

SIoux COUNTY TAX SALE

Sioux County Treasurer
104 1st St SE PO Box 77
Orange City, IA 51041-0077
(712)737-3505

The 2009 Tax Sale will be held at the Sioux County Courthouse Board Room at 210 Central Ave. SW, Orange City, IA, 51041. The date and time of the annual sale is June 15, 2009 beginning at 10:00 A.M. and will continue until every parcel has been offered for sale. Bidders may check in and pick up their bidder number beginning at 9:00 A.M. in the Board Room.

- All Registration Forms must be received in the Treasurer's Office by Thursday, June 11, 2009 in order to bid at the sale. Forms may be received in the office either by mail or in person. Faxed forms will not be accepted.
- The registration fee per authorized bidder is \$ 25.00 and must accompany registration documents. Registration Fees are non-refundable.
- All bidders/authorized bidders/buyers/assignees must be 18 years of age or older as of June 15, 2009. Proof of valid age, i.e., driver's license or birth certificate may be required by the Treasurer's Office.
- Only one representative per bidder will be allowed.

REQUIREMENTS FOR REGISTRATION OF TAX SALE BIDDERS:

In order to bid at the Sioux County Tax Sale on Monday, June 15, 2009, you must complete, sign and return the following forms. **PLEASE PRINT CLEARLY.**

FORM W-9: Request for Taxpayer Identification Number and Certification

FORM 1: Registration for Tax Sale Bidder

FORM 2: Authorization to Represent Bidder (**Only if using an agent.**)

FORM 3: Terms and Conditions for Tax Sale Purchasers. *Two copies. One copy signed and returned, one copy retained by bidder.*

ITEM 4: COPY of Recorded Designation of Agent for Service of Process OR Verified Statement of Trade Name

To be authorized to register to bid or to bid at a tax sale or to own a tax sale certificate, a person, other than an individual, must have a federal tax identification number and either a designation of agent for service of process on file with the secretary of state or a verified statement meeting the requirements of chapter 547 on file with the county recorder of the county in which the person wishes to register to bid or to bid at tax sale or of the county where the property that is the subject of the tax sale certificate is located.

***See House File 256 Link**

If you are bidding in person, Forms W-9, 1 and 3 are required.

If you have an authorized agent, Forms W-9, 1, 2, 3, and **RECORDED DOCUMENT** are required.

All delinquent parcels will be published in the Siouxland Press on June 3, 2009. Our office will have a copy of this publication. The delinquent property tax list is available by calling 712-737-3505 or emailing your request to treasurer@siouxcounty.org. This list is also available at siouxcounty.org OR www.iowatreasurers.org.

All forms may be photocopied.

2009 Bidder Number _____

(For office use only.)

SIoux COUNTY, IOWA

REGISTRATION FOR TAX SALE BIDDER JUNE 15, 2009 ANNUAL TAX SALE AND SUBSEQUENT ADJOURNMENTS OR ASSIGNMENTS THEROF

The undersigned, hereby registers as a bidder at the annual tax sale of June 15, 2009 and subsequent adjournments thereof, and does hereby acknowledge receipt of a copy of the TERMS AND CONDITIONS FOR TAX SALE PURCHASERS GOVERNING TAX SALES IN SIOUX COUNTY, IOWA, and does further hereby acknowledge and agree that by placing a bid at the tax sale and subsequent adjournments that s/he will comply with and be bound by the aforementioned tax sale terms and conditions.

Note: All Tax Sale Certificates of Purchase, Assignments, and Tax Sale Deeds will be issued in the bidder's name as shown below.

Bidder/Company Name _____
***IF OTHER THAN an individual, See Footnote

Address _____

(City) (State) (Zip)

County of Residence _____ State of Residence _____

Social Security # **OR** Federal ID # _____

Telephone (____) _____

Fax (____) _____

E-Mail Address _____

I hereby agree to abide by all Iowa laws pertaining to the Tax Sale proceedings, asset forth in Iowa Codes 445, 446, 447, and 448, and the Notice of the Terms and Conditions for Tax Sale Purchasers Governing Tax Sales in Sioux County, Iowa. I understand that the County Treasurer is not an attorney and will not act for me in any way, except to provide the information as required.

I further understand that it is my responsibility to research the parcels before deciding to bid, and it is also my responsibility to pay subsequent taxes if desired, and proceed to sale notifications in order to safeguard my investment. I understand that the county treasurer is not responsible for notifying me of subsequent taxes or to send reminders, or in any way to act as my agent.

