

**2005 TAX SALE GUIDELINES
CLAY COUNTY, MISSOURI
AUGUST 22, 2005**

Please review all applicable Mo State Statutes, with particular emphasis on Chapter 140: www.moga.state.mo.us. You may also review copies at the Public Library. You may wish to consult an attorney before making a bid. This summary is provided for your convenience only. It is the responsibility of the tax sale bidders to understand the state statutes. We do not have an obligation to instruct, teach, or answer legal questions. **There have been many changes in past years. Please be sure to read the following carefully.**

All lands and lots with 2 or more years of delinquent taxes may be offered at public auction.

The tax sale is held annually on the 4th Monday in August, commencing at 10:00 AM at the Clay County Administration Building (1 Courthouse Square) in the 3rd floor Commission Hearing Room. Sign in begins at 9:00 AM.

Taxpayers may pay their delinquent taxes with penalties and interest to the Collector at any time prior to 9:00 AM the day of the sale. **Personal Checks on tax sale properties will not be accepted after June 30.**

During the Tax Sale, the Collector will act as Auctioneer proceeding through the list in the same order as listed in the newspaper publication. Buyers must be present to bid. Out-of-state bidders must follow State Statute 140.190.

A list of properties will be published in a local paper for three consecutive weeks prior to the auction. Each parcel offered for sale is individually identified by advertised item number, parcel number, owner of record, legal description (as provided by the Assessor's office) and amount of taxes due.

The original property owner may redeem the property at any time during the redemption period, if any, or before the Collector's deed is demanded.

Buyers must register at least one week before the sale by completing the registration form and signing the affidavit. Registration forms are available online at www.claycogov.com or through the Collector's office. Submitting a false affidavit or registration may invalidate the property purchased.

The winning bidder receives a receipt identifying the parcel and bid price paid at the auction. The total purchase price must be paid **immediately** at the close of the Auction. Payments on bids will not be taken until the end of the auction or during an official break.

If you are an owner bidding on his/her own property, you will pay at least the amount of taxes due including interest, penalties and other fees.

If the winning bid amount is not paid, a penalty of 25% of the bid amount plus attorney's fees may be assessed to the bidder.

Cash, Cashier Check, or Personal Check accompanied by Letter of Credit are the only forms of payment accepted. Refunds on the unused amount of a Cashier Check will be refunded within 24 hours. A series of smaller Cashier Checks will reduce the amount of refund necessary. Letters of Credit must be from the bank on which the paying check is drawn, and guarantee that a specific account number will have available a set amount of funds and that no stop payments will be placed on the account.

Recording fees are set by the Recorder of Deeds office, currently they are \$24.00 for first page and \$3.00 for each additional page.

The Collector issues and mails a Tax Sale Certificate of Purchase to the purchaser. If a deed from the Fourth Publication list is purchased, you will be notified when it is ready. The parcel will not be in your name until it is recorded by you.

The purchaser may assign ownership of the Certificate of Purchase by completing the assignment portion on the back of the certificate. The assignee must be a resident of Missouri. The certificate cannot be assigned to anyone owing delinquent taxes. Please make arrangements with our office. A recording fee will be charged.

Liens on the property are not extinguished at the time of the auction, or during any redemption period. We advise you to consult your attorney about liens and deeds of trust on properties you may wish to bid.

Be sure to research very carefully the properties you bid on. There are some properties in Clay County with Federal Liens, Tax Liens, and Hazardous Conditions. It is up to the buyer to understand how this may impact your purchase.

Buyer Beware!! All Sales Are Final.

Interest on Tax Certificates is paid at 10% annually on the amount of delinquent taxes only, not on any overbid. Subsequent taxes earn 8% annually.

All City & County Taxes must be paid before a deed will be issued.

Some title companies may require a "Quieted Title" before issuing a title policy to the land. See State Statute 140.410.

The Collector makes no warranty on the title generated by issuance of a Collector's Deed. Failure to lawfully follow the above procedures and all others found in Chapter 140, in the Missouri State Statutes, may eventually result in the purchaser's loss of all interest in the purchased property and may leave said purchaser liable for civil damages or criminal charges.

REDEMPTION PERIODS

Each parcel is classified under a specific publication. The number of times offered and the number of years past due determine which publication it is listed under. Each has unique characteristics that are listed below. Parcels are listed in numerical order, first by publication type and then by City.

