

Office of the Jackson County Treasurer

Janet C. Rochefort
Jackson County Treasurer

Foreclosed Property Sale

RULES AND REGULATIONS AND REGISTRATION

This auction is scheduled in compliance with Public Act 123 (1999) as amended by Public Act 263 (2003), General Property Tax Act, more specifically MCL 211.78 (m), all applicable court decisions, and these Rules and Regulations. Any announcements made by the auctioneer on the day of the property sale take precedence over previously published or verbally conveyed terms and conditions. Bidders must be attentive at the auction! This sale is public. These Rules and Regulations are subject to change at any time.

THE STATE OF MICHIGAN AND LOCAL UNIT HAS THE FIRST RIGHT OF REFUSAL TO PURCHASE ANY OF THE PROPERTIES

REGISTRATION

- Advance starts one week prior to auction, at the Jackson County Treasurer's Office, 8 a.m. to 5 p.m.
- 11:00 a.m., date of sale—Registration must be complete by start of sale at 12 p.m. **Advance registration is RECOMMENDED**
- Driver's License or State Identification **REQUIRED**
- Social Security Number or Tax Identification Number **REQUIRED for all purchases.**
- Bidding Paddle issued day of sale
- Bidder Number issued day of sale

ALL DEEDS WILL BE ISSUED TO THE PERSON (S) REGISTERED TO THE BIDDER NUMBER (PADDLE) USED TO PURCHASE THE PARCEL.

MINIMUM BID

- Subject to change
- Required for September sales
- No minimum bid at October sale
- Statute Governing, MCL 211.78(m)(11):

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As used in this section, "minimum bid" is the minimum amount established by the foreclosing governmental unit for which property may be sold under this section. The minimum bid shall include all of the following: (a) All delinquent taxes, interest, penalties, and fees due on the property... (b) The expenses of administering the sale, including all preparations for the sale...

BIDDING

- Must be registered to bid
- May be represented by agent, however,
 - Must present written authority to act as agent
 - Agent is responsible for payment
 - Deed will be issued to person registered to bid.
- Parcels auctioned by Townships alphabetically then numerically by their respective parcel numbers. The City of Jackson property is last on the auction agenda.
- Sale awarded to the highest bidder equal to or greater than the minimum bid, except at November sale.
- NO sealed bids accepted
- Bid Increments
 - Vacant land - \$50 increments
 - Improved land (land with buildings) - \$100 increments
- All bids in whole dollar amounts
- The Auctioneer will read Parcel Number and Minimum Bid Price; bids will be accepted after this is read.

TERMS OF SALE – PAYMENT FOR ITEMS PURCHASED

- Cash or Cashier's Check or Letter of Credit -- **NO EXCEPTIONS**
- Minimum Bid at time of purchase; balance within twenty-four (24) hours of sale
- All sales final
- Cashier's Checks payable to JACKSON COUNTY TREASURER when paying balance due (cashier's check should be payable to the purchaser (yourself) for minimum bid amounts.

*****NOTE: NEW THIS AUCTION*****

For bids totaling over \$1,000, and if you are a successful bidder, you will be required to pay **the first \$1000 of combined purchases in cash, certified funds, bank checks or other non-cancellable/clearance required methods**. Money orders and Travellers Checks are NOT acceptable for the first \$1000, as they can be cancelled/reported "lost". The balance of the purchase price may be paid by any negotiable instrument (personal or

Bidder's Initials

business checks, money orders). Keys to take possession of any structures or houses will be delivered once all funds have cleared the bank.

In addition to the winning bid amount, all bidders pay a **13% BUYER PREMIUM**, with a 3% discount for payment by cash, check, money order, bank, or cashiers check. There is also a \$20 fee for PROCESSING AND RECORDING OF THE DEED for each parcel.

WE RECOGNIZE THAT PURCHASE MAY BE MADE OUTSIDE BANKING HOURS. IT IS THE PURCHASER'S RESPONSIBILITY TO SECURE PAYMENT AND HAVE ACCEPTABLE FUNDS FOR PAYMENT.

- All monies forfeited if purchaser fails to comply with these Rules and Regulations
- Sale may be cancelled at any time by the Jackson County Treasurer

PURCHASERS WHO FAIL TO CONSUMMATE A PURCHASE WITHIN TWENTY-FOUR (24) HOURS FOLLOWING THE FINAL BID WILL BE BANNED FROM BIDDING AT FUTURE COUNTY OF JACKSON LAND SALES FOR THE CURRENT CALENDAR YEAR. ALL MONIES PAID WILL BE FORFEITED AND POSSESSION REVERTS BACK TO THE COUNTY TREASURER.

PURCHASER'S QUITCLAIM DEED INFORMATION

- Complete at time of final bid
- Must be completed in its entirety **FOR EACH PARCEL PURCHASED**
- Must accompany cash or cashier's check or line of credit.

