

CUSTER COUNTY TREASURER

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TAX SALE INFORMATION (Please read carefully)

The following information is subject to change and does not constitute legal advice.

All delinquent taxes and special assessments are advertised in the Custer County Chief newspaper the first three weeks in February. You may obtain a copy from the newspaper. An updated delinquent tax listing is available on the Custer County website at <http://www.co.custer.ne.us>. The website list will be the order of sale. We will provide you with a copy of the updated list on the day of sale. The sale will be conducted using the list provided. You must do your own research in advance of the sale. We do not provide this service; however, we do invite you to use our tax website <http://custerne.taxesifter.com/taxesifter> where you can view Custer County assessment and tax information.

PUBLIC TAX SALE:

The Public Tax Sale begins the first Monday in March generally starting at 10:00 A.M. at a designated location. During this time, any of the advertised delinquent taxes may be purchased on a **PUBLIC TAX SALE CERTIFICATE**. Bidders must register prior to participation in the sale and pay a \$25 registration fee (not refundable upon redemption). Pre-registration information is available at <http://www.co.custer.ne.us> or by email lmoran@custerne.com. You are required to provide a completed investor information sheet (available on website or by request), a completed Form W-9, \$25 registration fee and a signed blank check payable to the Custer County Treasurer on or before the Friday prior to the tax sale. For additional information, please contact the Custer County Treasurer's office at 308-872-2921 and ask for Lana or Sheri. The Custer County Treasurer reserves the right to request proof of identification and/or a cashier's check. Each individual may represent only one entity. Bidders who register as basically the same entity will be disallowed and only one representative will be allowed to participate. Each qualifying entity must possess a separate Federal Identification number or Social Security number.

The public sale is conducted in a round robin format. You will draw a number to determine your bidding order. We will begin with the first available parcel and the first bidder will have the option of purchasing a tax sale certificate following payment of all delinquent taxes, interest, advertising fees and a \$20 tax sale certificate fee. Please note that the dollar amounts in the newspaper and on the Custer County website do not include delinquent interest or advertising and may include multiple years of back taxes so be prepared to pay more than is published. If the first bidder chooses not to purchase the tax sale, the second bidder has the option and so on. We will continue, beginning each round with bidder #1, until all parcels have been offered or there is no further interest in the listings. When the sale is finished, we ask that each bidder approve our recording of your purchases and signs your approval as an individual or representative for the purchaser listed on the registration form. A tax sale certificate **will not** be

issued until you have done so. We will then process your tax sale certificates and mail **copies** of these certificates to you. The original certificates will be retained in our office. When we have computed a total purchase amount, your check will be processed. We will be happy to email or fax your total check amount to you. The certificates will be issued in the name that you designated as the purchaser when you registered. After the certificates are produced you will have to pay a \$20 reassignment fee to change certificate ownership names(s) or to actually assign the certificate to someone else.

Cell phones will be OFF. If you have to leave the room to take/make a phone call the tax sale will continue without you. Therefore, you may miss your turn.

IT IS YOUR RESPONSIBILITY TO KNOW WHAT YOU ARE BUYING. You cannot come back later and ask for a refund. You are not purchasing the property; therefore, you will have no authority over the property or its disposition whatsoever. You are strictly purchasing a tax lien on the property by paying the back taxes. To make it simple, think of the purchase of a tax certificate as a loan to the property owner. In return, the investor receives interest on the money loaned.

These are the rules of the sale. You have agreed to these rules by your participation.

After the Public Sale **and** after all the paperwork is processed, there are usually some delinquent taxes that are still un-purchased. In **approximately** one week, an updated list will be available on our website or you may purchase a list at the Custer County Treasurer's office.

PRIVATE TAX SALE:

The private sale begins the first Tuesday in March, following the public sale. All remaining delinquent taxes are for sale under **PRIVATE TAX SALE**. This type of certificate is sold to any person who will pay the amount of taxes, interest, advertising, and a \$20 tax sale certificate fee on an advertised, delinquent property. You must complete an investor information sheet and provide us with a completed W-9. Once again, you only acquire a perpetual lien of the tax on the land. Redemption, subsequent taxes and foreclosure follow the same guidelines as a Public Tax Sale Certificate.

COUNTY TAX SALE:

Any parcels that remain unsold may, upon direction of the county board, be written up on a **COUNTY TAX SALE CERTIFICATE**. These certificates may be assigned at any time to any person wishing to buy them for the amount of taxes, interest, advertising and \$20 tax sale certificate fee. You must complete an investor information sheet and provide us with a completed W-9. Once they mature, you can begin your own action for foreclosure.

A sheriff sale is held on county tax sale certificates, as determined by our county attorney. Our county attorney's office will have information as to which properties on county tax sale certificates, if any, will be sold this year.

ASSIGNMENTS:

There is a \$20 fee for assignments of Public, Private or Assigned County Tax Sale Certificates. You will be required to furnish a notarized assignment before any certificate will be assigned to someone else.

REDEMPTION:

The redemption time is 3 years after the issuance of the tax sale certificate. When a tax sale certificate is redeemed, you will be paid a 14% interest rate from the date of the sale and/or date subsequent taxes were paid to the date of redemption. Please note that the \$20 certificate fee is not reimbursed. Your check will be mailed in approximately 14 days, giving the redemption check time to clear the bank. If we receive a cash payment, your check may be mailed sooner.

If the tax sale certificate is not redeemed, subsequent taxes may be paid as they become delinquent on May 1 and September 1 of each year. However, we will not sell any subsequent taxes until we have processed all taxes paid by our taxpayers. Do not call us until the second week or later of these months. We will not send you reminders.

FORECLOSURE ACTION:

You are responsible for your own process when the certificate matures. There are statutory time limits and if you do not take action to foreclose within this time, you will most likely lose your entire investment. We do not provide any notification of these expiring time limits nor do we advise you on how to foreclose on a tax sale. **However, one of your statutory responsibilities is to notify the treasurer's office if a foreclosure action is filed.**

BANKRUPTCY:

We do not offer sales on property already in bankruptcy. If you buy a tax sale on a parcel which later goes into bankruptcy, you will need to see an attorney. The county assumes no responsibility.

Once again, we do not offer legal advice. We are not attorneys and therefore cannot provide any guidance. **IF YOU NEED ADVICE, SEE YOUR ATTORNEY.** It is imperative that you understand the complexity of this process and comply with the statutes governing tax sales. Before making the decision to participate in a tax sale, you may want to read Chapter 17, Section 18 of the Nebraska Revised Statutes and/or visit an attorney. This chapter is available at <http://statutes.unicam.state.ne.us/>.

CONTACTS FOR TAX SALE INFORMATION:

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