

MARION COUNTY TREASURER

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May, 2010

To: 2010 Prospective Tax Sale Bidder

RE: 2010 Annual Tax Sale

You have expressed an interest in the Marion County Tax Sale (annual or adjourned). The annual sale will be held Monday June 21, 2010 beginning at 10:00 AM at Dyer Hudson Hall on the Marion County Fairgrounds. You will find attached information that you will need to register for our county sale. Please read carefully and return the bidder forms and W-9 form (<http://www.irs.gov/pub/irs-pdf/fw9.pdf>) to our office by June 17, 2010 to be registered as a bidder. The bidder fee will be \$50 for each bidder. Once again we will need one person per bidder number. I have been advised not to allow one person to represent the whole entity.

The Governor on March 13, 2009 signed into law HF256. To be authorized to register to bid or to bid at a tax sale in Iowa, 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 Iowa Secretary of State or a verified statement from the county recorder where the sale will be held. We will have you certify with the registration form that you have met the requirements to comply with HF256. We will not require that you send the certificate back along with the other information.

A copy of the publication list will be included with the bidder registration. This can be sent via mail or email. The list will be published in the Knoxville Journal Express & the Pella Chronicle the week of June 7th. If you just want the list and not register for the tax sale, the fee for the list will be \$10.

If you have any other questions, please contact us at 641-828-2204.

Sincerely,

**Denise Emal
Marion County Treasurer**

**DENISE EMAL
MARION COUNTY TREASURER
PO BOX 515
KNOXVILLE, IA 50138**

AUTHORIZATION TO REPRESENT BIDDER

PLEASE PRINT

I/WE: _____
(Print bidder's name as it appears on registration form)

Authorize: _____
(Print authorized agent's name: Limit 1 name per bidder authorization form)

To act as my/our agent/personal representative at the June 21, 2010 tax sale and adjourned sales therof.

Print Bidder name, as it appears on the registration form

Required Signature of Bidder, as it appears on the registration form

Date

Notary

Subscribed and sworn to me on this _____ **day of** _____, **20** _____

Signature of Notary

REGISTER OF BIDDERS OR ASSIGNEE

JUNE 21, 2010

ANNUAL TAX SALE AND SUBSEQUENT ADJOURNMENTS THEREOF

The undersigned do hereby register as bidders at the annual tax sale of June 21, 2010 and subsequent adjournments thereof assignments there from, and do hereby acknowledge receipt of a copy of the **“NOTICE TO TAX SALE PURCHASERS OF THE TERMS AND CONDITIONS GOVERNING TAX SALES AND ASSIGNMENTS OF THE JUNE 21, 2010 TAX SALE”** and do further hereby acknowledge and agree that by placing a bid at the annual tax sale, subsequent adjournments, or by obtaining a tax sale assignment from Marion County that the undersigned will comply with and be bound by the aforementioned terms and conditions.

Said **“NOTICE TO TAX SALE PURCHERS OF THE TERMS AND CONDITIONS GOVERNING TAX SALES AND ASSIGNMENTS OF THE JUNE 21, 2010 TAX SALE”** is based in part on the 2009 Code of Iowa and amendatory acts thereof; including HF256 signed into law March, 13, 2009. There will be a **\$50.00 registration fee** for this year’s tax sale.

Also by signing this registration form, you are certifying that you have read the terms & conditions.

NAME: _____
(All Tax Sale Certificates & Deeds will be issued in the name(s) as listed above)

I am registering as an **INDIVIDUAL**, Social Security Number _____

I am registering as a **CORPORATION**, FEIN Number _____
(A copy of Designation of Agent for Service, filed with Secretary of State must be produced if asked)

I am registering as a **Business**, FEIN Number _____
(A copy of Statement of Trade Name of Business filed with County Recorder must be produced If asked)

STREET ADDRESS: _____

CITY: _____ **COUNTY** _____

STATE: _____ **ZIP:** _____

TELEPHONE: _____ **FAX:** _____

EMAIL ADDRESS _____

SIGNATURE _____

DATE _____

NOTICE TO TAX SALE PURCHASERS OF THE TERMS & CONDITIONS OF THE MARION COUNTY ANNUAL TAX SALE, JUNE 21, 2010 AND ADJOURNMENTS OR ASSIGNMENTS THEREOF

The annual Tax Sale of parcels with delinquent taxes will be held June 21, 2010 at 10:00 AM at Dyer Hudson Hall on the Marion County Fairgrounds. The Treasurer's office will not act as agent for individuals purchasing at the tax sale. It is necessary to attend in person or to send a representative. A list of available parcels will be published in the Knoxville Journal Express and the Pella Chronicle on their respective dates the week of June 7th, 2010. Registration fees for the tax sale are \$50.00. Everyone needs pre-registered by June 17, 2010.

