

## **RULES FOR PURCHASE OF PARCELS AT REAL PROPERTY AUCTION**

The Washington County Treasurer's Office will issue a list of parcels available at the real property tax auction. Those parcels will be available for purchase subject to the following rules:

1. In the event that the records of the Washington County Treasurer indicate that any successful bidder owes taxes on any Real Property in Washington County at the time of the acceptance of their bid, that bid will be rejected and the deposit will be forfeited to the County. In addition, no transfer or assignment to such a person will be made by the County.

2. An auction of the properties taken during the County's tax foreclosure process shall be held on the dates specified by the Finance Committee.

3. At the auction, the auctioneer shall announce the high sealed bid submitted, if any. The parcel shall then be struck down to the high submitted sealed bid unless there shall be a bid in a higher amount by any registered auction bidder. If a registered auction bidder shall be the high bidder, he shall be required to submit at the time the property is struck down, a deposit in the amount of 20 percent of the purchase price along with the buyer's premium applied by the auctioneer. Each deposit payment can be made by certified, personal or cashier's check, money order, Master Card, Visa or cash. **PLEASE NOTE: WHEN UTILIZING CREDIT CARDS AS A FORM OF PAYMENT, THERE WILL BE IMPOSED AN ADDITIONAL FEE OF 4%. THIS FEE IS IN ADDITION TO THE 20% DEPOSIT AND 6% BUYERS PREMIUM. PLEASE CONSIDER THIS ADDITIONAL CHARGE CAREFULLY WHEN MAKING YOUR PAYMENT.**

4. The high bidder resulting from a winning sealed bid will, within five(5)business days of notification thereof, be required to execute a contract with the County confirming the purchase and requirements thereof. If he/she is a registered bidder at the auction, the contract shall be executed with submission of the required deposit. Copies of the contract are available upon request. Refusal to so execute the contract shall be considered a declination of purchase and the bid deposit shall be forfeited therewith and the bid rejected. If the high bidder present at the auction refuses to submit the deposit, the property will be offered to the second high bidder **Refusal will result in the putative purchaser being denied bidding privileges on remaining parcels at the auction and future County auctions for a term of no less than five (5) years.** If the second high bidder refuses the property, it may be offered for sale again at the auction. **The second high bidder will not be penalized for refusal.**

5. All bids are subject to acceptance by the Board of Supervisors. The County Treasurer shall notify the high bidder of the action taken by the Board of Supervisors and the date by which full payment of the bid, in guaranteed funds (certified or cashier's check) made payable to the Washington County Treasurer, or in cash, must be made. Each such notice will be mailed to the purchaser at the address provided by him or her in the bid submitted. If the balance is not paid before the required date (currently 30 days after receipt of the notification from the County Treasurer), the bid deposit shall be forfeited.

6. Washington County reserves the right to reject any and all bids.

7. The County makes no promises or statement of fact about any parcel which is being offered for sale. No County employee or agent has any authority to make any promises or representations of any nature concerning any parcel. It is the responsibility of each prospective purchaser to investigate any and all aspects of the status of each parcel which he or she may desire to purchase. Prior to purchase, the prospective purchaser should have conducted any investigations he or she may deem necessary such as (but not limited to):

- a. The status of the title and description of the property;
- b. The existence of any liens, encumbrances or easements affecting the property;
- c. The effect, if any, of any local laws, ordinances, Agricultural District, Adirondack Park Agency or Department of Environmental Conservation regulations and/or conditions which may affect the premises such as:
  - i. zoning;
    - ii. subdivision regulations;
    - iii. sewerage or the presence of any possible toxic or harmful wastes;
    - iv. water;
    - v. any and all other matters pertaining to public health;
    - vi. presence and/or location of underground storage tanks (UST) or above ground storage tanks (AGT).

Together with other matters as the prospective purchaser deems appropriate. Washington County makes no representations as to the environmental condition or zoning compliance of the properties, and recommends that prospective purchasers conduct a phase 1 site investigation before bidding.

