

April 6, 1998

Finance Committee: 3-30-98

RESOLUTION NO. 97-98

**ADOPTING PROPOSED LOCAL LAW A FOR THE YEAR 1998
SETTING POLICY ON ACQUISITION & SALE OF TAX DELINQUENT
PROPERTY IN ST. LAWRENCE COUNTY**

By Mr. Greenwood, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators is desirous of implementing a policy on the acquisition and sale of tax delinquent property by way of adopting a local law, and

WHEREAS, the St. Lawrence County Board of Legislators held a public hearing on April 6, 1998,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby adopts Local Law No. 2 for the Year 1998.

**LOCAL LAW A (NO. 2) FOR THE YEAR 1998
SETTING POLICY ON ACQUISITION AND SALE OF TAX
DELINQUENT PROPERTY IN ST. LAWRENCE COUNTY**

Be it enacted by the Board of Legislators of the County of St. Lawrence as follows:

- Section 1: This law is supplemental to Local Law No. 3 for the Year 1995, and supersedes that law wherever applicable.
- Section 2: Except where prohibited by state law, prior owners will be permitted to purchase property acquired by the County in foreclosure for the amount of the back taxes, plus any assessed penalties and interest, until 5:00 PM on the Friday preceding the tax sale auction. Only certified checks, bank checks or cash are acceptable thirty (30) days prior to auction or less.
- Section 3: The Board of Legislators reserves the right to remove from the public auction by resolution property to be sold to municipalities and not-for-profit corporations up to the time of the public auction. However, this does not in any way restrict prior owners under Section 2 of this law.
- Section 4: At the public auction, the highest bidder must tender twenty percent (20%) of the bid or a fifty dollar (\$50.00) deposit, whichever is greater, and the balance within thirty (30) days by certified check, bank check or cash. If the highest bidder is the prior owner, then the prior owner must bid as a minimum the amount of the past due taxes, plus any assessed penalties and interest. Confirmation by the St. Lawrence County Board of Legislators is unnecessary for Article 10 and 11 properties sold at public auction. The County must sell to the highest bidder unless the highest bidder defaults. Upon default of the highest bidder, the deposit will be forfeited, and the County reserves the right to accept the bid of the second highest bidder.
- Section 5: Except as specifically set forth in sections 2 and 3 hereof, all parcels that the County has taken title to pursuant to Article 10 or 11, shall be sold at a properly advertised public auction.

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- Section 6: All property acquired by the County on or before July 15th of the auction year shall be sold in the public auction. The auction is to be held on the first Saturday in October of the auction year. However, this does not in any way restrict prior owners under Section 2 of this law, nor does it restrict the Board of Legislators under Section 3. All property acquired after July 15th, shall be sold in the next year's auction. Such sale will be subject to this article.
- Section 7: The County sells only its lien and interest, does not warrant title, and will convey only by quitclaim deed. No abstracts will be provided.
- Section 8: Any and all recording fees will be the responsibility of the bidder.
- Section 9: All remaining parcels that the County has taken title to pursuant to Article 10 shall be sold at public auction on May 2, 1998. Every section of this local law that is applicable will apply to that auction. Approval to sell those parcels is hereby given by the St. Lawrence County Board of Legislators.

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Mr. Greenwood moved to adopt Resolution No. 97-98, seconded by Ms. Baxter & Mr. Nichols.

Mr. Smith clarified the original owner can take their property back up to 5:00 p.m. the Friday before the sale and the Board can pass a resolution to remove property to be sold to municipalities and not-for-profit corporations up to the time of the auction. This was confirmed.

Resolution No. 97-98 was carried by a roll call vote with fourteen (14) yes votes and one (1) no vote (Moore).