

RULES & NOTES ON 2019 MIAMI COUNTY TAX FORECLOSURE SALE

1. Any of the properties listed for sale may be redeemed by the taxpayer up to 4:00 p.m., Central Standard Time, Monday, December 9, 2019. Payment of all outstanding delinquent real estate taxes shall be made to the Miami County Treasurers Office, First Floor, Miami County Administration Building, 201 South Pearl, Paola, Kansas. (913-294-2353) Payments to the Treasurer's Office shall be by cash or guaranteed funds.
2. **All bidders must register for the auction, beginning at 9:00 a.m. on Tuesday, December 10, 2019. Registration will be in the Commission Chambers of the Miami County Administrative Building, 201 S. Pearl, Paola Kansas.**
3. **All bidders must be physically present at the tax auction, which will begin at 10:00 a.m. on Tuesday, December 10, 2019. The auction will take place in the Commission Chambers, First Floor, 201 S. Pearl, Paola, Kansas.**
4. Anyone who has delinquent real estate taxes (including special assessments) in Miami County will not be eligible to bid at the auction. Staff will run a record check regarding delinquent taxes during the registration period.
5. Anyone who has an interest in a property to be sold, other than the current holder of a mortgage, will not be eligible to bid at the sale. An affidavit must be signed during registration stating that the bidder has no interest in the property and is not bidding on behalf of someone who has an interest in the property.
6. There are **no warranties or guarantees on the properties being sold. A successful bidder will receive a bare title to real estate.** It is the responsibility of a bidder to become familiar with a property prior to bidding on such. The Kansas Supreme Court has stated that a *buyer beware* concept applies to properties sold at a tax foreclosure auction.
7. Properties sold at a tax foreclosure sale will be sold subject to valid covenants running with the land; to valid easements of record or in use, pursuant to K.S.A. 79-3803 and K.S.A. 79-2804; to the redemption rights, if any, of the U.S. Government and its agencies; to the redemption rights, if any, pursuant to the Service Members Civil Relief Act; and to any and all real estate taxes and special assessments, and interest thereon, which accrue subsequent to the date of the judgement, including all 2019 taxes and assessments.
8. **A successful bid will cover all outstanding real estate taxes, interest, special assessments and court costs through the tax year 2018. A filing fee of \$55 will be added to the successful bid and must be paid when the bidder pays the County Treasurer for his/her purchase. A successful bidder will be responsible for all 2019 real estate property taxes and special assessments.**

9. A successful bidder must pay in cash or guaranteed funds (money order, certified check) the full amount of the bid by 4:00 p.m., Tuesday, December 3, 2019. No personal checks will be accepted. Any successful bidder who fails to honor his/her bid will be precluded from taking part in future tax foreclosure sales. A successful bidder will not receive title and thus ownership of the purchased property until the sale is confirmed by the District Court. A successful bidder does not have the right to collect rent, require the delinquent owner to vacate the property, take possession of the property or change locks until receipt of the Sheriff's Deed.
10. The Sheriff will make a return on the properties sold to the District Court. The Court will confirm the sale of the properties and will order the issuance of a Sheriff's Deed. The Deed will be filed with the Register of Deeds, utilizing the information supplied by a bidder during the registration process. A successful bidder should receive a deed within two - three weeks of the auction. Upon receipt of the Sheriff's Deed, the successful bidder will acquire legal title to the real estate.
11. The successful buyer takes title to the real estate only and does not receive title to any personal property located on the purchased real estate. If there are any disputes as to disposition of personal property on the premises, it will be the responsibility of the purchaser to consult with a private attorney to determine proper disposal thereof.
12. The original owner/s of a property sold have no right to redemption. If the original owner acquires a property sold at tax foreclosure within 10 years after the sale, the owner will be responsible for paying all delinquent property taxes due on the property.
13. For twelve months after the deed is recorded, a legal challenge may be made by questioning the procedures the county followed. If such a challenge is successful, the property could revert to the original owner, in which case the court would order the purchase price plus interest refunded to the buyer.