

2018

Gasconade County Collector Delinquent Land Tax Sale



**Shawn Schlottach
Gasconade County Collector
119 East 1st Street, Room 4
Hermann, MO 65041**

**Monday, August 27, 2018
10:00 a.m.**

DELINQUENT REAL ESTATE TAXES

DELINQUENT TAX CERTIFICATE SALE

GENERAL INFORMATION

- All lands and lots on which taxes are delinquent and unpaid are subject to tax certificate sale at public auction.
- The tax sale is held annually on the fourth Monday in August commencing at 10:00 a.m. at the Gasconade County Courthouse.
- A Delinquent parcel may be paid prior to the sale, thus exempting it from the sale.
- The list of properties subject to sale is published in The Gasconade County Republican for three consecutive weeks with the last publication being 15 days prior to the tax sale. It is viewable on line: www.gasconadecountycollector.com
- Non-residents of Missouri may not bid unless special arrangements have been made with the Collector prior to the sale.
- Buyer must sign an affidavit stating that he/she is not currently delinquent on any tax payments on any property. Failure to sign such affidavit, as well as signing a false affidavit, may invalidate the property purchase. Affidavit is to be signed at the sale site prior the tax sale.
- Buyers **must be present to bid**.
- The sale is conducted by the Collector. Bidding begins for the amount of taxes, penalties and fees.
- Each parcel offered for sale is individually identified by brief legal description, parcel number and owner of record, as it appears on the Assessor's roll.
- The successful bidder receives a Certificate of Purchase. The total purchase price must be paid to the Collector's office **immediately** at the close of the sale. Cash, cashier's check, money order, personal check or credit cards are accepted.
- If the bid amount is not paid, a penalty of 25% of the bid amount plus a prosecuting attorney's fee may be assessed against the bidder.
- The Collector issues, records and mails a Certificate of Purchase to the purchaser. The Certificate of Purchase is retained for one year or until the property is redeemed.
- The original property owner or anyone who holds a recorded vested interest may redeem a **first or second offering** property any time within **one year** from the sale date.
- The purchaser may assign ownership of the Certificate of Purchase by completing the assignment portion on the certificate. The assignee must be resident of Missouri, and must not be delinquent on any taxes. Such assignment must be notarized, presented to the Collector's office and recorded at the Office of Gasconade County Recorder of Deeds. The Collector's office normally has a notary public available.
- Liens are not extinguished at the time of sale nor during any period of redemption.
- On a **third offering**, if any, the purchaser shall be entitled to the issuance and delivery of a Collector's Deed upon completion of a complete title search, 1st class and certified/requesting recipient signature ninety day notice mailings. This must be completed **within 45 days** from the purchase date, as required by the RSMo 140.405. **The one year waiting period does not apply.**

NON-MISSOURI RESIDENT INFORMATION

No bid shall be received from any person not a resident of the state of Missouri or foreign corporation or entity all deemed nonresidents. See the RSMo 140.190 for full content of the law referring to a nonresident bidder and /or assignment of certificate.

PROPERTY REDEMPTION

Property sold at a **first and second** tax certificate sale for delinquent taxes may be redeemed within **one year** from the issuance of a certificate of purchase as follows:

- 1.** Property may be redeemed by the owner of record, or by any person holding a publicly recorded deed of trust, mortgage, lease, lien or claim upon the property. If property is being redeemed on the owner's or lien holder's behalf, a signed notarized statement of authorization from the owner or lien holder must accompany the redemption request. Lien holders must present proof of their vested interest in the property.
- 2.** Please advise the Collector's office at least twenty-four hours prior to the date you will be redeeming; call to schedule an appointment and allow twenty minutes to process.
- 3.** Pay the Collector:
 - a.** The bid amount on the certificate of purchase plus 10% annual interest on the amount of sale less surplus, if any.
 - b.** The amount of any subsequent years' taxes paid, if applicable, plus 8% annual interest.
 - c.** The redemption charge and fees.
- 4.** Payments must be made by cashier's check, money order, or cash (if paying in person) – no personal checks will be accepted.
- 5.** Redeemer's identification will be requested.

