

INFORMATION REGARDING TAX FORECLOSURE SALE

1. A notice of sale will be published for three consecutive weeks in the Tri County Tribune listing the properties to be sold and the date, time, and location of sale. The current owner(s) may redeem the property at any time up to the date of sale. Accordingly, there may be properties listed in the notice of sale that are not actually sold.
2. Ownership of the property remains with the current owner(s) until the property is sold AND the sale is confirmed by the Court. You may not enter the property without the permission of the current owner(s).
3. Each purchaser will be required to sign an affidavit to be filed with the Court declaring compliance with Kan. Stat. Ann. § 79-2804g and Kan. Stat. Ann. § 79-2812. Please familiarize yourself with said statutes.
4. All properties must be paid for on the day of the sale. Cash and/or checks are accepted. Checks should be made payable to the Clerk of the District Court. The buyer will receive a receipt upon payment. Additionally, a \$21 deed recording fee will be collected at the time payment is made. There is an additional charge of \$17 per page after the first page. The County Counselor will estimate these charges. Overcharges will be returned to the buyer. Undercharges must be paid prior to recording. Checks for the recording fee shall be made out to the Register of Deeds.
5. The Court will hold a hearing approximately 30 days (perhaps more) after the sale to determine whether to confirm the sale. Deeds will be recorded and mailed to the buyer only after checks clear and the Court confirms the sale. Deeds for properties subject to a federal lien will not be issued until expiration of the federal redemption period and only if there has been no redemption. If redemption is made, then the purchase price will be refunded to the buyer. All other liens will be extinguished upon confirmation by the Court; however, covenants, restrictions and easements of record are not extinguished, and the buyer takes the property subject to those encumbrances.
6. The properties are sold “as is” and without warranty. The buyer is responsible for any taxes and assessments which are not included in the judgment and taking any necessary legal action to obtain possession of the property, such as by filing an eviction proceeding.
7. The original owner will have twelve months from the time the deed is recorded to legally challenge the sale procedures followed by the County. This is not the same as redemption. If such a challenge is successful, the property could revert to the original owner, in which case the Court would order the purchase price refunded to the buyer. The twelve-month limitation does not apply to efforts based upon inadequate service of process.
8. **The above information is not legal advice and shall not be relied upon as legal advice. If you have any questions regarding the tax foreclosure sale, then you should contact an attorney.**