

THE COUNTY OF HAYWOOD,
a North Carolina body politic and the TOWN
OF CANTON, a North Carolina Municipality,
Plaintiffs,

v.

CHARLES EUGENE JOHNSON, widowed;
THE HEIRS AT LAW OF CARROLL L.
JOHNSON to wit: KATHY RENEE NELON
and husband DANIEL NELON; and
MELISSA CAROL NELON and husband
PAUL NELON; THE HEIRS AT LAW OF
SHIRLEY JOHNSON PHILLIPS to wit:
ANGELA CHRISTINE PHILLIPS f/k/a
ANGELA WEST; and any other
UNKNOWN HEIR(S) or OWNERS, by and
through their Guardian Ad Litem;
Defendants.

NOTICE OF SALE

The undersigned Commissioner, pursuant to that Entry of Summary Judgment and Order of Foreclosure Sale entered November 29, 2021, in the above entitled proceeding, will offer for sale to the highest bidder for cash on January 14, 2022, at 10:00 a.m. at the entrance of the Haywood County Courthouse, 215 N. Main Street, in Waynesville, North Carolina, a parcel or tract of land in the Town of Canton, Haywood County more particularly described as follows:

BEING a 0.19 acre, more or less, tract of land bearing parcel identification number 8656-87-1607, according to the Haywood County Mapping Office, as described and conveyed to Charles E. Johnson, Carroll Johnson, and Shirley Johnson, each with a one-third (1/3) interest by the deed recorded in Deed Book 450, Page 1700 in the office of the Register of Deeds for Haywood County, North Carolina.

Together with all appurtenances and subject to any and all restrictions, easements, well rights, 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 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.

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%) of the amount bid or \$750.00, whichever is greater, 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.

Purchaser shall be required to pay all delinquent real property taxes, costs and fees prior to recordation of the Commissioner's Deed.

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 17 day of December, 2021.



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