Any tax sale bid amount which resulted in a surplus amount above the delinquent taxes and sales costs paid by the Certificate of Purchase holder is available for the owner of record. The surplus amount is deposited in a separate fund and held for the owner. If undisputed, the surplus amount may be obtained from the Gasconade County Treasurer. If the surplus is not claimed within three years, the funds will be disbursed among eight separate school districts for which the county collects.

The Collector's office notifies the certificate of purchase holder when the property has been redeemed. The certificate of purchase must be surrendered to the collector before the holder will be reimbursed the bid amount plus interest. The Collector will provide a check to the certificate of purchase holder for the redeemed amount less the redemption and recording fee.

A certificate of redemption will be issued to the owner of record when property is redeemed. The certificate of purchase holder will receive a copy of the certificate of redemption.

COLLECTOR'S DEED

If the property has not been redeemed during the one year redemption period, the holder of the certificate of purchase may apply for and receive a Collector's Deed to the property. A Collector's Deed can be issued to the certificate of purchase holder provided the following has occurred and presented to the Collector:

VERY IMPORTANT TIME LINE:

START the ENTIRE following process NO SOONER than MARCH 1st. It MUST be COMPLETED NO LATER than NINETY (90) DAYS BEFORE the One year anniversary date from the actual sale.

1. The legal holder of the certificate of purchase is named as the original tax sale purchaser or the assignee on the original certificate of purchase.
2. Before requesting a Collector's Deed, a complete title search on the property must be run by an attorney/title company at reasonable and customary costs. **Deliver a copy of the title search paid receipt to the Collector immediately upon ordering & paying for the search.**
3. The certificate of purchase holder must have notified, **by Certified Mail & Return Receipt for Merchandise** (United States Postal Service Type) **and by 1st class mail**; the owner(s) and/or occupant and any person who holds a publicly recorded deed of trust, mortgage, lease, lien, or claim upon that real estate of their right to redeem such person's publicly recorded security or claim; stating the purchaser's intent to obtain a Collector's Deed. Verification of such mailing must be furnished to the Collector upon doing so.
4. The certificate of purchase holder must make 'Affidavit' upon certified mailings that he/she has complied with all provisions as specified therein. **Before or immediately** upon completion of the above steps (#2 & #3) one must call to request this affidavit from the Collector's office. It must be signed and notarized (reflecting the date of the certified mailing). **Deliver the signed affidavit and paid 1st class & certified/requesting recipient signature mail receipts to the Collector's office immediately.**
5. All taxes that have accrued on the property have been paid.

BEFORE RECEIVING COLLECTOR'S DEED

1. The certificate of purchase must be surrendered to the Collector.
2. All appropriate fees have been paid to the Collector including recording and collection fees.

Failure of the purchaser to obtain and record (with the Gasconade County Recorder of Deeds Office) the Collector's Deed within **eighteen months (18 mo.'s)** from the date on the certificate of purchase results in the loss of the purchaser's lien on the property.

RECEIVING TAX STATEMENTS

Until the Collector's Deed is obtained and recorded in Gasconade County, a current tax statement will not be sent to the purchaser. It is the purchaser's responsibilities each year come December 1st to contact the Collector's Office requesting all subsequent tax

statements. All bills are mailed as a convenience to the taxpayer. Failure to receive a bill does not relieve the taxpayer of their obligation to pay taxes when due.

ALL TAX SALES ARE A BUYER'S BEWARE SITUATION.

The County Collector, nor her employees, nor the County of Gasconade are responsible for guaranteeing the accuracy of the title search. It is the bidder's responsibility to thoroughly research the parcels one intends to bid on. Failure to lawfully follow all tax sale guidelines and procedures 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.

This summary is provided as general information only.

The Annual Delinquent Tax Certificate Sale is governed by Chapter 140 Revised Statutes of Missouri (RSMo.), which is the final authority.

County Collectors are not responsible to verify compliance of procedures.

Contact your attorney for legal advice.

For general tax sale questions not covered above please contact:

Shawn Schlottach
Collector of Revenue
119 E. 1st St., Rm 4
Hermann, MO 65041

Glenda Shockley, Deputy Collector

Office: 573-486-2711

Web Site: www.gasconadecountycollector.com

Office Hours: 8:00 a.m. to 4:30 p.m.
Monday – Friday
(Closed on Holidays)