

Oakland County Treasurer's Office
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OAKLAND COUNTY TREASURER LAND SALE AUCTION RULES AND REGULATIONS

This auction is being held in compliance with the General Property Tax Act, more specifically MCL 211.78m, all applicable court decisions and these Rules and Regulations. In 1999, a law was passed that eliminated the annual tax lien sale and replaced it with an annual land sale where the property is awarded to the highest bidder. The property is sold "as is" with no warranties either expressed or implied. The Oakland County Treasurer has not made a visual inspection of the interior of any improved property, and makes no warranties as to the physical condition of the premises. Announcements made on the day of the auction shall take precedent over previously published or verbally conveyed terms and conditions. All bidders must be attentive at the auction!

THIS SALE IS OPEN TO THE PUBLIC.

When available, information regarding the proposed properties listed for auction will appear on the Oakland County Website listed above. Prior to the sale, a complete package of the properties will be available from the Oakland County Treasurer's Office over the counter for \$5.00 or through the mail for \$8.00. All of the listed properties may not be available at the time of the sale, as circumstances may require their removal from the sale. **An updated list of properties that are expected to be available at a particular sale will be available at the door the day of the sales.**

The sales are scheduled to be held in the Oakland County Commissioner's Auditorium which is located next to the Oakland County Treasurer's Office at the address listed above. The auctions are scheduled to be held in [between July and October](#).

1. REGISTRATION

Advance registration is available for each auction at the Oakland County Treasurer's Office on [Monday the week before the auction](#), excluding holidays. Registration will start at 8:30 a.m. on each day. No bids will be accepted unless the bidder has registered and received a pre-numbered bid card. Driver's license or state I.D. will be required to register and receive a bidder number. The auction will begin at 10:00 a.m. A person unable to attend may be represented by an agent or other representative. The agent or representative at the time of registration must present a court appointed authority and/or notarized Power of Attorney specific to real estate transactions permitting the registrant to act as the agent or representative. The registered bidder is legally and financially responsible for all parcels bid upon, whether representing themselves or acting as an agent or representative.

2. PROPERTIES OFFERED

The properties offered have been foreclosed for non-payment of delinquent real property taxes and/or special assessments. According to state statutes, all prior liens, past installments of special assessments (item #8), and liens recorded by this state or Oakland County pursuant to the natural resources and environmental protection act of 1994 as amended (item #10), are cancelled by Circuit Court Order. The properties are subject to any state, county, local zoning, or building ordinances. The Oakland County Treasurer, the department, its officers, employees, and agents, do not guarantee the usability or access to any of these lands. It is the responsibility of prospective purchasers to do their own research as to the use of the land for their intended purpose, and to make a personal inspection of the property to determine if it will be suitable for the purposes for which it is being purchased. Further, the Oakland County Treasurer, the department, its officers, employees, and agents, make neither representation nor claim as to fitness for purpose, ingress/egress, conditions, covenants, or restrictions. Occupied structures may not be entered without the tenants' permission. Secured vacant structures may not be entered.

All offered properties may be subject to flooding. New construction or reconstruction should be elevated above the 100-year flood plain. In addition, any filling, dredging, or other permanent construction, below the ordinary high-water mark of the water body involved may be subject to the provisions of 1972 Public Act 347. These properties may also be subject to the Goemaere-Anderson Wetland Protection Act, 1979, Public Act 203.

3. MINIMUM BID PRICE

At the 1st Public Auction, no sales will be made for less than the minimum bid price indicated. **The minimum bid prices will be shown on the list handed out at the door.**

"Minimum Bid" is defined in MCL 211.78m (11). "As used in this section, 'minimum bid' is the minimum amount established by the foreclosing governmental unit for which property may be sold under this section. The minimum bid shall include all of the following: (a) All delinquent taxes, interest, penalties, and fees due on the property... (b) The expenses of administering the sale, including all preparations for the sale."

The starting bid for all property offered at the second public auction will be less than the minimum bid (as defined above). A list of all properties, including the starting bid amount, will be available on our website at www.oakgov.com/treasurer. The day of the auction, registered bidders will receive a copy of the list of properties including the starting bid amount.

4. BIDDING

Any registered person, corporation, or association authorized to purchase property may bid on the properties offered. A bidder must display a bidder's card to bid. Each sale unit will be offered separately and in the order appearing on the list. Each sale will be awarded to the individual bidding the highest price as determined by the auctioneer. The auctioneer will read the sale unit number. The auctioneer will then accept bids in increments he/she sets.

An oral bid accepted at public auction, is a legal and binding contract to purchase (see item #5). No sealed bids will be accepted and the Oakland County Treasurer reserves the right to reject any or all bids.

