

VERNON PARISH POLICE JURY



ADJUDICATED PROPERTY

PROCEDURES, APPLICATION, AND INFORMATION

IMPORTANT: Prior to filling out the Application for Sale of Adjudicated Property please **check if the property is listed on CivicSource**. If the property is listed on the CivicSource website, you must purchase the property through CivicSouce.

<https://www.civicsource.com/>

PROCEDURES FOR SALE
Of
VERNON PARISH ADJUDICATED PROPERTY

1. Properties adjudicated to the Vernon Parish Police Jury (VPPJ) are for sale to the public after a period of 5 years has passed since the property reverted to VPPJ. A list of Adjudicated Properties is available at the Vernon Parish Assessor's Office (337.239.2167). VPPJ must declare all properties surplus before being allowed to sell to the public.
2. All interested parties are required to fill out an Application Form for Sale of Adjudicated Property (see attached) and to pay VPPJ an initial deposit. Assessment information, legal description, and a copy of the parcel listing for the property site must be submitted to the Police Jury office. This information is available at the Vernon Parish Assessor's Office (337.239.2167).
3. Check with the Vernon Parish Sheriff's Office to make sure that the property has not been redeemed and be sure the property is not lawfully occupied (337.238.1311).
4. VPPJ requires that individuals seeking to purchase Adjudicated Property from the Parish seek the council of an attorney. VPPJ holds no warranty on any properties sold to individuals from Adjudicated Property sales.
5. The Police Jury will review this request. This review process may take up to 120 days. If the Police Jury decides this property is not needed for a public purpose, they will declare the property surplus and authorize the procedures to begin for the sale of the adjudicated property.
6. The Police Jury has the option of selling the adjudicated property to the highest bidder for an amount greater than the amount of any back taxes plus interest, penalty and fees due, or by accepting the highest bidder after requiring an Appraisal Report is completed. The Applicant will be advised which option will be used. The Police Jury will not pay for the appraisal expense.
7. The Applicant will now make an "offer" in written form to purchase the adjudicated property. A notice of intent to sell adjudicated property under the provisions of LSA-R.S. 47:2201 TO R.S. 47:2211 must be published in the Leesville Leader (by VPPJ) once at least 30 days prior to public sale and then again no more than 7 days prior to public sale. This notice will advise the time and date of the public bidding session to be held, the property description and the minimum bid amount (same as the amount offered). Anyone interested in making a counter offer is advised of the procedures to follow in this ad.
8. VPPJ will reserve the right to accept or reject any or all bids received. The property will be sold to the highest bidder (providing the high bid covers all government liens, and all interests, liens, mortgages, privileges, and other encumbrances recorded against the property). During the next Regular Police Jury meeting VPPJ will approve the purchase of the adjudicated property to the highest bidder.
9. If no one submits a bid other than the Applicant, the Applicant's "Offer to Purchase" will be considered the high bidder.
 - a. If the original Applicant is not the high bid, the individual submitting the high bid must reimburse the Applicant the total amount for the Application Fee, the Title Report and Appraisal Report (if applicable). In lieu of this, the highest bidder can pay the Police Jury these expenses and this amount will be refunded to the original Applicant.
10. The acquiring person must seek the council of an attorney. A Title Report will be required listing all interested parties of the Adjudicated Property. VPPJ will not pay this expense.