First and Second Publication

1. Bidding starts at the amount of taxes due (this may include city taxes or assessments and will be notated in the listing).
2. Have a one-year redemption period.

Third Publication

1. Have no set minimum bid; no bids under \$5.00, please.
2. Have a 90 day redemption period.
3. You will also be required to pay any delinquent city taxes or special assessments before the deed is issued. These will be paid directly to the city with a copy of the receipt being kept for the Collector's records.

Fourth Publication

1. Have no set minimum bid; no bids under \$5.00, please.
2. Have no redemption period.
3. You will also be required to pay any delinquent city taxes or special assessments before the deed is issued. These will be paid directly to the city with a copy of the receipt given to the Collector's Office.

IF YOU PURCHASE A TAX CERTIFICATE

1. You will be expected to pay all Delinquent City Taxes and/or special assessments if not included in the tax sale bid. All subsequent tax bills will come to you and should be paid; you risk your rights otherwise. See State Statute 140.440. Please be sure to notify us of any address or phone number changes.
2. Supply the Collector's office with copies of any city or county taxes paid after the date of the sale. **They will be included in the redemption price, but only if the receipts are on file when the redemption occurs.** Please bring in the payments or mail them (attn: Susan Avery) with a note attached asking that a copy of the receipt be put in the tax sale file. This will ensure that you are listed as the payee and you get proper credit. Also, the cost of certified letters, research fees, or other expenses may be added to the cost of

redemption if you are on file. Mail payments or correspondence Clay County Collector
Attn: Susan Avery One Courthouse Square Liberty, MO 64068

3. Please follow procedures set out in Chapter 140 of the State Statutes with regards to the requirements to collect your deed. You will need to send certified letters to anyone who holds a financial interest in the property. This includes current owners, their possible beneficiaries if deceased, mortgage or Deed of Trust holders and lienholders, etc. The letters should state that you intend to claim the deed after 90 days and they should contact the Collector's office if they wish to redeem the property.

To Claim a Deed from a Tax Sale Certificate sold on the First, Second, or Third Publication.

1. Review statutes in Chapter 140 of the Missouri State Statutes
2. Bring to the Collector:
 - a) Your copy of the Tax Sale Certificate
 - b) Receipts from the Certified Letters so we can verify when they were sent.
 - c) Copies of the Receipts from local taxes/assessments paid, if not already on file. Remember if receipts are not in the file, we cannot charge for them.
 - d) Signed and notarized affidavit of title search accompanied by copy of a professional title search or letter stating you did work yourself and what the results were.
3. Deeds will be issued after the redemption period has expired **OR** 90 days after the Certified Letters are sent, whichever is later.
4. There will be a \$31.50 charge for us to type and record the deed. You will receive the original for your records.

To Claim a Deed from the Fourth Publication

For property purchased on the Fourth publication, with no redemption period, city taxes and any special assessments must be paid up to date before the Deed will be issued. No Certified letters are required. A fee will be required to record the deed. You will receive a copy after recording.

If Deeds are not claimed and recorded within two years of the sale date all rights and liens you have will cease. Reference State Statute 140.410.

PROPERTY REDEMPTION

Property sold at the Tax Sale may be redeemed on or before the final redemption day in the following manner:

1. Property may be redeemed by the owner of record, or by any person holding a publicly recorded deed of trust, lease, lien, or claim upon the property. If property is being redeemed on the owner's or lienholder's behalf, a signed statement of authorization must accompany the redemption request.

2. Please advise the Collector's office prior to redeeming the property. A payoff amount will be quoted to you and arrangements made to pay in person or to mail the payment.
 3. The amount charged for redemption will be the amount bid plus 10% interest per annum on the amount of taxes due, subsequent taxes paid plus 8% interest per annum, Recorder's and Redemption Fees, plus other costs allowed by statute.
 4. If paying in person, you will receive a temporary receipt with the Certificate of Redemption to be mailed.
 5. Payments must be Cash, Money Order, or Cashier Check; no personal checks will be accepted. Partial payments are accepted. The property is not considered redeemed until paid in full. Any unused partial payments will be refunded.
 6. If the bid price was less than taxes due, the redemption amount will at least include all taxes that were due at the time of the auction.
 7. A copy of the Certificate of Redemption will be recorded in the Recorder of Deeds office.
- The Collector's office notifies the Certificate of Purchase holder when the property has been redeemed. The Collector will provide a check to the Certificate holder for the redeemed amount minus fees and a copy of Certificate of Redemption.