

DATE OF SALE: OCTOBER 12, 2017

PLEASE NOTE CHANGE OF LOCATION FOR SALE

&

**NEW STATE OF MICHIGAN GUIDELINES
FOR THE RULES & REGULATIONS**

**HURON COUNTY BUILDING
250 E. HURON AVE., BAD AXE**

HURON COUNTY LAND AUCTION RULES AND REGULATIONS

1. REGISTRATION

Advance registration is available at the Huron County Treasurer's Office 250 E. Huron Ave., County Building, Room 204, at 9:00 A.M. September 18, 2017 and will continue each day until day of sale, October 12, 2017. Registration will start at 8:30 A.M. the day of the sale. No bids will be accepted unless the bidder has registered and received a pre-numbered bid card. **Driver's license or state I.D. and social security number or tax I.D. number will be required to receive a bidder number.** Auction will begin at 10:00 A.M. October 12, 2017 at 250 E. Huron Ave., Bad Axe, MI. 3rd floor, Room 305.

2. PROPERTIES OFFERED

The properties offered have been foreclosed for non-payment of real property taxes. According to state statues, all prior liens (other than IRS liens) and encumbrances ARE CANCELLED by Circuit Court Order. The properties are subject to any state, county, local zoning, or building ordinances. The Huron County Treasurer, the department, its officers, employees, and agents, do not guarantee the usability or access to any of these lands. It is the responsibility of prospective purchasers to do their own research as to the use of the land for their intended purpose, and to make a personal inspection of the property to determine if it will be suitable for the purposes for which it is being purchased. Further, the Huron County Treasurer, the department, its officers, employees, and agents, make neither representation nor claim as to fitness for purpose, ingress/egress, conditions, covenants, or restrictions. Occupied structures **may not** be entered without the tenants' permission. Secured vacant structures **may not** be entered.

All offered properties may be subject to flooding. New construction or reconstruction should be elevated above the 100-year flood plain. In addition, any filling, dredging, or other permanent construction, below the ordinary high-water mark of the water body involved may be subject to the provisions of 1972 Public Act 347. These properties may also be subject to the Goemaere-Anderson Wetland Protection Act, 1979, Public Act 203.

3. OPENING BID

All parcels will begin with an opening bid.

4. BIDDING

Any registered person may bid on the properties offered. Any person unable to attend the sale can be represented at the sale by an agent, or other representative, with written authority to bid and otherwise represent the person. The registered bidder is legally and financially responsible for all parcels bid upon, whether representing themselves or acting as an agent. Each sale unit may be offered separately or in combination with other parcels and in the order appearing on the list. Each sale will be awarded to the individual bidding the highest, equal to or greater than the minimum bid.

An oral bid accepted at public auction is a legal and binding contract to purchase. No sealed bids will be accepted and the Huron County Treasurer reserves the right to reject any or all bids. Bids will be accepted in increments set by the auctioneer.

5. TERMS OF SALE

The total bid amount and recording fee must be paid in cash, money order or cashier's check by 4:30 P.M. October 12, 2017 for any properties purchased. Failure to pay the bid amount and recording fee shall result in the cancellation of the sale. Bidders who fail to consummate a purchase may be prosecuted and will be banned from bidding at all future Huron County Treasurer's Land Auctions. All money orders, certified checks, or cashier's checks, should be made payable to the "Huron County Treasurer or insert your own name" the day of sale. Please make funds payable to "Huron County Treasurer" for the balance. No purchases can be made on a time-payment plan.

*****UPDATE PER PUBLIC ACT 501 OF 2014 STATES: "Before issuing a deed to a person purchasing property under Sec. 78m. (2), the foreclosing governmental unit shall require the person to execute and file with the foreclosing governmental unit an affidavit (affidavit will be supplied by Huron County) under penalty of perjury. If the person fails to execute and file the affidavit required by this subsection by the date payment for the property is required under this section, the foreclosing governmental unit shall cancel the sale. An affidavit under this section shall indicate that the person meets all of the following conditions:**

- A) The person does not directly or indirectly hold more than a de minimis legal interest in any property with delinquent property taxes in the same county as the property.**
- B) The person is not directly or indirectly responsible for any unpaid civil fines for a violation of an ordinance authorized by section 4l of the home rule city act, 1909 PA 279, MCL 117.4l, in the local tax collection unit in which the property is located."**