Signature Date

Printed Name Title, if any

*****If other than an individual, a COPY of the Designation of Agent, filed with the Secretary of State, OR a Verified Statement - Trade Name recorded with the Sioux County Recorder must be ATTACHED.**

SIoux COUNTY

AUTHORIZATION TO REPRESENT BIDDER

I/We, (please print) _____ hereby
(Bidder's Name, as it appears on Registration Form)

authorize (please print) _____
(Authorized Agent's Name: Limit One Name per Bidder Authorization Form)

to act as my/our agent/personal representative at the June 15, 2009 Tax Sale in Sioux County and any adjourned sales, thereof.

Signature of Bidder (as it appears on the registration form)

Printed Bidder Name (as it appears on the registration form)

Address

City/State/Zip

Date

Subscribed and sworn to me this _____ day of _____, 2009

Signature of Notary Public

This form only required if an agent will be bidding for you.

TERMS AND CONDITIONS FOR TAX SALE PURCHASERS GOVERNING TAX SALES IN SIOUX COUNTY, IOWA

The annual Tax Sale is held by the Sioux County Treasurer on the third Monday in June, at 10:00 A.M., in the Sioux County Courthouse. The sale will continue as long as bidders are present, and will be adjourned on a daily basis, as long as parcels are available for sale. **This year the Tax Sale is on June 15, 2009, at 10:00 A.M. Bidders must be present at the beginning of the sale. Late attendees will not be allowed to bid. Registration must be received by Thursday, June 11, 2009. Registration will not be allowed on Friday, June 12 or Monday morning, June 15. A non-refundable registration fee of \$25.00 will be charged.**

Please be prepared for the sale, and know the parcels in which you are interested. You may use the listing to be found in one of the county newspapers, Siouxland Press, or online at www.siouxcounty.org or www.iowatreasurers.org. The following rules apply:

1. Payment is required at the conclusion of the sale. The amount collected will include all delinquent taxes, special assessments, interest, special assessment collection fees, publishing costs, and a \$20.00 certificate fee for each Certificate issued to you. Payment can be in the form of a personal check, money order or cash. If paying by check, leave your signed blank check payable to the Sioux County Treasurer at the registration area when you pick up your bidder number the morning of the sale. A separate payment is required for each buyer number. Tax sale buyers with multiple sales may call our office (712-737-3505) beginning Tuesday, June 16, 2009 for the amount of their check.
2. Mail bids will only be opened AFTER the regular sale, and will be accepted if any items are still available for purchase. The Treasurer cannot act as agent for mailed bids during the Tax Sale.
3. Any parcel with 1 year or less of taxes may be sold, and the owner may redeem within 2 years. A tax sale purchaser may pay subsequent taxes and special assessments on the same parcel on which he/she holds the tax sale certificate. Taxes for a subsequent year may be paid beginning 14 days following the day from which an installment becomes delinquent. The purchaser is responsible for requesting receipts after they are issued. Only items due in the current fiscal year or prior may be paid as subsequent taxes. Special assessments due in future years cannot be paid until the fiscal year in which they become due. Subsequent payments bear the same interest rate, 2%, as the original tax sale and interest will accrue from the month of payment to the month of redemption. Subsequent payments may not be paid online. Only subsequent payments in our office will be added to the tax sale certificate. All subsequent payments must be accompanied by the certificate numbers and bidder identification numbers. A subsequent payment not properly identified as a subsequent payment by the certificate holder at the time of payment will be treated as a voluntary payment and will be omitted from redemption calculations.
PUBLIC BIDDER: Any parcel with more than one year of tax shall be sold. If no one else bids, the County will act as Public Bidder. The owner has only 1 year to redeem a Public Bidder Certificate.
4. The Tax Sale Certificates will be issued as soon as possible, and will be mailed to the Bidder. They must be kept in a safe place, as they are needed to proceed to tax sale deed. If you lose the original, a duplicate may be issued for \$20.00.
5. Iowa law requires me to notify the taxpayer within two weeks of the date of Tax Sale that their property was sold at Tax Sale, and set forth the redemption terms.
6. In order to register as a Tax Sale Bidder, you must complete a Form W-9, which provides name, address, and information needed to file with the Internal Revenue Service. If you earn \$600.00 or more a year in interest, a 1099- MISC will be filed with the IRS, and a copy sent to you. Interest under the \$600.00 per year amount will not be filed. Bidder must also read and sign the Registration for Tax Sale Bidder Forms.
7. **The Certificate gives you no legal rights or duties regarding the property. Legal steps must be taken in order to acquire a deed to the property, based on the percentage of interest that you bid at Tax Sale. If your bid was 1%, you would receive an undivided 1% interest in the property upon acquiring a Tax Deed. You are responsible for knowing the law and following through on your purchase. The county treasurer is not an attorney, and has no duty or responsibility to act in your behalf.**

