CLAIMING OF EXCESS RESALE FUNDS

The Pushmataha County Treasurer's Office has uploaded the results of the June Tax Resale to www.oktaxrolls.com for review. You are also welcome to come into our office and review our files at any time during regular business hours to determine the information that is needed. The Pushmataha County Treasurer's Office will not respond to emails or calls requesting the June Tax Resale Excess Funds List.

The excess funds are held in a separate fund for the record owner of such land, as shown by the county records as of the date said county resale begins, to be withdrawn any time within one (1) year. **No assignment of this right to excess proceeds shall be valid which occurs on or after the date on which said county resale began.** At the end of one (1) year, if such money has not been withdrawn or collected from the county, it shall be credited to the county resale property fund.

The Unclaimed Excess Funds List is designated for the **RECORD OWNER(s)** to claim his/her/their excess funds.

Using due diligence, our office has attempted to mail a notification to the record owner of record at the address or addresses that we could find, notifying you that these funds **can be claimed without any charges or fees**. You <u>DO NOT</u> need to go through a third party to claim these funds.

We MUST have <u>ALL</u> the required information listed in this claim packet PRIOR to submitting it to our legal counsel. Please review all paperwork and complete each form in its entirety. This is to respect everyone's time, especially our District Attorney's Office.

If you are **NOT THE RECORD OWNER**, but the owner is living and you are the guardian of the owner, you will need an original or certified copy of the court order naming you as guardian and it **MUST PASS INSPECTION OF OUR LEGAL COUNSEL** for anyone other than the owner to claim the funds. **WE WILL NOT MAKE THE FUNDS PAYABLE TO ANYONE OTHER THAN THE LANDOWNER!**

If the owner is deceased, you will need a court order, stating that you are the personal representative or executor of the deceased landowner's estate to claim the funds. We must have the original order, or a certified copy of the court order and it **MUST PASS INSPECTION OF OUR LEGAL COUNSEL** before excess funds are released to anyone other than the RECORD OWNER. If a determination has been made that the funds may be released, the funds will be made to the Estate of the deceased landowner. **WE WILL NOT MAKE THE FUNDS PAYABLE TO ANYONE OTHER THAN THE LANDOWNER ON RECORD OR THEIR ESTATE!**

Affidavits of Heirship, Death Certificates, Birth Certificates, etc. ARE NOT SUFFICIENT to claim these funds.

If the property was in more than one name (wife and husband), we require both parties to complete the forms. The excess fund will be released with both parties' name listed on the check as shown on county records.

Selena Franks Pushmataha County Treasurer 302 SW "B" St. Antlers, OK 74523 Office (580)298-2580

www.oktaxrolls.com

DATE:
NAME (please print):
ADDRESS:
The 20 Tax Roll lists you as the former owner of the following property which was sold at the Tax Resale held by the Pushmataha County Treasurer's Office on June, 20
PROPERTY DESCRIPTION (write legal description or attached exhibit):
"When any tract or lot of land sells for more than the taxes, penalties interest and cost due thereon, the excess shall be held in a separate fund for the RECORD OWNER OF SUCH LAND , as shown by the county records as of the date said county resale begins, to be withdrawn any time within one (1) year. No assignment of this right to excess proceeds shall be valid which occurs on or after the date on which said county resale began. At the end of one (1) year, if such money has not been withdrawn or collected from the county, it shall be credited to the county resale property fund." 68 O.S. 3131
The sale resulted in excess funds of \$, which can be claimed by you, the OWNER OF RECORD. The request will need to be made by you IN PERSON at the Pushmataha County Treasurer's Office.

For your protection and ours, we will need the following information from each claimant for our legal counsel to review **BEFORE** funds are released:

- Proof of ownership (**Property Deed(s)** for each parcel sold)
 - YOU ARE RESPONSIBLE FOR PROVIDING THIS TO OUR OFFICE. You can request to obtain a copy of your deed from the County Clerk's office.
- Proof of identity (current, valid government issued Photo ID)
- A notarized AFFIDAVIT OF CLAIMANT (if excess funds on multiple parcels are being claimed, we require one affidavit for each parcel sold)
- A completed/signed **IRS W-9**
 - o If claiming funds as an executor of an estate, complete a W-9 for yourself and another for the SSN in which the estate is listed under, if different than yours.

Once a determination has been made by our legal counsel, whether you have the legal grounds to claim these excess funds, we will require that you collect the funds **IN PERSON**, as we require that you sign the "Affidavit Acknowledging Receipt of Excess Funds" form. Our office will provide this form for you to sign when you come to collect the funds.

Our office hours are Monday - Friday from 8am-4:30pm, should you have any questions concerning this information.

Sincerely,

Selena Franks Pushmataha County Treasurer

AFFIDAVIT OF CLAIMANT

STATE OF <u>OKLAHOMA</u>) COUNTY OF <u>PUSHMATAHA</u>)	
TAXROLL ITEM #:	
NAME:Print	
I,, the unders state as follows:	igned, being of legal age, do on my oath depose and
 That I hereby swear under penalty of perjury the sale of the below described property sold in the on either of the following statements: 	nat I am entitled to the excess proceeds from the Pushmataha County Tax Resale based
Previously recorded landowner of the prop-	erty described herein.
OR	
 Personal representative or executor of the part of th	previously recorded landowner's estate, prior to June
2. That said property being in Pushmataha County, Ok	lahoma, and described as follows:
3. To my knowledge, there is no other person or e	entity entitled to said excess proceeds.
 That I am hereby making a request for any and said property and I also disclaim any further in lack of notice relating to the Tax Resale of the a 	all excess proceeds from the said Tax Resale of terest in and to said property and I also waive any bove-described real property.
	FURTHER AFFIANT SAYETH NOT.
Date	Signature
	Signature
Subscribed and sworn in person and before me, the und STATE and COUNTY.	dersigned Notary Public for the above-named
Signed before me this day of2	20
My Commission expires:20	
Commission No.:	Notary

Any person who knowingly submits and signs a false affidavit as provided in this section shall be fined not more than Three Thousand Dollars (\$3,000.00) or imprisoned for not more than six (6) months, or both. Restitution of the amount fraudulently attained shall be made to the rightful beneficiary by the guilty person.

Selena Franks Pushmataha County Treasurer 302 SW "B" St. Antlers, OK 74523 Office (580)298-2580 www.oktaxrolls.com

AFFIDAVIT OF ACKNOWLEDMENT OF RECEIPT OF EXCESS FUNDS

I hereby certify that the statemer knowledge: Affirm that said propon June, 20	nts listed bel perty sold at	ow are true and corn the 20 Tax Res	rect to the best of ale held in Push	f my mataha County
According to the state law, I am of \$ Today, Treasurer's Check #	requesting a _ made paya	refund of the amou , I have accepted ble to	nt bid on this produced the Pushmatah	operty in excess na County
This is payment of all excess due				
FURTHER AFFFIANT SAITH N				
PR	INTED NAI	ME OF PERSON SIG	NING	
SI	GNATURE (OF RECORD OWNE	R (or authorized	representative
Subscribed and sworn to before	me this	day of		, 20
My commission expires: Commission number:		NOTARY PUBLIC		

NOTICE: WHILE THE TREASURER'S OFFICE MAKES EVERY EFFORT TO ENSURE CORRECTNESS, ANY ERROR CONTAINED HEREIN DOES NOT CONSTITUTE A WAIVER OF ANY TAX AMOUNTS BY OR FOR THE COUNTY TREASURER OR THE TAXPAYER.

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INSERT IRS W-9 PACKET IN PLACE OF THIS FORM