5. TERMS OF SALE – THE FULL PURCHASE PRICE MUST BE PAID THE DAY OF THE SALE BY 4:30 P.M.

Each sale unit number will be considered a separate purchase. Successful bidders will be required to sign an Offer to Purchase. Full payment for ALL parcels is required by 4:30 p.m. on the day of the auction. Bidders who fail to consummate any purchase will forfeit all monies paid and ALL properties successfully bid upon. Bidders will also be banned from bidding at ALL future Oakland County Treasurer's Land Sale Auctions, and will be subject to court action. It is suggested that money orders or cashier's checks, be made payable to the "Oakland County Treasurer or Insert your own name." If the checks are not used towards the land sale, you will be able to redeposit them back in your account. No purchases can be made on a time-payment plan. Credit cards and Debit cards will not be accepted. The County Treasurer reserves the right to cancel or suspend any sale, at any time.

6. PURCHASE RECEIPTS

Upon signing the Offer to Purchase for the parcel and submission of the full payment, bidders will be issued a receipt for their purchase. Purchaser(s) will be entitled to a fee simple deed for the property subject to items #5 and #7.

7. TITLE CONVEYANCE

A deed pursuant to Act 123 of 1999, conveying fee simple title and, drafted with the name(s) as entered on the registration, will be recorded by the Oakland County Treasurer's Office with the Oakland County Register of Deed's Office within 30 days. The Oakland County Treasurer will request the Register of Deed's to send the deed to the purchaser upon completion. It is the purchaser's responsibility to contact the assessor and treasurer in the city, township, or village in which the property is located and file a "Property Transfer Affidavit." Title insurance companies may or may not issue title insurance on properties purchased at this sale. The Oakland County Treasurer makes no representation as to the availability of title insurance. The unavailability of title insurance is not a ground for re-conveyance to the Oakland County Treasurer. Purchaser may incur legal costs for a quiet title to satisfy the requirements of title insurance companies in order to obtain title insurance.

8. SPECIAL ASSESSMENTS

All bidders should contact the county, city, township, or village office, to determine if there are any special assessments for future tax years, on the properties offered. They should also check for other assessments, which may include but are not limited to County Drain, Road Commission, and other Local Government assessments such as weed cutting, debris removal, demolition, etc. These items may be attached to the current tax bill (see item #11).

9. POSSESSION OF PROPERTY

We recommend that the purchaser does not take physical possession of any property bid upon at this sale until the deed has been executed and delivered to the purchaser (see section #7). No activities should be conducted on the site other than a baseline environmental assessment for contaminated properties. However, steps should

be taken to protect your equity in this property by securing vacant structures against entry and obtaining insurance for the property.

If the property is occupied, eviction will be at the purchaser's expense. Additionally, buyers are responsible for contacting local units of government to prevent possible demolition of structures situated on parcels.

10. CONDITIONS

The purchaser accepts the premises in its present "as is" condition, and releases the Oakland County Treasurer, the department, its officers, employees, and agents, from all liability whatsoever arising from any condition of the premises, whether now known or subsequently discovered, including but not limited to all claims based on environmental contamination of the premises.

A person who acquires property that is contaminated (a "facility" pursuant to Section 20101(1)(o) of the Natural Resources and Environmental Protection Act (NREPA), 1994, P.A. 451, as amended) as a result of release(s) of a hazardous substance(s) may become liable for all costs of cleaning up the property and any other properties impacted by the release(s). Liability may be imposed upon the person acquiring the property even in the absence of any personal responsibility for, or knowledge of, the release. Protection from such liability may be obtained by conducting a Baseline Environmental Assessment (BEA) as provided for under Section 20126(1)(c) of NREPA. However, the BEA must be conducted prior to or within 45 days of the earliest date of purchase or occupancy of the property. Persons who acquire contaminated property may have "due care" obligations under Section 20107a of NREPA even if they conduct a BEA and are not liable for the contamination.

Pursuant to Part 201 of the NREPA, the person(s) responsible for an activity causing a release at the property is obligated to pursue response activities at the property. Consequently, the non-labile purchaser may be required to provide access to a liable party to conduct response activities at the property in the future.

Section 20116 of the NREPA requires that a person who has knowledge that their property is contaminated provide a written notice to the purchaser or other person to whom the property is transferred who discloses the general nature and extent of the release. Additional disclosure obligations may also apply at the time the property, or an interest in the property, is transferred. Accordingly, it is recommended that a person who is interested in acquiring property through this sale contact an attorney or an environmental consultant for advice prior to the acquisition of any property that may be contaminated.

You may contact the environmental assistance center at 1-800-662-9278 for possible information regarding questions to environmental concerns on any of these properties.

11. PROPERTY TAXES

The new owner will be responsible for the current year summer and winter taxes including any penalties & fees that become due and payable since the foreclosure hearing circuit court date.

12. FOOD OR BEVERAGES

Food or beverages are not permitted in the Oakland County Commissioner's Auditorium. Smoking is not permitted in the building.