Cellular phones, pagers, tape recorders, and other audible electronic devices are to be turned off during the sale. Violation in the use of electronic devices may result in the disqualification of the bidder.

We are not requiring a copy of the Designation of Agent filed with the Secretary of State or the Statement of Trade Name of Business filed with the County Recorder. The signature on the Register of Bidders or Assignees satisfies our requirement that you have properly filed with either office and fulfill the obligations required with HF 256. You must be able to provide a copy from the Secretary of State office or the County Recorder if asked.

A tax sale purchaser should never have an interest or lien in the parcel offered for sale. Please consult with your legal counsel to determine your right to bid and become a tax sale purchaser if you have questions on a parcel.

A W-9 form must be completed and signed and sent back with the bidder information. This information is needed so that we can issue an accurate 1099-INT form with the appropriate social security number or taxpayer identification number. At the end of the calendar year, the Treasurer will issue a 1099-INT form to you and to the Internal Revenue Service. You will use this information when filing your Federal or State Income Tax claims.

Properties seized by the government, known to be involved in bankruptcy or published but paid prior to tax sale will not be offered and will be deleted from the list.

Parcels are listed as Regular Tax Sale, advertised one time, taxes being one year or less delinquent or as Public Bidder properties advertised more than one time and being more than one year delinquent. A Tax Sale Certificate is issued for each parcel sold for the full amount of the taxes, interest, fees and costs due. In the event a lottery system is used, each person may have only one chance for each drawing. No **MINORS** are allowed to bid.

The certificate holder is responsible for requesting the amount of subsequent taxes, without notice from this office. Subsequent taxes may be paid 14 days after the payment becomes delinquent.

Public Bidder certificates must be held for nine months before the 90 Day notice of Expiration of Right of Redemption and Application for Tax Deed can be served. Regular tax sale certificates must be held for one year and nine months prior to service. All parties with a recorded interest in the property, anyone in possession and the city in which the parcel is located, if applicable, must be served. Once Notice has been served and **FILED IN THE TREASURER'S OFFICE**, the parties served has 90 days to redeem the certificate. If not redeemed in the 90 day period, a tax deed can be issued. Your attorney can advise you as to the legal implications of Tax Sale Certificate. This office does not handle service of the 90 Day Notice for privately held certificates.

The tax sale certificate does not convey title to the purchaser. The title holder of record or other interested party retains the right to redeem within a specified period of time. If the same remain

unredeemed after this period has expired, the purchaser may begin proceedings to obtain a Tax Deed to the parcel. For any tax sale certificates issued after June 1, 2005, the cost of serving the notice, including the cost of sending certified mail notices, the cost of publication, and the cost of a record search not to exceed \$300, if performed by an abstractor who is an active participant in the title guaranty program, or an attorney licensed to practice law in Iowa, may be added to the amount necessary to redeem from tax sale. On privately held tax sale certificates issued between June 1, 2001 and May 31, 2005, only the cost of publication under Section 447.10 if required shall be added to the amount necessary to redeem. For regular tax sale, the 90-day Notice of Right of Redemption may be issued after one year and nine months from the date of the sale.

Failure to obtain deed results in cancellation of the sale. After three years have elapsed from the time of the sale, if action has not been completed which qualifies the holder of the certificate to obtain a deed, the treasurer will cancel the tax sale certificate.

A tax sale purchaser may pay subsequent taxes and special assessments on the same parcel on which they hold the certificate. Taxes for a subsequent year may be paid beginning the 14 days following the day from which an installment becomes delinquent. The purchaser is responsible for requesting subsequent payments. 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 may **not** be paid on line.

The tax sale certificate of purchase is assignable by endorsement of the certificate and entry in the treasurer's register of tax sales. There is a \$100.00 assignment fee to be paid by the assignee to the treasurer's office.

For each parcel sold, the treasurer is required to notify the titleholder of record within 15 days from the date of sale that the parcel was sold at tax sale.

The fee for the issuance of a Treasurer's Tax Sale deed is \$25 per parcel. There are also additional fees for recording the deed in the county recorder's office. The tax sale certificate holder is required to remit the appropriate fees to the County Treasurer within ninety calendar days after the redemption period expires. The Treasurer is required by statute to cancel the certificate of purchase for any tax sale certificate holder who fails to comply with this paragraph.

If it is determined that any item was erroneously sold, the certificate of purchase will be canceled. The certificate holder will be reimbursed by Marion County Treasurer the principal amount of the investment. **Please familiarize yourself with the properties that are offered at the tax sale. It is BUYER BEWARE.**

This document provides only general information only. It is not an all-inclusive listing of statutory requirements, procedures, or policy. It is not to be construed as legal opinion of the statutes governing tax sales. The Marion County Treasurer reserves the right to reject any or all bids and to waive irregularities, which appear to be in the best interest of Marion County. To protect your interest as a tax sale buyer and to determine your rights and remedies, we recommend that you consult your legal counsel.