

PUBLIC NOTICE

Notice is hereby given that on the 16th day of May 2019 at 10:00 A.M. at the West Lobby of the Sanpete County Courthouse, Manti City, Sanpete County, Utah, the Sanpete County Auditor, Stacey Ann Lyon, will offer for sale at public auction and sell to the highest bidder for cash, under the provisions of section 59-2-1351 and 59-2-1351.1 Utah Code, the following described real property, located in said county and now five years delinquent and subject to tax sale. A bid for less than the total amount of taxes, interest, penalty and administrative costs, which are a charge upon said real estate will not be accepted.

METHOD OF SALE

The Board of County Commissioners of Sanpete County has determined the following method of sale best meets the objectives of protecting the financial interests of the delinquent property owner and collecting delinquent property taxes due:

The highest bid amount for the entire parcel of property. However, a bid may not be accepted for an amount which is insufficient to pay the taxes, penalties, interest and administrative costs. Any amount received in excess of the delinquent taxes, penalties and interest due to all local governments, and any administrative costs by the County, shall be treated as unclaimed property and paid to the State Treasurer's Office, pursuant to Title 67, Chapter 4a of the Utah Unclaimed Property Act.

SANPETE COUNTY TAX SALE RULES

1. The County Auditor will state the amount of taxes, penalties, interest, and administrative costs on the parcel being offered for sale, which is the amount at which bidding will begin and the lowest acceptable bid.
2. Upon receipt of a bid sufficient to pay the taxes, penalties, interest, and administrative costs on the parcel, higher bids shall be solicited. The bid received in the highest dollar amount, when no higher bids are tendered upon request by the County Auditor, shall be the bid accepted (if such bid is otherwise acceptable under these rules).
3. Property having title deficiencies, description deficiencies, or other deficiencies may be withdrawn from a tax sale. Property withdrawn from a tax sale may be re-certified to a subsequent year's tax sale after the reasons for the withdrawal have been resolved. Re-certification must be approved/ratified by the Board of Commissioners.
4. A property determined to be a public street, road, canal, or other property subject to public use, based on the records of the County Recorder and/or a physical on-site inspection, will be struck from the sale in the name of Sanpete County.
5. Any property offered for sale for which there is no purchaser or which is not otherwise acceptable under these rules shall be struck off to Sanpete County by the County Auditor, and fee simple title to the property shall then be vested in Sanpete County.
6. Only cash, certified funds, or personal checks will be accepted in payment for property. Payment is due, and shall be made to the County Treasurer. After the conclusion of the bidding for the delinquent parcels of property included in the annual real property tax sale, the sale will

be adjourned for a 30 minute recess, during which time all payments for parcels of property purchased at the tax sale shall be made to the Sanpete County Treasurer. Any parcels of property which have not been paid for at the conclusion of the recess period will be re-auctioned. At the re-auction no bids will be accepted from any bidder who failed to pay any bid. If no bid is received at the re-auction for the parcel of property, the Board of County Commissioners may enforce the original accepted bid. Any individual who is a successful bidder for a parcel of property included in the annual real property tax sale and who fails to pay for said parcel of property, will be barred as a bidder in the tax sale the following year.

7. A property owner or lien holder CANNOT better his or her position by purchasing at the tax sale. This includes having family, friends, or associates buying the property and quit claiming it back to the owner. Therefore, if a lien holder, associate, or the owner pays the tax at the sale it will be considered a redemption rather than a tax sale. The County Auditor reserves the right to prevent bidders from participating in the auction or accept bids from bidders that he/she has reason to believe may be attempting to violate this ordinance. This includes prevent a winning bidder from paying a winning bid to the Treasurer on the day of the sale and/or not allowing the bid to be ratified by the Sanpete County Commission after the sale.

8. A bidder shall preregister in person, prior to **9:55 A.M.** on day of sale, and be given a number for bidding purposes. In the registration, the bidder shall properly and clearly identify correct information and address for use in issuance of deeds.

A. Bids submitted and the Tax Deed issued thereafter will only be executed in the name of an individual bidder/purchaser.

B. Individual bidder shall mean a corporation, partnership, trustees of a trust, or proprietorship duly registered, or licensed, in the State of Utah, or a natural person or husband and wife.

C. A bidder must register the name under which he/she will bid in the sale and each bidder will be limited to registering and bidding under one name only.

9. One deed, and only one deed, will be issued to the successful bidder on parcels sold.

10. The bidder first recognized by the County Auditor will be the first bid recorded, etc. As in any auction, the bid recognized is the one in effect at the time.

11. Collusive bidding will be strictly prohibited.

12. Loud whispering, yelling, cell phone ringing, or talking, other than the bids, must be avoided so that accurate records may be kept of the proceedings of the sale. At any time the County Auditor may excuse a bidder for this reason.

13. The final bid number announced by the County Auditor is the official sale, and the bidders previously registered name and address will be the name that will go on the deed.

14. All bids shall be considered conditional dependent on whether or not the bid is contested, until reviewed, and accepted, by the Board of County Commissioners, acting at a regular scheduled meeting.

15. The Board of County Commissioners may reject any and all bids on the ground that none is acceptable. Should a bid be rejected, all funds accepted for the concerned parcel will be refunded.

16. Once the County Auditor has closed the sale of a particular parcel of property as a result of accepting a bid on said parcel, the successful bidder, or purchaser of the property, may not unilaterally rescind the bid. The county legislative body, after acceptance of a bid, may enforce the terms of the bid by obtaining a legal judgement against the purchaser in the amount of the bid, plus interest and attorney's fees.

17. A fee in the amount of \$400.00 will be assessed on each parcel for 'administrative costs'

18. Any person wishing to contest any action taken in connection with the Tax Sale must present such protest in writing to the Sanpete County Commission by 9 a.m. on Tuesday, May 21, 2019.

19. The period to redeem property prior to closing of the books and beginning of the Tax Sale shall end on **Thursday, May 16, 2019 at 9:45A.M.**

20. The bidder on any parcel of property may be subject to a roll back tax under the provisions of "THE FARMLAND ASSESSMENT ACT", Utah Code Sections 59-2-501 thru 59-2-515.

21. A copy of the Tax Sale rules may be obtained in the office of the Sanpete County Auditor, Sanpete County Courthouse, 160 North Main Ste 207, Manti, Utah 84642, or online at Sanpete.com.

Individuals with disabilities needing special accommodations during this proceeding should call Sandy Neill (435) 835-2131 at least 3 working days in advance.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL
THIS 19th DAY OF March, 2019.

STACEY ANN LYON
SANPETE COUNTY AUDITOR
Published in THE PYRAMID April 18, 25, May 2, 9, 2019

