RESOLUTION NO. 15-05-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF GILA, ARIZONA, ESTABLISHING PROCEDURES FOR THE SALE OF LAND HELD BY THE STATE UNDER TAX DEED AND REPEALING RESOLUTION NO. 03-06-07.

WHEREAS, Arizona Revised Statutes §§ 42-18301 through 18304 outline the requirements for the sale of land that is held by the state under tax deed; and,

WHEREAS, in accordance with statutory requirements, on or before the first Monday in November of each year, the Gila County Clerk of the Board of Supervisors (Clerk) on behalf of the Gila County Board of Supervisors prepares a list of the real property in Gila County that is held by the state under tax deed; and,

WHEREAS, the Clerk advertises the real property for sale at a public sale for a length of time as prescribed by statute, and the list of real property and notice of sale is posted on the County website; and,

WHEREAS, after advertisement, the Board of Supervisors conducts the public sale by live auction, typically in December of each year; and,

WHEREAS, the Board of Supervisors may sell the real property in the County held by the state by tax deed to the highest bidder for cash except as provided in subsections (E) and (F) of Arizona Revised Statute §42-18303; and,

WHEREAS, all properties held by the Board of Supervisors for sale, as agent for the State of Arizona, may be sold for no less than 100% of the back taxes plus Treasurer's and Clerk's fees, which is included in the "total lien amount;" and,

WHEREAS, the Board of Supervisors may waive the requirement to sell the property for no less than the total lien amount if a condition warrants selling a parcel at a lesser price; and,

WHEREAS, real property that is owned by the state under tax deed is sold "as-is" without any warranties or guarantees as to property conditions such as usability, marketability, investment value, condition of title, boundaries, claims or liens, etc.; and,

WHEREAS, all sales of real property that is owned by the state under tax deed are final and no refunds will be given; and,

WHEREAS, a process has been established by the Board of Supervisors to sell real property in the County that is held by the state under tax deed, which is available in the Clerk's office and posted on the Gila County website; and,

WHEREAS, the Board of Supervisors authorizes the Clerk to sell any real property in the County that is held by the state under tax deed for the total lien amount with the understanding that all such sales are deemed approved by the Board;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Gila County, Arizona, hereby establishes procedures for the sale of land that is owned by the state under tax deed and repeals Resolution No. 03-06-07.

PASSED AND ADOPTED this 26th day of May 2015, at Globe, Gila County, Arizona.

Attest:

Marian Sheppard
Clerk of the Board

GILA COUNTY BOARD OF SUPERVISORS

Michael A. Pastor
Chairman

Approved as to form:

Bryan Chambers
Deputy County Attorney/Civil Bureau Chief