a point in the centerline of the subdivision road. Then with the centerline of the subdivision road the following courses and distances:

S 29 44 06 W 44.28 feet Along the arc of a curve to the right having a radius of 65.80 feet, a chord bearing of S 56 22 05 W with a chord distance of 59.00 feet and an arc distance of 61.18 feet to a point; S 83 00 03 W 69.40 feet Along the arc of a curve to the left having a radius of 129.41 feet, a chord bearing of S 61 52 31 W with a chord distance of 93.28 feet and an arc distance of 95.43 feet to a point; S 40 44 59 W 79.62; Along the arc of a curve to the right having a radius of 22.34 feet, a chord bearing of N 84 23 20 W with a chord distance of 36.54 feet and an arc distance of 42.78 feet to a point; Along the arc of a curve to the right having a radius of 22.34 feet, a chord bearing of N 00 03 48 E with a chord distance of 22.06 feet and an arc distance of 23.08 feet to a point; N 29 39 13 E 49.98 feet Along the arc of a curve to the left having a radius of 77.16 feet, a chord bearing of N 13 44 21 E with a chord distance of 42.31 feet and an arc distance of 42.86 feet to a point; and N 02 10 32 W 129.22 feet.

Then leaving the centerline of the road and running with the line of Lot 5, S 78 49 37 E 25.00 feet to the point of BEGINNING containing 0.796 acres more or less.

This conveyance is subject to and benefited by the Declaration of Exceptions, Reservations and Restrictions on Use filed in Deed Book 227 at page 82 of the Swain County Registry and is benefited and burdened by the easements contained in the Declarations. By accepting and recording this Deed, the Grantee, for herself, her successors and assigns, agrees to join and continuously maintain membership in the

Property Owners Association established in the Declarations, and to pay all dues and assessments levied by the Association.

The real property at issue shall be sold for the satisfaction of taxes, interests, costs and fees incurred by the Plaintiff, together with and subject to easements of record, but free and clear of all interests, rights, claims and liens whatever, except to any taxing units not party to this action in accordance with section 105-374(k) of the North Carolina General Statutes.

No warranties, express or implied, shall be made as to the acreage contained in the above described tract of land. In addition, no warranties of title will be made and any interested purchaser desiring to ascertain marketability of title should perform or cause to be performed an independent title examination.

The sale will be made subject to confirmation of the Court and will further be subject to the filing of upset bids as by law provided. A deposit of 5 percent of the successful bid will be required.

TAKE NOTICE that the real property will be sold in fee simple, free and clear of all interests, rights, claims, and liens whatever, BUT SUBJECT TO the IRS right of redemption as provided for by 28 USC 2410(c).

This the second day of May, 2019

Jonathan Mattox
Commissioner
Dates: 5/16/19 – 5/23/19