

**NOTICE TO TAX SALE PURCHASERS OF THE TERMS AND CONDITIONS
GOVERNING THE TAX SALE OF**

**WOODBURY COUNTY, IOWA
MICHAEL R CLAYTON, TREASURER
Dianne McCall, Tax Deputy**

June 20, 2016

Woodbury County Tax Sale will be held on line at www.iowatreasurers.org

For information contact: support@iowataxauction.com

Phone: 877-243-9997

There is a **\$65.00 non-refundable** registration fee, via e-check. You must file a bidder registration and W9 on line. **Registration will begin Monday, May 16, 2016, and end Wednesday, June 15, 2016.** All steps in the registration process must be **completed by 4:00 p.m. on June 15, 2016.**

Chapter 446.16.4

Only those persons as defined in section 4.1 are authorized to register to bid or to bid at the tax sale or to own a tax sale certificate by purchase, assignment, or otherwise. 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.

1. The notice of tax sale will appear in an official Woodbury County newspaper, on or about the 8th day of June, 2016, as required by Iowa Code 446.9.

The list will be available for review on the auction site www.iowatreasurers.org after June 1, 2016.

It is your responsibility to research the properties for value, pending special assessments (from the City of Sioux City) and if any of the properties are listed on the City's Red Tag List, which you can request from the Inspection Services Division at 712-224-5216.

ALL SALES ARE FINAL.

2. All properties shown in the publication are offered for sale except those that 1) have been paid subsequent to publication, 2) are withheld due to bankruptcy laws that prohibit their sale.

3. You or the party for which you represent may not be entitled to bid at tax sale and become a tax sale purchaser by reason of having a vested interest in the property.

4. Those properties listed in the publication with two year delinquencies must be sold for the full amount of taxes, interest and costs. If no bid is received for these properties, Woodbury County will bid for said parcels per Sec. 446.19.

PLEASE NOTE: According to the Code of Iowa Section 445.1, the definition of "Taxes" means an annual ad valorem tax, a special assessment, a drainage tax, a rate or charge, and taxes on homes pursuant to chapter 435 which are collectible by the county treasurer.

5. All bidders/buyers must be at least 18 years of age.
6. Bids will be submitted online beginning at **9:00 am and closing at 12:00 noon** on Monday June 20, 2016. You can access the auction site at www.iowatreasurers.org . The delinquent taxes on each parcel will be offered for sale to all bidders beginning with a 100% undivided interest. "Bid downs" will range in whole percentage points from 99% to 1%.

The **public bidder list, parcels with 2 or more years delinquent**, will be offered and if not sold, the certificates will be awarded to Woodbury County.

When the sale closes, a tax sale certificate for each parcel will be awarded to the bidder with the smallest bid down percentage for the total amount due. If two or more bidders have placed an equal bid and the bids are the smallest percentage offered, the website will use a random selection process to determine the successful bidder.

All bids must be in good faith and whether intentional or not, are the responsibility of the bidder and may not be withdrawn.

7. Successful bidders will receive an invoice via email the day of the tax sale. The invoice will contain a link to the payment website. Payment by E-check, for the total amount due shall be submitted by 4:30 p.m. the day of the sale. The total amount due will include all delinquent taxes, special assessments, interest, special assessment collection fees, publishing costs and a certificate fee in the amount of \$20.00 for each certificate purchased.

Should a bidder not make full payment by the payment deadline, they will not be awarded any certificates and they may be prohibited from participating in future tax sales in the State of Iowa. If a tax sale bidder's payment is not honored, the bidder will have three business days following notification from the Treasurer to repay with guaranteed funds or the tax sale certificate(s) purchased will be cancelled. A \$30.00 insufficient fund fee will be assessed on returned payments.

Please allow up to two weeks to receive copies of your certificates. This gives our staff time to do the paper work and balance the proceeds received from the tax sale. We will file the originals in our office to allow a timelier payout of redemptions.