8. Purchasers understand that no testing has been done by the County of Washington regarding lead paint and agree to take the property "as is" without further testing. If the property to be purchased lies wholly or partially within an agricultural district, Buyer further acknowledges receipt of the following notice: It is the policy of this state and community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

9. Buyer hereby acknowledges that he is responsible for any and all real property taxes and other assessments on the property not heretofore paid which remain outstanding and have not been canceled by the County's foreclosure process. This includes any sewer and/or water user fees assessed by a municipality other than the County that are due and payable to that municipality even if it for the period of usage prior to the bidders acquisition of the property. Buyer also expressly acknowledges that the tax bills to the property may not arrive at his or her address immediately after the sale, which does not relieve Buyer of the obligation to pay taxes or other assessments on the property. The Buyer must also be aware that transfers may be subject to the provisions of Section 520, "Assessment and taxation of exempt property upon transfer of title", of the New York State Real Property Tax Law.

10. Conveyance shall be made by quitclaim deed only, containing a description of the property as it appeared on the most current finalized tax roll. The deed will be recorded by the County upon payment in full of the purchase price, and closing fees/costs which fees or costs must be paid together with the final price in guaranteed funds as stated above. **Transfer of ownership occurs at such time as the quitclaim deed is filed in the office of the Washington County Clerk. Without exception, successful bidders are not to trespass or otherwise occupy properties until such time as they are in receipt of the duly filed deed from the County Treasurer's Office.**

11. The closing costs/fees which the purchaser shall be required to pay shall consist of (a) filing fee for the current Real Property Transfer Report depending on property class]; (b) filing fee for the combined Gains Transfer Tax Affidavit; (c) all other fees and surcharges required by the Washington County Clerk for recording of the deed.

12. Purchaser shall provide information necessary to complete and shall execute the necessary forms and documents required for recording the deed in the County Clerk's Office. Deeds will be recorded by the Washington County Treasurer's Office.

13. All sales shall become final, absolute and without recourse, and in no event shall Washington County be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns against Washington County arising from this sale.

14. No personal property is included in the sale of any of the parcels owned by Washington County. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.

15. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.

16. The County reserves the right to auction and sell parcels in combinations of two or more.

17. All informational tools such as slides, tax maps, property record cards, etc. are for identification purposes only and are neither a guarantee nor a warranty as to location, dimensions, parcel use and/or size, or anything else. THE COUNTY MAKES NO WARRANTY EXPRESS OR IMPLIED IN CONNECTION WITH THIS SALE. The County is NOT responsible for any typographical errors. Tax maps for these properties are available at the following:

Washington County Real Property Tax Services  
County Municipal Center, Building B, Second Floor  
383 Broadway  
Fort Edward, New York 12828

20. Parcels not sold at sale, or for which sale is not consummated according to the rules herein, shall be placed on a list to be issued by the Treasurer with the advice and consent of the Finance Committee. The list shall be advertised by the Treasurer, and may be listed via the internet by the County's retained auctioneer. Parcels shall be sold in compliance with those procedures for sealed bids as contained in the applicable rules herein.

**NOTICE TO BIDDERS: FAILURE TO COMPLETE THE PURCHASE AGREEMENT AND DEPOSIT IN THE TIME ALLOTTED BY THE AUCTIONEER, FAILURE TO COMPLETE THE 80% BALANCE WITH RECORDING FEES IN THE TIME ALLOTTED BY THE COUNTY TREASURER OR REJECTION OF FUNDS SUBMITTED IN ANY WAY, SHAPRE OR FORM WILL RESULT IN THE BARREMENT FROM PARTICIPATING IN, OR TRANSFER OF PROPERTIES FROM THE COUNTY'S FORECLOSURE AUCTION FOR A PERIOD TO BE NO LESS THAN FIVE (5) YEARS**

***ACKNOWLEDGEMENT OF RECEIPT OF RULES:***

I, \_\_\_\_\_, AS A REGISTERED BIDDER AT THE AUCTION OF TAX FORECLOSED PROPERTIES OF THE COUNTY OF WASHINGTON, HELD ON THE \_\_\_\_\_ TH DAY OF OCTOBER, 20\_\_\_\_, DOES HEREBY ACKNOWLEDGE AND AFFIRM THAT I HAVE BEEN GIVEN, HAVE READ, UNDERSTAND AND WILL ABIDE BY THE **RULES FOR PURCHASE OF PARCELS AT REAL PROPERTY AUCTION.**

_____	_____	_____
Bidder Signature	Bidder #	Date
_____	_____	_____
Witness signature	Title/Entity	Date