

## DELINQUENT TAX CERTIFICATE SALE

- All lands, lots, mineral rights, and royalty interests on which taxes or neighborhood improvement district special assessments are delinquent and unpaid are subject to a tax certificate sale at public auction.
- The tax sale is held annually on the fourth Monday in August commencing at 10:00 a.m on the West side of the courthouse in Marshfield, MO.
- Delinquent taxes with penalty, interest, and costs due thereon may be paid to the County Collector at any time before 10:00 a.m. on the sale date with cash, a cashier's check or a money order.
- The list of properties subject to sale is published in two local newspapers, The Marshfield Mail and the Webster County Citizen, for three consecutive weeks prior to the sale, and may be found online at [www.webstercountycollector.com](http://www.webstercountycollector.com).
- The sale is conducted by the Webster County Collector proceeding through the list in the same order as listed in the newspaper publication. Buyers must be present to win or have a representative buying for you.
- Each parcel offered for sale is individually identified by a brief legal description as it appears on the Assessor's rolls.
- Buyer must provide identification and sign an affidavit stating that he/she is not currently delinquent on any tax payments on any property. Failure to sign such affidavit, as well as signing a false affidavit, may invalidate the property purchase.
- The successful bidder receives a certificate of purchase. The total purchase price must be paid to the Collector's Office with cash, a cashier's check or a money order.
- If the bid amount is not paid, a penalty of 25% of the bid amount plus a prosecuting attorney's fee may be assessed against the bidder.
- The Collector issues, records, and mails a certificate of purchase to the purchaser. The certificate of purchase is retained for one year or until the property is redeemed.
- The original property owner may redeem a first or second offering property any time within one year from the sale date.
- The purchaser may assign ownership of the certificate of purchase by completing the assignment portion on the certificate. The assignee must be a resident of Missouri, and must not be delinquent on any taxes. Such assignment must be notarized and presented to the Collector's Office.
- Liens are not extinguished at the time of sale or during any period of redemption.

- The purchaser will receive current tax statements each year on the property until it is redeemed or Collector's deed has been issued; failure to keep the taxes current may result in the property being sold again at another tax certificate sale, resulting in the original certificate of purchase holder losing their interest in the property.
- Notify the Collector's Office of any address changes.
- The preceding is provided as general information only. Contact a legal professional for any legal advice.

## **BUYER BEWARE!!**

Be sure to research very carefully the properties you wish to bid on. There are some properties in Webster County with federal or state tax liens, hazardous conditions or that are considered common area. It is up to the buyer to research the property fully and understand how those conditions may impact your purchase.

Non tax sale liens or other obligations on the property may not be extinguished at the time of the auction, or during any redemption period. We advise you to consult your attorney about liens and/or deeds of trusts, etc. (140.420)

## **PROPERTY REDEMPTION**

Property sold at tax certificate sale for delinquent taxes may be redeemed within one year from the issuance of a certificate of purchase as follows:

1. Please advise the Collector's Office at least twenty-four hours prior to the date you will be redeeming. We recommend scheduling an appointment and allowing twenty minutes to process.
2. Pay the bid amount on the certificate of purchase plus 10% per annum interest on taxes, fees, and costs of sale. No interest is paid on a sum paid by a purchaser in excess of the delinquent taxes due.
3. Pay the amount of any subsequent years' taxes paid, if applicable, plus 8% per annum interest.
4. Pay the Collector a recording fee.
5. Pay the Collector any unpaid taxes owed on the property.
6. Pay a title search fee and postage fee, if applicable.
7. Payments must be made by cash, cashier's check or money order.

Property may be redeemed by the owner of record or on the owner's behalf by a party of interest. Any person who is a party of interest will need to provide identification and sign an affidavit to the effect.

Any tax sale bid amount which results in a surplus amount above the delinquent taxes and sales costs paid by the certificate of purchase holder is available for the owner of record. The surplus amount is deposited in a separate fund and held for the owner. If undisputed, the surplus amount may be obtained from the Webster County Treasurer.

The Collector's Office notifies the certificate of purchase holder when the property has been redeemed. The certificate of purchase must be surrendered to the Collector before the holder will be reimbursed the bid amount plus interest.

## **NON-MISSOURI RESIDENT INFORMATION**

No bid shall be received from any person not a resident of the state of Missouri, until such person shall file with said Collector an agreement in writing consenting to the jurisdiction of the circuit court of such Collector and also filing with Collector an appointment of some citizen of said county as agent of purchaser, and consenting that service of process of such agent shall give such court jurisdiction to try and determine any suit growing out of or connected with such sale for taxes.

Certificates of purchase cannot be assigned to non-residents or delinquent taxpayers.

## **COLLECTOR'S DEED**

If the property sold at tax sale has not been redeemed during the one year redemption period, the holder of the certificate of purchase may apply for and receive a Collector's deed to the property. A Collector's deed can be issued to the certificate of purchase holder when all RSMo statues have been met:

1. The legal holder of the certificate for purchase is named as the original tax sale purchaser or the assignee on the original certificate of purchase.
2. Not more than 120 days from the date the purchaser applies for the Collector's deed, the purchaser obtains a title search report from a licensed attorney or licensed title company detailing the ownership and encumbrances of the property. Applying for the Collector's deed after 120 days will result in said title search to be invalid. A paid receipt along with copy of title search must be furnished to the Collector's office.
3. The purchaser has provided an affidavit to the Collector, that at least 90 days prior to requesting a Collector's deed the purchaser has notified the owner of record at the last known address and anyone with a publicly recorded claim upon the property, by first class mail and certified mail return receipt requested, that they have 90 days to redeem said property, or forever be barred from redeeming said property. **The affidavit must include:** name of purchaser, date of sale, legal description of property

purchased, date and to whom every required noticed was sent, and have attached the following original documents:

- a. title search report and,
- b. for each recipient, the following:
  - \* 1<sup>st</sup> class mail and certified mail notices
  - \* copies of addressed envelopes as they appeared immediately before mailing
  - \* certified mail receipt as it appeared upon its return
  - \* any returned regular mail envelopes

4. The certificate of purchase has been **surrendered** to the Collector.
5. Appropriate fees have been paid to the Collector including recording and collection fees.
6. To ensure a refund of title search and postage fees, receipts must be turned in to the Collector's Office. Fees will not be reimbursed if all receipts have not been turned in to the office prior to redemption. The Collector's Office is **NOT** responsible for calling the certificate of purchase holder to obtain this information. **FAILURE TO PROVIDE THIS INFORMATION WILL RESULT IN FEES NOT BEING COLLECTED!**

If the Collector's deeds from any tax sale publication are not claimed and recorded within two years of the sale date, all rights and liens you have will cease. Reference State Statute 140.410.

***The Collector's Office makes every effort to notify interested parties; however, failure to receive notice(s) does not affect the legal time constraints for redeeming property or obtaining a Collector's deed.***

The Collector makes no warranty on the title generated by issuance of a Collector's deed. Failure to lawfully follow all tax sale guidelines and procedures found in Chapter 140, in the Missouri State Statutes, may eventually result in the purchaser's loss of all interest in the purchased property and may leave said purchaser liable for civil damages or criminal charges.

**Questions? Contact the Collector's Office for information.**

### **Kevin Farr**

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Web Site: [www.webstercountycollector.com](http://www.webstercountycollector.com)  
Office Hours: Monday thru Friday 8:00am to 5:00pm  
(open thru the lunch hour)