

## CLAIMING OF EXCESS RESALE FUNDS

The Pushmataha County Treasurer's Office has uploaded the results of the June Tax Resale to [www.oktaxrolls.com](http://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fund for the record owner of such land, as shown by the county records as of the date said county resale begins, to be withdrawn any time within one (1) year.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occurs on or after the date on which said county resale began.** At the end of one (1) year, if such money has not been withdrawn or collected from the county, it shall be credited to the county resale property fund.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 DO NOT need to go through a third party to claim these funds.

We **MUST** have ALL 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](http://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):

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“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**
  - 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



(to be completed upon receipt of funds)

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**Pushmataha County Treasurer**  
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**AFFIDAVIT OF ACKNOWLEDMENT OF RECEIPT OF EXCESS FUNDS**

I hereby certify that the statements listed below are true and correct to the best of my knowledge: Affirm that said property sold at the 20\_\_\_\_ Tax Resale held in Pushmataha County on June \_\_\_\_, 20\_\_\_\_.

According to the state law, I am requesting a refund of the amount bid on this property in excess of \$\_\_\_\_\_. Today, \_\_\_\_\_, I have accepted the Pushmataha County Treasurer's Check #\_\_\_\_\_ made payable to \_\_\_\_\_.

This is payment of all excess due to me on the following property:

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FURTHER AFFFIANT SAITH NOT.

\_\_\_\_\_  
PRINTED NAME OF PERSON SIGNING

\_\_\_\_\_  
SIGNATURE OF RECORD OWNER (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