ALL DEEDS WILL BE ISSUED TO THE PERSON (S) REGISTERED TO THE BIDDER NUMBER (PADDLE) USED TO PURCHASE THE PARCEL.

TITLE CONVEYED

- By quitclaim deed. The transfer made by quitclaim deed conveys any and all interest the County of Jackson may have in the premises. IT DOES **NOT** WARRANT TITLE.
- A title insurance company may or may not issue title insurance.
- Property purchased "as is."
- May not be reconveyed to Jackson County for any circumstance
- Purchaser may incur legal fees/costs for quiet title action

The County of Jackson, its employees, officers, agents, and assigns, sell this property in its "as is" condition, with no warranty, expressed

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or implied, and does not warrant title in the premises. The transfer made by quitclaim deed conveys any and all interest the County of Jackson may have in the premises. Pictures of property may not be exact parcels. Information for State Equalized Value (SEV), lot dimensions, and lot sizes (acreage) was obtained from assessment cards of the local units. Jackson County takes no responsibility nor guarantees the accuracy of that information. Lands may be landlocked, non-buildable, condemned, uninhabitable, or unsafe.

The Purchaser and/or his/her/its agents agrees to indemnify, defend, save and hold harmless Jackson County and Janet C. Rochefort, individually and/or as Jackson County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Jackson County and/or Janet C. Rochefort, individually and/or as Jackson County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the Purchaser an/or his/her/its agents to purchase the foreclosed property.

DEFERRED ASSESSMENTS

- Purchaser responsible for all pending (deferred) assessments
 - This may include, BUT IS NOT LIMITED TO, assessments issued by the following departments: County Drain Commissioner, County Health Department, County Road Commission, Local Unit (city, township, village).

POSSESSION OF PROPERTY

- Immediate upon payment in full.
- Any and all keys to improved parcels delivered at time of payment in full.

STEPS SHOULD BE TAKEN TO PROTECT YOUR EQUITY IN THIS PROPERTY BY OBTAINING INSURANCE, AND SECURING VACANT STRUCTURES AGAINST ENTRY. BUYERS ARE RESPONSIBLE FOR CONTACTING LOCAL UNITS OF GOVERNMENT (city, township, village) TO PREVENT POSSIBLE DEMOLITION OF STRUCTURES OR OTHER POSSIBLE SPECIAL ASSESSMENTS.

THE STATE OF MICHIGAN AND LOCAL UNIT (CITY, TOWNSHIP, VILLAGE) HAS THE FIRST RIGHT OF REFUSAL TO PURCHASE ANY OF THE PROPERTIES

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CONDITION OF PREMISES

- Purchased “as is.”

The County of Jackson, its officers, employees, agents, and assigns sell this property in its “as is” condition. Each purchaser releases the County of Jackson, its officers, employees, agents, and assigns from any and all liability whatsoever arising from any condition of the premises (property), whether now known or subsequently discovered. This includes, **BUT IS NOT LIMITED TO**, environmental contamination of any kind whatsoever.

The Purchaser and/or his/her/its agents agrees to indemnify, defend, save and hold harmless Jackson County and Janet C. Rochefort, individually and/or as Jackson County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Jackson County and/or Janet C. Rochefort, individually and/or as Jackson County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the Purchaser an/or his/her/its agents to purchase the foreclosed property.

- Consult Michigan Public Act 451 of 1994 (the Natural Resources and Environmental Protection Act) for complete information.

QUITCLAIM DEEDS

- Executed, delivered, and filed within 30 days of sale by the Jackson County Treasurer
- Complete Purchaser’s Quitclaim Deed Information for each parcel purchased.
ALL DEEDS WILL BE ISSUED TO THE PERSON (S) REGISTERED TO THE BIDDER NUMBER (PADDLE) USED TO PURCHASE THE PARCEL.

PROPERTY TAXES AND SPECIAL ASSESSMENTS

- Purchaser responsible for all property taxes due at the local unit, which include summer/winter and/or village taxes billed, and/or special assessments due, billed, pending, or assessed at any time.
 - Must contact local unit (city, township, village) for amount due.
- Purchaser responsible to contact local unit to ensure correct mailing address for tax bills, etc.

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Prior Owner of Property

The following is an excerpt from the Michigan Property Tax Law (MCL 211.78I)

211.78I Owner of extinguished recorded or unrecorded property interest; claim of failure to receive notice; action to recover monetary damages; right to sue not transferable.

(1) If a judgment for foreclosure is entered under section 78k and all existing recorded and unrecorded interests in a parcel of property are extinguished as provided in section 78k, the owner of any extinguished recorded or unrecorded interest in that property who claims that he or she did not receive any notice required under this act shall not bring an action for possession of the property against any subsequent owner, but may only bring an action to recover monetary damages as provided in this section.

