



**0832-18-40-5271**

**NOTICE OF TAX FORECLOSURE SALE**

Under and by virtue of a Judgment entered in the action entitled "County of Durham and City of Durham vs. Jim Ellerby, AKA Jim Elleby, et als," File No. 09-CVD-7916, the undersigned Commissioner will, on the 9th day of March, 2010, offer for sale and sell for cash, to the last and highest bidder at public auction, at the Main Street steps of the Durham County Judicial Building in Durham, North Carolina, at 12:00 o'clock, Noon, the following described real property, lying and being in the County of Durham, State of North Carolina, and more particularly described as follows:

**ESTIMATED MINIMUM BID \$ 4460.00**

**700 East Geer Street**

**Durham County Tax Parcel ID 110921 and 110922**

**(Former Tax Parcel ID 126-01-002 and 126-01-003)**

**Durham County GIS PIN No. 0832-18-40-6240 and 0832-18-40-5271**

BEGINNING at a stake situated at the southeastern intersection of East Geer Street and Grove Street; thence with the eastern side of Grove Street South 06 30' West 100 feet to a stake; thence South 83 24' East 150 feet to a stake; thence North 06 30' East 100 feet to a stake on the southern side of East Geer Street; thence with the southern side of East Geer Street North 83 24' West 150 feet to a stake, the point and place of BEGINNING, and being a portion of the T.E. CHEEK PROPERTY as shown variously in Plat Book 12 at page 21, Plat Book 13 at page

195 and Plat Book 17 at page 129 in the Office of the Register of Deeds of Durham County, to which plats references are hereby expressly made for a more particular description of same, TOGETHER WITH a 3 foot wide private sanitary sewer easement running south from the above-described property to connect to a sewer outfall, said easement being more particularly described in Deed Book 141 at page 90, Durham County Registry, AND SUBJECT TO: (1) that conveyance to the North Carolina Department of Transportation recorded in Book 1099 at page 548, Durham County Registry and (2) a temporary construction easement to the City of Durham recorded in Book 4061 at page 720, Durham County Registry. This property was conveyed to Jim Ellerby, also known as Jim Elleby, by deeds recorded in Book 2517 at page 906, Book 3140 at page 974, and Book 3170 at page 51, Durham County Registry.

This sale will be made subject to city and county property taxes for the year 2010 and subsequent years and all local improvement assessments against the above-described property not included in the judgment in the above-entitled cause. A deposit of ten percent (10%) of the successful bid will be required.

This the 16th day of February, 2010.

R. Douglas Davis, Commissioner  
3600 N. Duke Street, STE 110  
Durham, NC 27704-1709  
Phone: 919-477-0280