

THE DEFAULT ST. LOUIS COUNTY COLLECTOR'S REAL PROPERTY TAX SALE, 11/01/2011

All persons participating in the sale must register before making bids. On the day of the sale, we will begin registration at 8:30 AM in the Office of the Collector of Revenue and commence the tax sale at 10:00 AM outside the County Council Chambers. **ALL SALES ARE FINAL AND WILL BE MADE TO THE HIGHEST BIDDER AT PUBLIC AUCTION.** In compliance with section 140.150, 140.170, 140.290 RSMO, all parcels sold will have an additional fee of \$30 added at the time of sale to cover the costs of recording the certificate of purchase.

The state statutes under RSMO 140.190 provide that **no sale shall be made to any person who is delinquent on any tax payments as of the day of the sale and who does not sign an affidavit stating no taxes are owed at the time of sale; failure to sign such affidavit as well as signing a false affidavit may invalidate such sale...** Additionally, any out-of-state buyers must have a local St Louis County registered agent and have filed notice of such appointment with the Collector, signed and notarized by the buyer, at the time of registration. **All Bidders must have some form of current verifiable picture identification.** There will be no changes in registration made after the fact, except for a properly noted assignment of the certificate of purchase. All successful bidders must keep our office advised of any mailing address changes or risk losing all interest in their purchases.

The opening bids required for the sale of properties are the total unpaid taxes and other necessary costs accrued against each property. **All bids are final, and we will not offer "re-cries" of any parcels previously cried.** After the opening bid, we ask that all subsequent bids be rounded off, in proportion to the dollar amounts involved, or higher at the auctioneer's discretion.

The Collector at his discretion may accept personal or business checks in payment for winning bids. No credit or special allowances are extended to purchasers. Payment must be made in full on the day of the sale. NO EXCEPTIONS. Per the state statutes under RSMO 140.280 legal action is instituted and a substantial penalty covering 25% of the bid amount is imposed on all purchasers defaulting on their bids.

Purchases in this tax sale do not transfer ownership until the redemption period ends (1 year for 1st and 2nd sales, a variable time on 3rd sales) and all deed issuance requirements are met. During this period, the purchaser's rights only entitle said holder to a refund of their bid amount; subsequent taxes paid; and allowed costs. Prorated interest is added at the yearly rate of 10% on taxes outstanding at the time of sale and 8% on subsequent taxes paid; **Interest is not earned on any overbid amounts exceeding the opening bid at the sale per RSMO 140.340;** if redeemed, purchaser is notified of the redemption and refunded all money by this office.

PLEASE READ CAREFULLY-Excerpt From Revised Statutes of Missouri: 140.405

Purchaser of property at delinquent land tax auction, deed issued to, when--notice of right of redemption--redemption of property first, when--loss of interest, when. 140.405. 1. Any person purchasing property at a delinquent land tax auction shall not acquire the deed to the real estate, as provided for in section 140.250 or 140.420, until the person meets the requirements of this section, The purchaser shall obtain a title search report from a licensed attorney or licensed title company detailing the ownership and encumbrances on the property. Such title search report shall be declared invalid if the effective date is more than one hundred twenty days from the date the purchaser applies for a collector's deed under section 140.250 or 140.420.

2. At least ninety days prior to the date when a purchaser is authorized to acquire the deed, the purchaser shall notify the owner of record and any person who holds a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon that real estate of such person's right to redeem the property. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. If the certified mail return receipt is returned signed, the first class mail notice is not returned, the first class mail notice is refused where noted by the United States Postal Service, or any combination thereof, notice shall be presumed received by the recipient. At the conclusion of the applicable redemption period, the purchaser shall make an affidavit in accordance with subsection 4 of this section.

3. If the owner of record or any other publicly recorded claim on the property intends to transfer ownership or execute any additional liens or encumbrances on the property, such owner shall first redeem such property under section 140.340. The failure to comply with redeeming the property first before executing any of such actions or agreements on the property shall require the owner of record or any other publicly recorded claim on the property to reimburse the purchaser for the total bid as recorded on the certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.

4. In the case that both the certified notice return receipt card is returned unsigned and the first class mail is returned for any reason except refusal, where the notice is returned undeliverable, then the purchaser shall attempt additional notice and certify in the purchaser's affidavit to the collector that such additional notice was attempted and by what means.

5. The purchaser shall notify the county collector by affidavit of the date that every required notice was sent to the owner of record and, if applicable, any other publicly recorded claim on the property. To the affidavit, the purchaser shall attach a copy of a valid title search report as described in subsection 1 of this section as well as completed copies of the following for each recipient:

- (1) First class mail; (2) Certified mail notice; (3) Addressed envelopes as they appeared immediately before mailing;
- (4) Certified mail receipt as it appeared upon its return; and (5) Any returned regular mailed envelopes.

As provided in this section, at such time the purchaser notifies the collector by affidavit that all the ninety days' notice requirements of this section have been met, the purchaser is authorized to acquire the deed, provided that a collector's deed shall not be acquired before the expiration date of the redemption period as provided in section 140.340.

6. If any real estate is purchased at a third-offering tax auction and has a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon the real estate under this section, the purchaser of said property shall within forty-five days after the purchase at the sale notify such person of the person's right to redeem the property within ninety days from the postmark date on the notice. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. The purchaser shall notify the county collector by affidavit of the date the required notice was sent to the owner of record and, if applicable, any other publicly recorded claim on the property, that such person shall have ninety days to redeem said property or be forever barred from redeeming said property.

7. If the county collector chooses to have the title search done then the county collector may charge the purchaser the cost of the title search before giving the purchaser a deed pursuant to section 140.420.

8. If the property is redeemed, the person redeeming the property shall pay the costs incurred by the purchaser in providing notice under this section. Recoverable costs on any property sold at a tax sale shall include the title search, postage, and costs for the recording of any certificate of purchase issued and for recording the release of such certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.

9. Failure of the purchaser to comply with this section shall result in such purchaser's loss of all interest in the real estate.

Deeds are issued after completion of these processes involving; submission of all required paperwork, payment of all the applicable fees and any subsequently accrued delinquent taxes. Payment of all subsequent taxes and special assessments in progress will be the responsibility of the tax sale purchaser.

The Collector makes no warranty on the title generated by issuance of a Collector's Deed. Per state statute under RSMO 140.330, a quiet title suit may be brought by the purchaser in a court of jurisdiction to ultimately help determine the status of prior liens, deeds of trust, and judgments. Failure to lawfully follow the above procedures and all others found in Chapter 140 of the state statutes may eventually result in the tax sale purchaser's loss of all interest in the purchased property, including all monies bid on the property and leave said purchaser liable for civil damages or criminal charges.