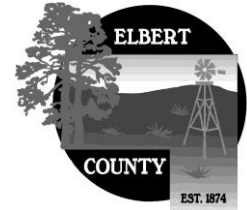




# COUNTY OF ELBERT

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**Elbert County Treasurer's Office**  
440 Comanche Street, PO Box 67  
Kiowa, CO 80117

## **ELBERT COUNTY'S TAX LIEN SALE PROCEDURES**

### **DATE, TIME, LOCATION**

The sale of Elbert County delinquent tax and special assessment liens will be held on November 19, 2019 at 9:00 a.m. in the Commissioners Room on the second floor of the Elbert County Courthouse located at 215 Comanche Street Kiowa, CO 80117. In case of inclement weather or county closure, the alternate tax sale date will be November 26, 2019.

### **ADVERTISING LISTS/FORMS**

Advertising lists and all tax sale forms can be found on our website at [www.elbertcounty-co.gov](http://www.elbertcounty-co.gov) under Forms/Treasurer Forms/Tax Sale.

### **PAYMENT**

No deposit is required prior to the tax lien Sale. Any liens purchased are due and payable by 3:00 PM the day of the sale. Purchases must be covered by cash, certified checks, cashier's checks or personal checks.

### **SEATING**

There will be no assignment or reservation of seats. Seating will be on the basis of choice upon arrival. The Commissioners Room will be open at 8:00 a.m.

### **BUYER DATA**

Each buyer will be required to complete the following forms: Registration, Declaration of Statutory Compliance and an Internal Revenue Service Form W-9 with name, address, social security number or federal tax identification number. Each investor/buyer is responsible to assure that the information is correct. If you would like to pre-register ahead of time, please complete the forms on our website and submit to the Treasurer's office via mail, in person or email at [eforeclosures@elbertcounty-co.gov](mailto:eforeclosures@elbertcounty-co.gov) or [sherry.hewlett@elbertcounty-co.gov](mailto:sherry.hewlett@elbertcounty-co.gov). Registration will be

available the morning of the sale. Tax Lien Sale Certificates, Treasurer's Deeds, refund checks, redemption checks, and IRS 1099 interest forms are prepared from this information. Please complete the Registration form **exactly** how you would like your name(s) or company to appear on the Treasurer's Deed if/when issued and recorded.

After the forms have been completed, the buyer will be assigned a bidder number. If you pre-registered, please pick up your bidder paddle from the clerk the morning of the sale. We will assign a bidder number when you pre-register.

It is also the responsibility of the buyer to notify the Elbert County Treasurer's Office of any change in address any time after the sale.

### **SALE PROCEDURES**

**Important to note:** It is the buyer's responsibility to know the quality of the property on which they are paying the taxes and receiving the lien. The recommendation of the Treasurer is that you consult with private legal counsel prior to participation in the Tax Lien Sale. In the event you purchase a manufactured (mobile) home, confirm prior to sale that the manufactured (mobile) home is on the property and that it has not been moved, condemned and/or destroyed. Buyer due diligence is important.

The sequence of the published list will be followed as closely as practical during the Tax Lien Sale. There will be a listing of property tax liens to be sold in sequence parcel (schedule) number order provided to each buyer on the sale day.

A Copy of the published listing showing taxes that have been paid since publication will be available in the Treasurer's office after the first publication date. Buyers may check this listing prior to the Tax Lien Sale to be sure parcels they are interested in have not been paid.

Each parcel will be offered in compliance with Title 39, Article II, of the Colorado Revised Statutes. To facilitate the sale procedure, parcels which are contiguous or contained within one subdivision may be combined and sold as a unit. Each parcel or unit will be subject to open floor (general) bidding and will be sold to the buyer who shall further pay the largest amount in excess of said taxes, penalty interest, advertising, and other charges as provided by law. Bonus bids (premiums) will not be less than \$5.00 on taxes under \$500.00. Taxes \$500.00 or more will start at \$10.00. The auctioning will provide all buyers with the opportunity to compete for each parcel or unit.

A Tax Lien Sale Certificate of Purchase will be issued for each tax or special assessment lien and will be in the statutory form

showing the property description, purchase amount, rate of interest, buyer's name, and the date of sale. Certificates will not be issued in a name other than the name of the buyer. If delinquent taxes occur in the future, the certificate holder may endorse the amount of delinquent taxes and lawful charges on his certificate until redemption.

### **REDEMPTION INTEREST**

Interest begins to accrue in November 2018. Tax Lien Sale Certificates of Purchase for 2018 taxes payable 2019 will carry an interest rate of 12% per annum in accordance with Colorado Revised Statutes. Bonus Bids (premiums) are not returned.

### **PROHIBITED BUYERS**

No Elbert County official or employee may purchase a tax lien at this sale. This also applies to the immediate family or any agent of an Elbert County official or employee.

### **GENERAL INFORMATION**

It must be understood, that the sale and purchase of the tax or special assessment lien at a tax lien sale does not, as it might under simple sales and purchase agreements, convey the right of possession, use, improvement or access to said property. The buyer is issued a Tax Lien Sale Certificate of Purchase. Certificate of Purchases are electronic; however, the Treasurer's office will mail the buyer a printed copy.

In the event the lien remains unredeemed, the certificate holder has the right of paying subsequent years delinquent taxes (sub-taxing). You will receive a bill the latter part of July to sub-tax in August. Three years from the date of the certificate (a total of four years of taxes paid), if the lien remains unredeemed, the certificate holder may apply for a Treasurer's Deed to the property. To be eligible for a Treasurer's Deed the certificate holder must make application to the Treasurer. The procedural process requirements normally take a three to six month period of time to accomplish. Extension of the time period may occur when there are complex problems related to the property. When application is made, a \$400.00 Treasurer's Deed application fee must be deposited to pay all related deed expenses pursuant to law. Prior to deed application all subsequent taxes, special assessment liens, and current taxes must be paid and endorsed on the certificate.

If the lien is redeemed, the certificate holder is entitled to taxes, interest on the taxes, and advertising fees. Liens may be redeemed at any time prior to the issuance of a Treasurer's Deed.

**NOTE:** Redemption interest for 2018 taxes payable 2019 Tax Lien

Sale Certificates of Purchase will be at the rate of 12% per annum. Portions of a month shall be counted as whole month pursuant to law. **WRONGFULLY SOLD LIEN** - If a lien is wrongfully sold and the County must pay the certificate holder the accrued interest, the rate will be 8% per annum for the delinquent tax liens sold this year.

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If there are further questions, please call (303) 621-3120.

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