

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Deed of Correction – Johnson Street Properties

**From:** Meghan Maguire, Assistant City Attorney

**Meeting Date:** Monday, October 7, 2019

**Public Hearing:** No

**Advertising Date:** NA

**Advertised By:** NA

**Attachments:** Map

---

### **PURPOSE:**

Request for council approval to grant a correction-deed to release the ownership rights of a city property that was thought to be sold. It's believed that the sale was initiated because Guilford county tax records showed a house was built by the adjoining owner in the 1930's on what turned out to be city land instead of the adjoining property. Tax ownership record errors caused confusion leading the City to sell the wrong lot to the adjoining owner. The correction-deed would also correct that deed from the City since it describes land it did not own.

### **BACKGROUND:**

In 1923, a residential lot was acquired by the city for \$300 in the area of what is now 1424 Johnson St. There were numerous residential properties acquired around this time due to what was likely the depressed economy based on the amount of foreclosures on record, as well as roadway development in that area.

The county tax record indicates a house was built on the property in the 1930's on what was likely thought to be the adjoining lot, which is now 1422 Johnson St., when in fact the house was built on the City's property at 1424 Johnson St. It is likely that the adjoining owner at 1422 Johnson St., who acquired that land in 1929, was responsible for the mistake of building the house on the wrong lot.

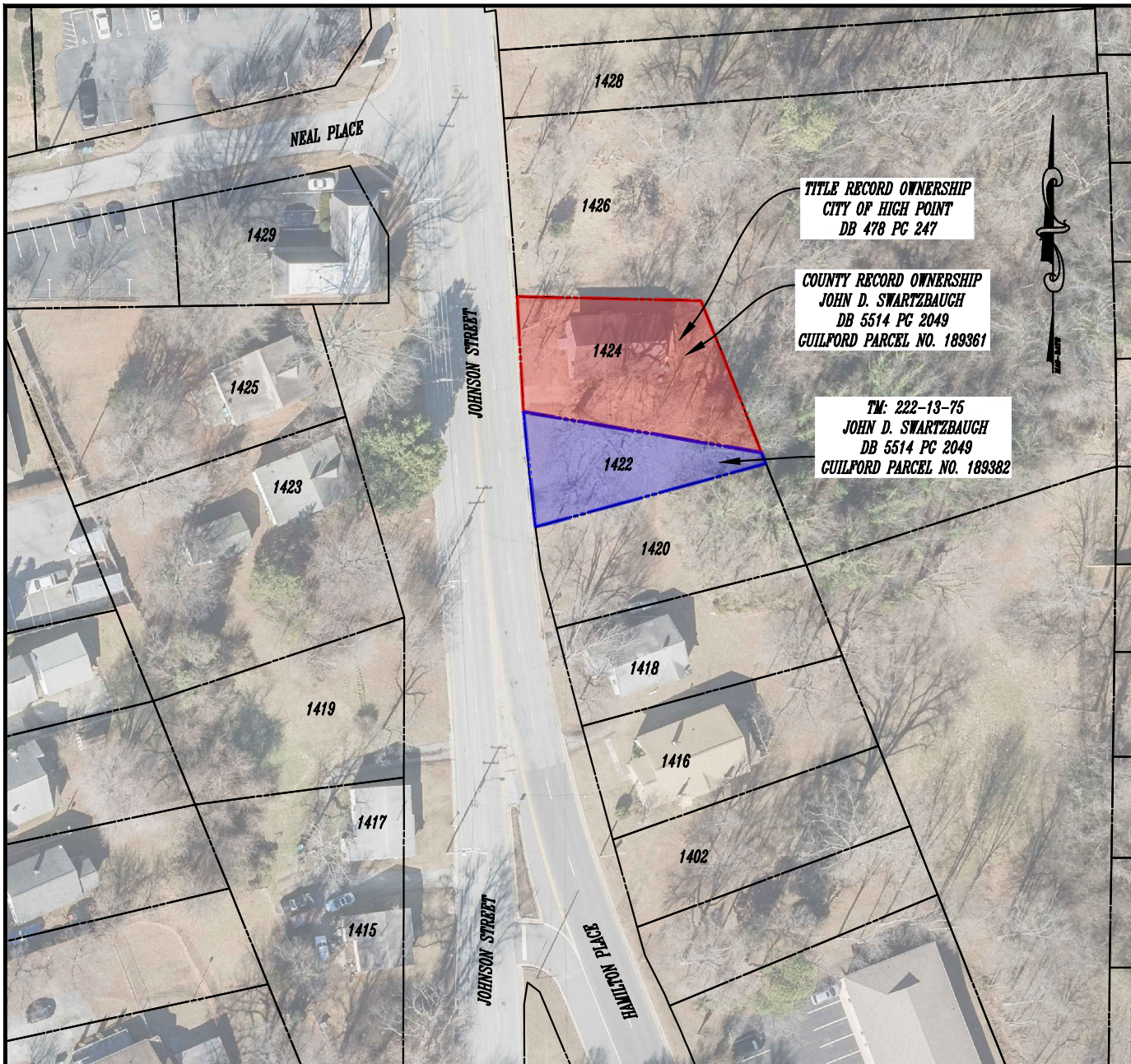
Until the 1970's all indicators point to the continued use of the house while still connected with the wrong lot. It was around that time that evidence of a privately commissioned survey on both 1424 & 1422 Johnson St. lots caused an unusual land reconfiguration that left the City's lot larger than the vacant adjoining lot and somehow caused a mix up in the property descriptions. Sometime after the survey, the county tax office was obviously provided the survey since they reconfigured the lots. It's believed that it was at this time the ownership record was switched, which changed the record on the City's land to the adjoining owner and in turn made the City the owner of the vacant lot at 1422 Johnson St. The house was then connected to the applicable land. This public ownership record remained that way, which ultimately led the City to believe they owned the vacant lot although that was not the case. In 1982, the City granted a \$400 deed for the vacant lot at 1422 Johnson St. that the tax office showed they owned. The City had no ownership rights to grant the lot since the grantee already owned it. The sale seems to have been based upon assumption that the county ownership records were correct after the record switch years earlier therefore, the wrong description was used.

