2019 OCTOBER OAKLAND COUNTY LAND SALE RULES

The Oakland County Land Sale is held in accordance with the General Property Tax Act, MCL 211.78m and related law, which makes the county treasurer the foreclosing governmental unit responsible for collection of delinquent property taxes and property tax foreclosure when necessary. At no less than one (1) annual land sales, property is auctioned and awarded to the highest bidder. The starting bid for all properties offered at the October Land Sale Auction has been set in accordance with MCL 211.78m (5).

Property is sold "as is" and “where is” with no warranties, either expressed or implied. Prior to the sale, purchasers are encouraged to perform careful due diligence to understand any potential issues with the property, including, but not limited to: special assessments, environmental issues or demolition status.

Taxpayers with delinquencies on any Oakland County property at the time of registration for the sale or taxpayers who have lost property to tax foreclosure during the past three years are not eligible to participate in the Oakland County October Land Sale. No same day registration will be allowed. Registration ends September 27, 2019. Staff and immediate relatives of the Oakland County Treasurer’s staff are prohibited from purchasing property from the tax foreclosure auctions and the surplus property portfolio.

The Oakland County Treasurer has not made a visual inspection of the interior of any property and makes no warranties as to the physical condition of the premises.

THIS SALE IS OPEN TO THE PUBLIC

When available, information regarding properties listed for sale will appear on the Oakland County Treasurer’s website. Prior to the sale, an updated list of properties will be available from the Oakland County Treasurer's Office over the counter for $5.00 or by mail for $8.00. Properties may be removed from the auction at any time.

2019 Oakland County Land Sale
Ultimate Soccer Arenas
867 South Boulevard,
Pontiac, Michigan

October 2, 2019

Doors open at 8:30 a.m.
Live auction begins at 10 a.m. sharp.

No same day registration.
1. REGISTRATION – NO SAME DAY REGISTRATION

Registration is available beginning Tuesday, September 3 through Friday, September 27, 2019 at the Oakland County Treasurer’s Office and online at www.oakgov.com/treasurer. In order to participate, a bidder must register, sign an affidavit and receive a bidder number, which will be needed to get a pre-numbered bidder card the day of the sale.

- For an individual: a current, valid driver’s license or other government-issued identification is required to register.
- For an LLC, corporation, enterprise or business: Department of Licensing and Regulatory Affairs documentation showing that the company is in good standing, proof that you are a registered agent for the company and personal identification are required.
- For a Trust: proof of Executorship and personal identification are required.
- A person unable to attend may be represented by an agent or other representative; however, a deed will only be issued in the name of the registered party. The agent or representative at the time of registration must present 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

Properties offered are property tax foreclosed for non-payment of delinquent real property taxes or special assessments. According to state law, prior liens are cancelled by the property tax foreclosure process and Circuit Court Order, with limited exceptions, including but not limited to Internal Revenue Service and environmental liens. Properties are subject to any state, county, local zoning, or building ordinances. It is the responsibility of prospective purchasers to perform due diligence on any property before purchasing. Further, the Oakland County Treasurer, the department, its officers, employees, and agents, make neither representation nor claim as to fitness for purpose, usability, ingress/egress, conditions, covenants, or restrictions. The Oakland County Treasurer reserves the right to pull properties from the land sale at any time.

3. MINIMUM BID PRICE

The starting bid for all properties offered at the October Land Sale Auction has been set in accordance with MCL 211.78m (5). No sales will be made for less than the opening bid price. A list of all properties, including the opening bid amount, will be available on our website at www.oakgov.com/treasurer or at the Treasurer’s Office for $5.00. The day of the auction, registered bidders will receive a copy of the list of properties including the opening bid amount for each property.

4. BIDDING

A bidder must prominently display a pre-numbered bid card to participate. Any bid attempt that does not prominently display the bidder number may not be recognized. Properties will be awarded to the individual bidding the highest price as determined by the auctioneer. The auctioneer will read the sale unit number and accept bids in increments he/she sets.

An oral bid accepted at public auction creates a legal and binding contract to purchase. No sealed bids will be accepted and the Oakland County Treasurer reserves the right to reject any or all bids.
5. TERMS OF SALE

Successful bidders will sign a Purchase Agreement. Full payment for ALL parcels is expected by 4:30 p.m. on the day of the sale. Upon signing the Purchase Agreement for the parcel and making full payment, bidders will be issued a receipt for their purchase. Bidders who fail to consummate any purchase will forfeit all monies paid and all properties successfully bid upon. Bidders will also be banned from all future Oakland County Land Sales and may be referred for criminal prosecution.

Acceptable forms of payment:
- Cash under $10,000.
- Money orders made payable to the Oakland County Treasurer.
- Cashier checks made payable to the Oakland County Treasurer.
- Wire transfers. Instruction available on the day of the sale.
- Credit cards and debit cards will not be accepted.
- No purchases will be made on a payment plan basis.

The County Treasurer reserves the right to cancel or suspend any sale at any time. There are no refunds or returns under any circumstance.

6. TITLE CONVEYANCE

Proof of payment of 2019 summer taxes, including any interest and/or penalty, must be provided to the Oakland County Treasurer’s Office before a deed conveying title to the registered party will be recorded. The Oakland County Treasurer will request the Register of Deeds send the deed to the purchaser within the statutory timeframe. It is the purchaser's responsibility to contact the local assessor’s office to file a Property Transfer Affidavit and the local treasurer to provide updated name and address information for future tax bills. There are no refunds or returns under any circumstance.

7. POSSESSION OF PROPERTY

The Oakland County Treasurer makes no representations or warranties as to the occupancy status of any property in the land sale. If a property is occupied, the purchaser must use the legal eviction process at the purchaser’s expense to secure possession of the property.

8. PROPERTY TAXES

The new owner will be responsible for the current year summer taxes, including any interest and/or penalty, — with proof of payment provided to the Oakland County Treasurer’s Office before the deed will be recorded — and all future taxes.

9. SPECIAL ASSESSMENTS

All bidders should contact the city, county, township, or village office to determine if there are any special assessments for future tax years on the properties offered and to provide name, address and contact info. Bidders should also check for other assessments, which may include, but are not limited to: county drain, road commission and other local government special assessments, such as weed cutting, debris removal, demolition, etc. These items may be attached to the current or future tax bill.
10. **CONDITIONS**

The purchaser accepts the premises in its present “as is” and “where is” condition, and releases Oakland County, the 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-liable 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.

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.