11. The bidder must send written notice, via certified mail, notifying any tax sale party (interested party) with determined interest at least 60 days after the public sale AND publish the notice in the local newspaper using the appropriate forms (attached). The bidder must use the format provided by VPPJ.
12. After sixty (60) days from the date the written notification was sent and the original advertisement ran in the newspaper (whichever occurred later), the acquiring person shall send to VPPJ a request to authenticate the sale. VPPJ shall authenticate the sale at the earliest Regular Meeting of VPPJ (Police Jury Regular Meetings occur on the 3rd Monday of every month at 10:00am). VPPJ shall provide the acquiring person with the Non-Warranty Cash Sale (see attached) that the acquiring person is responsible for filing with the Vernon Parish Clerk of Court. A certified copy of this form shall be prima facie evidence of the regularity of all matters dealing with the sale and the validity of the sale.
13. Contemporaneously with filing of the sale, the acquiring person shall file with the Clerk of Court the required affidavit (see attached) indicating attempts made to contact prior owners and interested parties of the property. Filing the affidavit acts as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all government liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit, except governmental liens and statutory impositions of political subdivisions. A copy of this affidavit shall also be provided to VPPJ.
14. The Clerk of Court shall treat as cancelled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased insofar as they affect the property.
15. The owner filing the affidavit shall be liable to and indemnify the Clerk of Court, VPPJ and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The Clerk of Court and VPPJ shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release, or erasure of any interest in compliance with this section.
16. Please Note: If a tax debtor or owner participates, directly or indirectly, in post-adjudication sale or donation during or subsequent to the expiration of the redemptive period, it shall be treated as redemption and the tax debtor or owner shall be required to pay all taxes and costs in accordance with all laws applicable to redemptions. If the property is redeemed, all mortgages, liens, privileges, and other encumbrances affecting the property prior to the sale shall remain in full force and effect with the same validity and priority as if the sale had not occurred. The monies paid by the acquiring party shall be returned to them; however, VPPJ is not liable for fees other than those paid directly to VPPJ for the property.
17. * Donations: Donations must follow all the provisions of LSA-R.S. 47:2201 & R.S. 2205 TO R.S. 47:2211 (Steps 1-5 & 10-16). Property may only be donated in accordance with LA State Constitution, Article 7, Section 14 (B), Subsection 6: "The donation of abandoned or blighted housing property by the governing authority of a municipality or a parish to a nonprofit organization which is recognized by the Internal Revenue Service as a 501(c)(3) or a 501(c)(4) nonprofit organization and which agrees to renovate and maintain such property until conveyance of the property by such organizations."

VERNON PARISH POLICE JURY

APPLICATION
for
SALE OF ADJUDICATED PROPERTY

Application Processing Fee of \$150.00 is required.
(NON-REFUNDABLE, CERTIFIED FUNDS ONLY, NO PERSONAL CHECKS)

Application Date: _____

Name: _____ (please print)

Address (Street): _____

(City): _____ (State): _____ (Zip): _____

Telephone No: _____ Cell: _____

E-Mail Address: _____ Fax: _____

Adjudicated Property Requesting: (Separate Application Form for Each Tract)

Please attach a copy of the Parcel Listing & Parcel Map from the Vernon Parish Assessor's Office

Assessor's Assessment Number _____

E-911 Address (if applicable): _____

(City) _____ (Zip) _____

Legal Description (Brief): Township _____ Range _____ Section(s) _____

Offer:

Any Comments:

I understand it is my responsibility to determine if said property is adjudicated to the parish by bringing a copy of the parcel listing from the Tax Assessor's office to the Police Jury main office as well as a tax print out of said property from the Sheriff Tax Office. ***Initial here*** _____

I understand all sums advanced by me will not be applied to the purchase price and are NOT REFUNDABLE unless a higher bid is accepted. ***Initial here*** _____

I understand that the Police Jury evaluation of this property may take ninety (90) days before the property is declared surplus. The parish will contact me one the surplus is declared and inform me of the next steps to be taken. **Initial here**

General Conditions for Purchase of Adjudicated Property:

The Vernon Parish Police Jury makes no WARRANTIES or GUARANTEES of any kind whatsoever, express or implied, with respect to the constitutionality of the sale of the above-described adjudicated property, or any other adjudicated property within the parish. The implied warranties of merchantability and fitness for any particular purpose are hereby disclaimed and excluded. The Vernon Parish Police Jury shall not be liable to any applicant, purchaser, owner or any third party for any special, punitive, incidental or consequential damages resulting from the sale of adjudicated property.

The sale of parish adjudicated property is authorized under LSA-R.S. 47:2201 to 47:2211. All applicants *MUST* obtain legal counsel to acquire adjudicated property, and to carefully review the Application for sale/purchase of adjudicated property. The use of adjudicated property as collateral and the ability to resell or reconvey adjudicated property is not warranted or guaranteed. If the property is encumbered with Federal Tax Liens, the Internal Revenue Service has the right to redeem said property beyond the Date of Sale. The Applicant shall not have any recourse against the Vernon Parish Police Jury or any of the Police Jurors, or any of the Officers, Administrators, Employees, Attorney's, or any other agent for any defect of Title or any defect in the adjudicated property.

CERTIFICATION:

I, the Undersigned Applicant hereby agree and certify that I have read and understand the Application and General Conditions for parish sale of adjudicated property. I fully understand and agree that, in accordance with said conditions, I am not the original Owner of Record or an immediate family member of the original Owner of Record, nor do I hold any financial interest in the adjudicated property noted and described in this Application for Sale of Adjudicated Property.