In all these years, there appears to be no City need for the property. Taxes appear to have been collected on the house at least since the 1970's. There was a payment received by the City for the land it did not own.

### **BUDGET IMPACT:**

No impact.

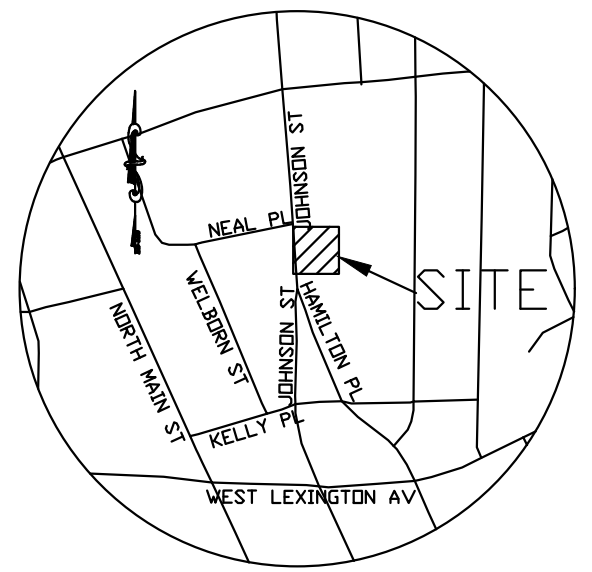
**RECOMMENDATION / ACTION REQUESTED:** The Assistant City Attorney recommends approval for execution of the correction deed.



TITLE RECORD OWNERSHIP  
CITY OF HIGH POINT  
DB 478 PG 247

COUNTY RECORD OWNERSHIP  
JOHN D. SWARTZBAUGH  
DB 5514 PG 2049  
GUILFORD PARCEL NO. 189361

TM: 222-13-75  
JOHN D. SWARTZBAUGH  
DB 5514 PG 2049  
GUILFORD PARCEL NO. 189382



VICINITY MAP  
N.T.S.

THE INFORMATION ON THIS MAP WAS  
PREPARED USING DATA FROM THE  
CITY OF HIGH POINT GIS SYSTEM

CITY OF HIGH POINT  
NORTH CAROLINA  
ENGINEERING SERVICES DEPARTMENT

CORRECTION-DEED ADDRESSES FOR  
1422 & 1424 JOHNSON STREET

SCALE: N.T.S. BY: JKF

PROJECT: 2541 DATE: AUGUST 2019