8. When the property is redeemed, I will remit the amount due to you, periodically. Payment will be retained until the Redemption check has cleared the bank, making the Redemption final.
9. If 2 or more bidders are interested in the same property, a bid down process will be used, which means bidding a percentage of interest in the property. When bidders tie at any percentage, a random selection process will be used to determine the successful bidder.
10. If you hold an interest in a property offered at Tax Sale, you are not eligible to bid on that property. A tax sale Certificate of Purchase and/or a Treasurer's Deed can be set aside by the courts if it is determined that the tax sale Purchaser was ineligible to bid at tax sale. If you have a question about your eligibility, please consult with your legal Counsel to determine your right to bid and become a tax sale purchaser.
11. All bidders/buyers/assignees must be over the age of 18 years as of June 15, 2009. Proof of valid age, i.e., drivers license or birth certificate may be required. Errors, omissions or misrepresentations by the tax sale bidder may disqualify the bidder from the sale. A bidder may be disqualified from the sale if s/he is not properly registered or is without proper authorization during the sale. In these instances, all certificates purchased by the disqualified bidder during the sale may be cancelled and re-offered to other properly registered bidders.
12. If a Tax Sale Certificate is assigned to another person, a fee of \$100 will be charged, and this office must be notified of the Assignment and the name assigned to, along with the \$100 fee.
13. **If the legal process to obtain Tax Deed has not been started within three years of the date of the Tax Sale, the Certificate will be canceled, and your rights will cease. It is necessary for you to contact an attorney to make sure the proper legal procedures for the 90-day Notice of Expiration of Right of Redemption are served on all entities required to be served notice. The attorney must then certify to this office that the 90-day notices have been served. On the day that the Treasurer receives this Affidavit of Service, the 90-day period starts to take effect, and this must be done before the 3-year term has expired.**
14. The Treasurer cannot and will not be responsible for reminding you to take care of the steps that need to be done. You must be aware of the necessary procedures, and contact your own attorney. The Treasurer will be helpful, but is not an attorney.
15. This document has been prepared to provide general information and guidelines relative to tax sales, tax sale assignments, tax sale redemption's, and the issuance of tax sale deeds. It is not an all-inclusive listing of statutory requirements, procedures, or policy. It is not to be construed as a legal opinion of the statutes governing tax sales. The Sioux County Treasurer reserves the right to reject any or all bids and to waive irregularities, which appear to be in the best interest of Sioux County.

BRIEF SUMMARY:

REGULAR TAX SALE:

1. **Registration fee of \$25.00** must be paid, and registration completed.
2. Delinquent taxes of 1 year or less.
3. Bidder pays tax + interest + cost + \$20.00 certificate fee.
4. Successful bidder receives a Certificate for the parcel, based on the percentage of interest bid. (1%, 10%, 50%, 100%, whatever was actually bid.)
5. Certificate holder may pay subsequent or future taxes, and add them to the Certificate, thereby earning 2% per month interest on those amounts, also.
6. **One year and 9 months** from the date of the Tax Sale, contact an attorney to start proceedings to serve the 90-Day Notice of Expiration of Right of Redemption.
7. If no action is taken to start this proceeding within **3 years** from the date of Tax Sale, your certificate will be **canceled** and you will lose all rights in addition to any monies paid.
8. Treasurer receives a \$25 fee for preparing the Tax Deed, and shall collect recording fees to properly complete the Tax Deed procedure.
9. If Certificate is **assigned** to another person or Corporation, the Treasurer will be paid \$100 and receive notification of the assignment, date, and new Certificate Holder, along with W-9, etc.

PUBLIC BIDDER TAX SALE:

1. Delinquent taxes of more than 1 year. Parcel **MUST** be sold. If no one else bids, the County will take a Public Bidder Certificate, which may be assigned for a \$20.00 fee, and payment of all taxes and fees.
2. **9 months** from the date of the Tax Sale, bidder may contact an attorney to start the 90-Day Notice of Expiration proceedings.
3. All other items from the **REGULAR TAX SALE** procedures apply, as stated above. The only difference is the time between the Tax Sale, and the time to start the 90-Day notice proceedings.

Iowa Code Chapters 446, 447, and 448 apply to the provision of the Tax Sale.

I hereby certify that I have read and understand the above rules and regulations relating to Tax Sales in the State of Iowa, and I agree to abide by all such rules and regulations. I also certify that I have received a copy of this Notice for my information.

Tax Sale Certificate Bidder

Date

SS OR Fed. ID #

All forms may be photocopied.

Return signed W-9, Form 1, Form 2, Form 3 and RECORDED DOCUMENT (if applicable) to this office,
(Form 2 only necessary if agent is bidding for you.)

Print 2 copies of Form 3: Terms and Conditions. Sign and return one copy. Retain one copy.