Print Name: _____

Signature: _____

Date: _____

Vernon Parish Police Jury

Application Received by: _____

Date: _____

This is an important legal notice. Please read carefully.

You will receive no further notice.

[Date]

[name]

[address]

[city, st zip]

Re: Property: [property address]

[Description of property]

Parish of Vernon, State of Louisiana

Tax sale title to the above-described property has been sold for failure to pay taxes. You have been identified as a person who may have an interest in this property.

Your interest in the property **will be terminated** if you do not redeem the property by making all required payments to the tax collector listed below or file a lawsuit in accordance with law within 60 days of the date of this notice, or the recording of an act transferring ownership, if later.

JOHN S. CRAFT
SHERIFF & EX-OFFICIO TAX COLLECTOR
PO BOX 649
LEESVILLE, LA 71496
337.238.1311

NOTICE

[Names of Tax Sale Parties]

THIS NOTICE BY PUBLICATION IS NOTIFICATION THAT YOUR RIGHTS OR INTEREST IN THE FOLLOWING DESCRIBED PROPERTY LOCATED IN VERNON PARISH, LOUISIANA MAY BE TERMINATED BY OPERATION OF LAW IF YOU DO NOT TAKE FURTHER ACTION IN ACCORDANCE WITH LAW:

[Brief legal description of property & parcel listing number]

Tax sale title to the above-described property has been sold for failure to pay taxes. You have been identified as a person who may have an interest in this property.

Your interest in the property will be terminated if you do not redeem the property by making all required payments to the tax collector listed below or file a lawsuit in accordance with law within 60days of the date of first publication of this notice, or the recording of an act transferring ownership, if later.

JOHN S. CRAFT
SHERIFF & EX-OFFICIO TAX COLLECTOR
PO BOX 649
LEESVILLE, LA 71496
337.238.1311

AFFIDAVIT BY [NAME OF AFFIANT]	UNITED STATES OF AMERICA STATE OF LOUISIANA PARISH OF VERNON
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This affidavit shall be indexed under each of the following names as mortgager:

(a) [Name of owner causing the filing of the affidavit]

(b) [Name of tax debtor]

BE IT KNOWN, on the _____ day of _____ [MONTH], _____ [YEAR], BEFORE ME, the undersigned notary public, duly qualified in and for the state and parish aforesaid, and in the presence of the undersigned competent witness, PERSONALLY CAME AND APPEARED: _____ [name of affiant], major domiciliary of the Parish of Vernon, State of Louisiana (“affiant”), who, after being duly sworn, deposed and stated that on his personal knowledge:

1. Affiant personally examined [name of affiant] [title certificate] [the public records] (the “abstract”) affecting the following described property located in the Parish of Vernon, State of Louisiana (the “property”):

[Legal description of property]

2. A review of the abstract by the Affiant revealed the following persons or entities with an interest in the property, which such interest being listed beside the name:

Name	Interest in Property	Recordation Information

3. Affiant reviewed the documents listed in the abstract, the telephone book published [name of telephone book publisher] for the Parish of Vernon dated for use until [date], and utilized all the resources under [list other examination resources, including Internet search engines, in any], and the search revealed for following last know addresses for the persons listed in Item 2 above:

Name	Address

4. Affiant reviewed the records of the Louisiana Secretary of State and the secretary of state of the states set forth by the names of the entities listed below, and the search revealed the following addresses for the entities listed in Item 2 above:

Name	State	Address

5. Affiant caused to be sent a written notice notifying the persons or entities listed in Item 2 above at the addresses listed in Items 3 and 4 above. A sample of the form of the written notice is attached and satisfied R.S. 47:2206(A).

6. The method and results of the notifications set forth in Item 5 above are listed by name and address as follows:

Name	Method	Results

7. Notification was published in [journal of general circulation for the political subdivision] on [list dates] and was posted on the property. The form of publication is attached and satisfied R.S. 47:2206(B).

8. Pursuant to R.S. 47:3308(C), the following interests are cancelled, terminated, erased or released, as applicable, only insofar as they affect the Property:

Name of interest holder	Name of instruments	Recordation information

THUS DONE AND PASSED on the day, month and year set forth above, in the presence of the undersigned competent witness, who have signed their names with affiant, and me, Notary, after reading of the whole.

WITNESSES:

AFFIANT:

[AFFIANT NAME]

Printed Name

Signature

Printed Name

Signature

Name:

Title:

NOTARY PUBLIC

Printed Name: _____

Notary /Bar Roll No.: _____