*****UPDATE : TO AVOID DELAY IN ISSUING DEEDS, HURON COUNTY WILL REQUIRE THE PURCHASER OF PROPERTY TO PAY THE 2017 SUMMER AND 2017 VILLAGE (IF APPLICABLE) TAXES BY OCTOBER 12, 2017 AT 4:00 PM WITH CERTIFIED FUNDS.**

THE COUNTY TREASURER RESERVES THE RIGHT TO CANCEL OR SUSPEND THE SALE, AT ANY TIME.

6. PURCHASE AGREEMENTS

Successful bidders at the sale must sign a separate purchase agreement for each parcel. Upon full payment, bidders will be issued a receipt for their purchase(s). Purchaser(s) will be entitled to a deed(s) for the property.

7. TITLE BEING CONVEYED

A deed pursuant to Act 123 of 1999, conveying fee simple title will be recorded with the Huron County Register of Deed's Office. Title insurance companies may or may not issue title insurance on properties purchased at this sale. The Huron County Treasurer makes no representation as to the availability of title insurance. The unavailability of title insurance is not a ground for reconveyance to the Huron County Treasurer. Purchaser may incur legal costs to satisfy the requirements of title insurance companies in order to obtain title insurance.

8. SPECIAL ASSESSMENTS

All bidders should contact the county, city, township, or village office, to determine if there are any special assessments for future tax years on the properties being offered.

9. POSSESSION OF PROPERTY

We recommend that no purchaser take physical possession of any property bid upon at this sale until a deed has been executed and delivered to the purchaser. No activities should be conducted on the site other than a baseline environmental assessment for contaminated properties. However, steps should be taken to protect your equity in this property by securing vacant structures against entry and obtaining (homeowners) insurance for occupied property.

If the property is occupied, eviction will be at the purchaser's expense. Additionally, buyers are responsible for contacting local units of government to prevent possible demolition of structures situated on parcels.

10. CONDITIONS

The purchaser accepts the premises in its present "as is" condition, and releases the Huron County Treasurer, the department, its officers, employees, and agents, from all liability whatsoever arising from any condition of the premises, whether now known or subsequently discovered, including but not limited to all claims based on environmental contamination of the premises.

A person who acquires property that is contaminated (a "facility" pursuant to Section 20101(1)(o) of the Natural Resources and Environmental Protection Act (NREPA), 1994, P.A. 451, as amended) as a result of release(s) of a hazardous substance(s) may become liable for all costs of cleaning up the property and any other properties impacted by the release(s). Liability may be imposed upon the person acquiring the property even in the absence of any personal responsibility for, or knowledge of, the release. Protection from such liability may be obtained by conducting a Baseline Environmental Assessment (BEA) as provided for under Section 20126(1) (c) of NREPA. However, the BEA must be conducted prior to or within 45 days of the earliest date of purchase or occupancy of the property. Persons who acquire contaminated property may have "due care" obligations under Section 20107a of NREPA even if they conduct a BEA and are not liable for the contamination.

Pursuant to Part 201 of the NREPA, the person(s) responsible for an activity causing a release at the property is obligated to pursue response activities at the property. Consequently, the non-labile purchaser may be required to provide access to a liable party to conduct response activities at the property in the future.

Section 20116 of the NREPA requires that a person who has knowledge that their property is contaminated provide a written notice to the purchaser or other person to which the property is transferred which discloses the general nature and extent of the release. Additional disclosure obligations may also apply at the time the property, or an interest in the property, is transferred. Accordingly, it is recommended that a person who is interested in acquiring property through this sale contact an attorney or an environmental consultant for advice prior to the acquisition of any property that may be contaminated. You may contact the environmental assistance center at 1-800-662-9278 for possible information regarding questions to environmental concerns on any of these properties.

11. DEEDS

Deeds will be recorded by the Huron County Treasurer's Office within 30 days. The deed will be requested to be sent to the purchaser upon completion.

12. PROPERTY TAXES

All property taxes, penalties & fees that became due and payable after the foreclosure hearing circuit court date, will be the responsibility of the purchaser.