

STATE OF NORTH CAROLINA
COUNTY OF JACKSON

IN THE GENERAL COURT OF JUSTICE
FILED SUPERIOR COURT DIVISION
FILE NO. 22 CVS 392

THE COUNTY OF JACKSON,
a North Carolina body politic,
Plaintiff,

2023 JAN 26 A 8:38

JACKSON CO., C.S.C.

v.

BY

THE HEIRS OF BERNICE LANNING to wit: BETTY JEAN PARRIS a/k/a BETTY NATIONS; THE HEIRS AT LAW OF LEWIS J. LANNING to include THE HEIRS AT LAW OF BERTHA LANNING BROWN to include: JOHNNY BROWN; ROSA CALHOUN and UNKNOWN SPOUSE OF ROSA CALHOUN, if any; THE HEIRS AT LAW OF MARTHA LANNING GROOMS f/k/a MARTHA LYNCH to include CAROLYN RENEE LYNCH and husband GEORGE LYNCH; JAMES CORY GROOMS and UNKNOWN SPOUSE of JAMES CORY GROOMS, if any; THE HEIRS AT LAW OF JASON CODY GROOMS to include KAYTLENN AALIYAH GROOMS; THE HEIRS AT LAW OF KENNETH GARFIELD GROOMS to include: HEATHER TURBIVILLE and husband, GRANT TURBIVILLE; TERRY GROOMS and UNKNOWN SPOUSE of TERRY GROOMS, if any; and THE HEIRS AT LAW OF KENNY DALE GROOMS to include: KENNY GROOMS, JR., and SAMANTHA LEE GROOMS and UNKNOWN SPOUSE OF SAMANTHA LEE GROOMS, if any; and any other UNKNOWN HEIR(S) OR OWNER(S), by and through their Guardian Ad Litem, JONATHAN C. MATTOX;
Defendants.

NOTICE OF SALE

The undersigned Commissioner, pursuant to that Entry of Summary Judgment and Order Authorizing Sale entered on January 17, 2023, in the above entitled proceeding, will offer for sale to the highest bidder for cash on February 17, 2023, at 10:10 a.m. at the west emergency exit of the Jackson County Courthouse in Sylva, North Carolina, a 6.09 acres more or less, parcel or tract

of land in the Barkers Creek Township, Jackson County, bearing parcel identification number 7622-65-1342 according to the Jackson County Mapping Office, and more particularly described as follows:

BEING the tract of land described in that deed dated October 11, 1982 from Ellnora Robinson to Bernice Lanning, recorded in Deed Book 546 at Page 729, Jackson County Registry, to which reference is specifically made.

ALSO BEING the same lands as conveyed to Belle Robison and her heirs by a deed dated December 1, 1932 and recorded in Book 296, Page 458 of the Jackson County Registry, to which reference is specifically made.

LESS AND EXCEPT the 0.78 acres, more or less, conveyed from Bernice Lanning, widow to Lewis Lanning and Mary Lou Byrd in that deed dated December 5, 1990, recorded in Deed Book 769, Page 360 of the Jackson County Registry, to which reference is specifically made.

AND LESS AND EXCEPT the 3.22 acres, more or less, conveyed from Bernice Lanning, widow to Lewis Lanning and Mary Lou Byrd in that deed dated December 5, 1990, recorded in Deed Book 769 at Page 362 of the Jackson County Registry, to which reference is specifically made.

AND LESS AND EXCEPT the 2.94 acres, more or less, conveyed from Bernice Lanning to Martha L. Grooms and husband, Kenneth G. Grooms in that deed dated June 9, 1997, recorded in Deed Book 962, Page 121 of the Jackson County Registry, to which reference is specifically made.

AND LESS AND EXCEPT the 1.72 acres, more or less, conveyed from Bernice Lanning, widow, to Martha L. Grooms and husband, Kenneth G. Grooms in that deed dated October 3, 1997, recorded in Deed Book 974, Page 165 of the Jackson County Registry, to which reference is specifically made.

Together with all appurtenances and subject to any and all easements, well rights, restrictive covenants, and road rights-of-way of record.

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 whatsoever, 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.

This 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. The highest bidder at the sale will be required to deposit five (5%) or \$750.00, whichever is greater, of the amount bid with the Commissioner in cash or

certified funds immediately upon the conclusion of the sale except no deposit shall be required of a taxing unit that has made the highest bid.

If the Commissioner is unable to convey title to this property for any reason, the sole remedy of the purchaser is the return of the bid deposit. Reasons of such inability to convey include, but are not limited to, the filing of a bankruptcy petition prior to the confirmation of the sale and reinstatement of the loan without the knowledge of the Commissioner, or redemption of all taxes on the real property due to the taxing unit plus penalties, interests, and costs, prior to the confirmation of the foreclosure sale. If the validity of the sale is challenged by any party, the Commissioner, in their sole discretion, if they believe the challenge to have merit, may request the court to declare the sale to be void and return the deposit. The purchaser will have no further remedy.

THIS the 26th day of January, 2023.

A handwritten signature in black ink, appearing to read "Tori Smith", written over a horizontal line.

Tori Smith, Commissioner
RIDENOUR & GOSS, PA
P.O. Box 965
Sylva, North Carolina
State Bar No. 59442
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