

# **SALE ANNOUNCEMENTS**

**LABETTE COUNTY IS NOT GIVING ANY WARRANTY OF TITLE TO ANY PARCEL.**

## **TITLE**

The tax sale statutes (K.S.A. 79-2804) say that the successful purchaser will be vested with fee simple title, which excludes all other parties who have been sued in the action, except the title will be subject to covenants running with the land and easements of record or in use. THIS MEANS THAT THE SHERIFF CAN ONLY SELL THE INTEREST HELD BY THE PARTIES WHO FAILED TO PAY THE TAX AND THAT TITLE IS SUBJECT TO EXISTING EASEMENTS, WHICH MAY MEAN USE EASEMENTS.

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## **CHALLENGE OF SALE**

The sale of one tract or all tracts may be challenged for good cause (error) within one (1) year of the date of the sale (K.S.A. 79-2804b). For that reason, you will have a problem obtaining title insurance or a favorable title opinion on this property for at least one (1) year. The probability is that you will not be able to obtain title insurance or a "CLEAR TITLE" without additional legal action and expense.

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## **SHERIFF'S DEEDS**

After the sale, the Court must "CONFIRM" and authorize the Sheriff to issue the deeds. The deeds will be made in the name of the purchaser as you have provided to us on your Bidder's Affidavit. In the event that a single bidder purchases more than one tract or parcel, a separate deed will be issued for each tract or parcel purchased. This process will take several weeks. **YOU WILL NOT HAVE THE RIGHT TO POSSESSION UNTIL THE SALE IS CONFIRMED BY THE COURT AND THE DEED IS FILED.**

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## **WHAT HAPPENS WHEN YOU BUY**

First, you will be required to sign a Purchaser's Affidavit to be filed with the Court stating that you, as purchaser, are not acting directly or indirectly for any person not eligible to buy at this sale. You will be required to pay the bid amount plus the cost of filing the deed before you leave. The statute says that the deed will be filed directly with the Register of Deeds, and the filed copy will be mailed to you. This solves the old problem of lost deeds. You will be responsible for the **2025 TAXES** on the parcel(s) you purchase, **PLUS ANY SPECIAL ASSESSMENTS** that may yet be certified. **Those taxes are now due and will be collected before you leave today.**

### **WHO CANNOT BUY**

No person shall be eligible to purchase at the sale if such person owes delinquent real estate taxes in the County. Neither can you buy for someone else and then want us to put his or her name on the deed. The County Treasurer's records are final on this issue. (K.S.A. 79-2812)

**You cannot buy a particular parcel if you have a statutory right to redeem that parcel.** That means, if you have or had "an interest" in the tract, or you are an heir, parent, grandparent, child, grandchild, spouse, sibling, trustee, stockholder, officer, director, or are acting on behalf of any such person who had a statutory right to redeem.

### **HOW DO I TAKE POSSESSION**

If there are occupants of the property at the time you receive your deed you cannot breach the peace trying to take possession. You will be required to obtain a court order directing the sheriff to evict the occupants. The sheriff cannot act without the court order. Labette County is not responsible for your expenses to obtain possession. You will be required to hire your own attorney to obtain the court order.

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