8. A tax sale certificate does not entitle the holder to any rights, title or interest in the property. The TAX SALE DEED conveys right, title and interest and that document will be issued following the redemption period after the due process of law has been complied with in full.
9. A tax sale purchaser may pay subsequent taxes, which include special assessments on the same parcel on which s/he holds the tax sale certificate no sooner than one month and 14 days following the date from which an installment becomes delinquent.

Effective with the 2014 on line tax sale, the subsequent taxes must be paid on line at www.iowatreasurers.org We will not accept subsequent tax payments by mail. This does not apply to tax sales prior to 2014 or adjourned tax sales purchased over the counter.

We can no longer honor postmarks for payment of subsequent taxes, per Iowa Code.

***** Chapter 446.32 of the Code of Iowa requires subsequent payments to be received by the county treasurer before 5:00 pm (or a time established by the county treasurer) on the last business day of the month for interest for that month to accrue. Since subsequent payments are not considered to be received by the county treasurer until they are imported into the county system, subsequent payments made on the last business day of the month will be refunded. Service delivery fees, however, will not be refunded.***

**** If taxes are paid in the treasurer's office on the same day that your online subsequent payment is made, your payment may be refunded. Service delivery fees, however, will not be refunded.**

If you wish to have a paper printout of subsequent taxes, you will be charged \$2.00 per parcel.

You may assign certificates, per Sec 446.31. \$100.00 assignment fee must be paid to the Woodbury County Treasurer, for each parcel assigned. The assignment with registration form and W-9 must be filed with the Treasurer in order to enter the new certificate holder into our system.

10. A redeemed tax sale will include the following.
 - a. The original tax sale amount, including the \$20.00 certificate fee paid by the purchaser at the time of the sale.
 - b. Interest calculated on the sale amount at 2% per month.
 - c. Subsequent tax payment, paid by the purchaser and added to the amount of the sale, with appropriate interest calculated from the date of payment to the date of redemption.
 - d. The cost of serving notice, as provided for in Sec 447.13.

11. If it is determined that an item not subject to taxation or that the amount for which it was sold had been paid or was erroneously sold, the certificate of purchase will be cancelled. The certificate holder shall be reimbursed the principal amount of the investment. Interest will not be paid.

If not sold erroneously there will be no refunds for any other reason. **ALL SALES ARE FINAL.**

12. If, for any reason, a certificate holder is paid for a redemption that in fact was not redeemed or issued in error, the certificate holder shall reimburse the Woodbury County Treasurer, the full amount that was issued for said redemption.

13. Alien rights. Chapter 567.2 Code of Iowa.
A nonresident alien, foreign business or foreign government may acquire, by grant, purchase, devise or descent, real property, except agricultural land or any interest in agricultural land in this state, and may own, hold, devise or alienate the real property, and shall incur the same duties and liabilities in relation thereto as a citizen and resident of the United States.
"Agricultural land" means land suitable for use in farming. (Sec 567.1 Definitions)

14. **SECTION 446.37 CANCELLATION OF SALE**
After three years have elapsed from the time of any tax sale, and the holder of a certificate has not filed an affidavit of service of notice of expiration of right of redemption under section 447.12, the county treasurer shall cancel the sale from the county system.

15. The adjourned tax sale will convene the 3rd Monday of every other month, beginning August 15th, 2016, at the Woodbury County Treasurer's Office. This will be for any of the one year delinquencies that did not sell at the annual sale.

This document has been prepared to provide general information and guidelines relative to tax sales, assignments and tax sale redemptions. It is not an all-inclusive listing of statutory requirements, procedures or policy, nor is it to be construed as a legal opinion of the statutes governing tax sales.

Iowa Code Chapters 446, 447 and 448 as amended are pertinent chapters to Tax Sales, Tax Redemption and Tax Deeds. The Iowa Code is available on-line at www.legis.state.ia.us You should consult with legal counsel to determine your legal rights and remedies and to protect your interest as a tax sale purchaser.