(2) The court of claims has original and exclusive jurisdiction in any action to recover monetary damages under this section.

(3) An action to recover monetary damages under this section shall not be brought more than 2 years after a judgment for foreclosure is entered under section 78k.

(4) Any monetary damages recoverable under this section shall be determined as of the date a judgment for foreclosure is entered under section 78k and shall not exceed the fair market value of the interest in the property held by the person bringing the action under this section on that date, less any taxes, interest, penalties, and fees owed on the property as of that date.

(5) The right to sue for monetary damages under this section is not transferable except by testate or intestate succession.

History: Add. 1999, Act 123, Eff. Oct. 1, 1999; --Am. 2003, Act 263, Imd. Eff. Jan. 5, 2004.

Compiler's Note: Enacting section 3 of Act 263 of 2003 provides: "Enacting section 3. This amendatory act is not intended to and shall not be construed to modify or alter the ruling of the Michigan supreme court in Smith v Cliffs on the Bay Condominium Association, docket no. 111587."

Popular Name: Act 206

THE STATE OF MICHIGAN AND LOCAL UNIT HAS THE FIRST RIGHT OF REFUSAL TO PURCHASE ANY OF THE PROPERTIES

The Purchaser and/or his/her/its agents agrees to indemnify, defend, save and hold harmless Jackson County and Janet C. Rochefort, individually and/or as Jackson County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees,

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which Jackson County and/or Janet C. Rochefort, individually and/or as Jackson County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the Purchaser an/or his/her/its agents to purchase the foreclosed property.

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AUCTION REGISTRATION FORM

ALL DEEDS WILL BE ISSUED TO THE PERSON (S) REGISTERED TO THE BIDDER NUMBER (PADDLE) USED TO PURCHASE THE PARCEL.

Name PRINT or TYPE (REQUIRED)	Date PRINT or TYPE (REQUIRED)		
Address PRINT or TYPE (REQUIRED)			
Street Number & Name	City	State	ZIP
Telephone Day PRINT or TYPE (REQUIRED)	Telephone Evening PRINT or TYPE (REQUIRED)		

The County of Jackson, its officers, employees, agents and assigns, sell this property in its "as is" condition, with no warranty, expressed or implied, and does *not* warrant title in the premises. The transfer made by quitclaim deed conveys any and all interest the County of Jackson may have in the premises. Pictures of property may not be exact parcels. Information for State Equalized Value (SEV), lot dimensions, and lot sizes (acreage) was obtained from assessment cards of the local units. Jackson County takes no responsibility nor guarantees the accuracy of any of this information. Lands may be landlocked, non-buildable, condemned, uninhabitable, contaminated, have soil contamination, or be unsafe.

The Purchaser and/or his/her/its agents agrees to indemnify, defend, save and hold harmless Jackson County and Janet C. Rochefort, individually and/or as Jackson County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Jackson County and/or Janet C. Rochefort, individually and/or as Jackson County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the Purchaser an/or his/her/its agents to purchase the foreclosed property.

I HAVE READ AND UNDERSTAND THE FOREGOING RULES AND REGULATIONS AND WISH TO REGISTER FOR THIS AUCTION. I AGREE TO ABIDE BY THE RULES AND REGULATIONS SET FORTH ABOVE. I HAVE INITIALED EACH PAGE TO DEMONSTRATE THAT I HAVE READ EACH PAGE IN ITS ENTIRETY.

Witness
Date: _____

Signature
Date: _____

Bidder's Initials

Purchaser's Quit Claim Deed Information

THIS FORM IS REQUIRED FOR EACH PARCEL PURCHASED. THIS FORM MUST BE COMPLETED IN FULL IN ADVANCE OF TURNING IT IN TO A REPRESENTATIVE OF THE COUNTY TREASURER'S OFFICE.

ALL DEEDS WILL BE ISSUED TO THE PERSON (S) REGISTERED TO THE BIDDER NUMBER (PADDLE) USED TO PURCHASE THE PARCEL. ADDITIONAL NAMES MUST ALSO BE LISTED BELOW

REQUIRED PARCEL I.D. NUMBER _____

NAME 1: **The name & address of the Registered Bidder (s). There is no need to enter this information here**

PRINT NAME 2: (if applicable and different from bidder (s)).

-----Please indicate any additional information you may want listed on the deed.-----

UNLESS NOTED HERE, ALL DEEDS AND TAX STATEMENTS WILL BE MAILED TO THE PERSON REGISTERED FOR THE AUCTION.

Name: _____

Street: _____

City, State, and ZIP _____

Daytime Phone _____

REQUIRED

Signature of Person Completing This Form

FOR COUNTY TREASURER USE ONLY

COMPLETE immediately, but hold until full payment is made

Parcel # _____

Minimum Bid \$ _____

Purchase Price \$ _____

Bidder # _____