

## **CLAY COUNTY PUBLIC TAX SALE (MARCH 7, 2016)**

**TAX SALE INFORMATION:** The following is subject to change and does not constitute legal advice. We are not attorneys and therefore cannot provide any guidance. It is important that you understand the complexity of this process. If **you** fail to comply with the statutes governing tax sales, **you** can lose a lot or all of your money. These are the rules of the sale. You have agreed to these rules by your participation.

**LOCATION:** The tax sale will be in the Clay County Boardroom. 111 West Fairfield, Clay Center NE 68933. The Board room is located on the 2<sup>nd</sup> floor ... please enter through the Treasurer's office.

**REGISTRATION:** Pre-registration is required by **March 4, 2016** by 5:00 PM. Tax sales are held on the first Monday in March starting at 9:00 A.M. If you are late for the sale you will come in at the end ... after the current bidding round is completed. You must register ahead of time via the pre-registration form on our web site: [www.claycounty.ne.gov](http://www.claycounty.ne.gov) or by email request at [claycotreasurer@datacc.net](mailto:claycotreasurer@datacc.net). After the 5:00 deadline all the pre-registrations received will be drawn to select bidding order. Anyone registering after the deadline will be drawn out in a separate drawing on Monday morning before the sale starts.

**BIDDER REGISTRATION:** Form located on website ... must be completely filled out. A \$25.00 Non-refundable registration fee must be included, along with your W-9 form. Mail to us at Clay County Treasurer, PO Box 134, Clay Center NE 68933.

**QUALIFIED BIDDERS:** Bidders must be separate and distinct bidders for each entity and are required to be present to bid on our properties. Bidders who register as basically the same entity will be disallowed and only one representative will be allowed to participate. One individual may not represent multiple entities.

**NOTICE:** Delinquent taxes are advertised in The Clay County News for three weeks in February. You may obtain a copy from the newspaper. You may also view and print a copy at our website, [www.claycounty.ne.gov](http://www.claycounty.ne.gov).

**THE TAX SALE: There are no refunds on purchased tax certificates.**

Before the tax sale begins we will draw names out to determine bidding order. Bidders will be seated in that order. We do a round robin type of sale. Bidder #1 gets to choose a property and each bidder in number order after gets to select the property they wish. Any late arrivals will be added to the end of the bidding order.

**EXEMPTIONS:** We do not sell tax sales on properties already in public tax sale, properties in foreclosure or bankruptcy or properties which are owned by government entities. If you buy a tax sale on a parcel which later goes into bankruptcy or is taken over by a government entity you will need to see a lawyer. We generally skip mobile homes or improvements on leased land during the tax sale. You are welcome to buy them. However, very few people want them.

**STATUTES NEBRASKA REV STATUTES 77-1801.....** Section 18 of Chapter 77 deals with tax sales and certificates. You may view the chapter at <http://statutes.unicam.state.ne.us/> or some local libraries. You are not purchasing the property. You have no authority over the property or its disposition whatsoever. You are purchasing a tax lien on the property by paying the back taxes. In three years time you can take action to foreclose on the property if the tax sale you bought is not redeemed. You will certainly want to see a lawyer. Fees for foreclosure have been quoted to be \$750 and up. During the three years you can pay subsequent delinquent taxes as they become delinquent on May 1 and September 1 of each following year. Do not call us until the second week of these months because we will not sell any subsequent taxes until we are done processing all the people paying current taxes. There are statutory **time limits** which determine the life of a tax certificate. It is generally three and one-half years. If you don't take action to foreclose within the statutory time limits you will likely LOSE your entire investment. Do not wait until three and one-half years to start your action. Statutory requirements include notification timelines that must be met prior to three and one-half years. We do not provide any notification of these expiring time limits nor do we advise you on how to foreclose on a tax sale.

**RULES OF THE SALE:** The following are the rules of participation in our tax sale which are designed to protect the taxpayers of Clay County. If we have to make a decision on an issue that is not statutory we will almost always defer to the taxpayer who lives here, owns property here, and is therefore paying taxes here. Upon completion of bidding, or whenever you are done bidding, you will be expected to provide a blank check payable to the Clay County Treasurer. You can also stamp on the back of the check "for deposit only" at our counter if you wish. We will then process your tax sales in a timely fashion and mail you copies of the certificates. We hold the originals here to reduce overhead and protect you from their loss during mailing. A lost certificate requires a bond. Virtually no one will sell you a bond on a tax sale certificate since it is a negotiable document. When we have computed a total purchase amount we will process your check and send it to the bank. We will be happy to email you with your total purchase check amount if you request. The certificates will be issued in the name that you designated when you registered.

**REDEMPTION:** When a tax certificate is redeemed you will be paid a 14% interest rate from the date of sale to the date of redemption. Please note the **\$20** purchase fee is not reimbursed. Upon redemption a check will be sent out approximately 10 days later (unless we receive cash payment) when we are sure the redemption check clears the bank.

**LEFTOVERS:** After the sale and after all the paperwork is processed there are usually some delinquent parcels where the delinquent taxes are still un-purchased. Those individuals not availing themselves of our premium service can look at an updated list or purchase said list. Be very careful of buying something no one else wanted.

**ASSIGNMENTS:** There is a **\$20** fee for assignments. There will be NO assignments whatsoever the day of the sale. The tax certificates will be issued in the name of the parties claiming to be buying the certificates. Any assignments will require a letter directing the assignment plus the **\$20** fee.

**DEEDS:** There is a **\$20** fee to obtain a treasurer's deed. You would be well advised to obtain an attorneys advice if you using this method of obtaining ownership. There are statutory timelines involved in this process also.

**FORECLOSURE ACTION:** We do not provide legal advice on foreclosure actions. However, one of your statutory responsibilities is to notify the treasurer's office if a foreclosure action is filed. Failure to do so could result in your not receiving various foreclosure fees.

**POST TAX SALE QUESTIONS:** Email us with your after sale questions. Our number one priority in this office is the taxpayers of Clay County. If you are asking for bookkeeping services we will charge accordingly for the services provided.

**SUBSEQUENT PAYMENTS:** You may pay the subsequent taxes when they become delinquent, although you are not required to do this. Until we have completed the processing of all taxes paid by taxpayers you will not be able to purchase the subsequent delinquent taxes. We do not send you reminders. Please contact us about the second week of May or September to pay subsequent delinquent taxes.