Excess Funds

Our office does not maintain an electronic record of the excess funds list from the June Resale. You are welcome to come into our office and review our files at any time to determine the information that is needed.

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fund for the record owner of such land, as shown by the county records as of the date said county resale begins, to be withdrawn any time within one (1) year.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occurs on or after the date on which said county resale began.** At the end of one (1) year, if such money has not been withdrawn or collected from the county, it shall be credited to the county resale property fund.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 designed 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 that these funds can be claimed without any charges or fees.

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** in order for anyone other than the owner to claim the funds. In the instance you are a third party you will need to have a power of attorney along with an affidavit of claim filled out by all parties along with all identifying information which it **must pass inspection of our legal counsel**.
If the owner is deceased, you will need a court order 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.
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 funds will be released with both parties names listed on the check as shown on the county records.

In regard to the claim of any currently held excess resale proceeds the following documents are required:

1. **Original Statutory Form for Limited Power of Attorney (form attached)**, to be used if owner is not claiming funds himself/herself. If wife or husband claims for property that is in both names on the tax roll, this must be completed by the one who will not be appearing in the office. If claim is being made by a third party on behalf of the property owner(s), this must be completed by all property owners;
2. **Original affidavit (form attached)**;

3. **Photocopy of Driver's License for all parties involved** (including the individual(s) entitled to the funds as well as the party being appointed to serve as their agent);
4. **Original executed IRS W-9 Form which includes current address and SSN of the property owner** – this money is reported to the IRS as proceeds from the sale of real estate if the amount claimed is over $600.00. OFFICE ONLY

AFFIDAVIT OF CLAIMANT

STATE OF _____)
)

COUNTY OF_____)

I, the undersigned_____, of _____,

Being of legal age, do on my oath depose and state as follows:

1. That I hereby swear under penalty of perjury that I am entitled to the excess proceeds from the tax resale property sold in the Beaver County 20__ Tax Resale. The said property being located in Beaver County, Oklahoma, Parcel#_____ and described as follows:

2. That I am hereby making a request for any and all excess proceeds from the said Tax Resale of said property and I also disclaim any further interest in and to said property and I also waive any lack of notice relating to the Tax Resale of the above-described real property.

FURTHER AFFIANT SAYETH NOT.

Mail Check to:

_____

c/o

_____

_____

SIGNATURE: _____

DATE: _____

Subscribed and sworn in person and before me, the undersigned Notary Public for the above-named State and County, this _____ day of _____, 20___.

_____

Notary Public in and for aforesaid

County and State

Commission Expires: _____

Commission No.:_____

STATUTORY FORM FOR LIMITED POWER OF ATTORNEY

I, the undersigned _____, of

_____, do hereby appoint

_____, of

_____, as my agent (attorney-in-fact)

To act for me in any lawful way with respect to the following:

1. To claim any and all excess funds held for me by the Beaver County Treasurer in regard to the tax foreclosure sale of parcel#_____,
   Sold in the Beaver County 20___ Tax Resale, said excess funds being the amount of $_____.

Legal Description of Real Property:

_____

_____

_____

_____

Giving and granting unto my said attorney-in-fact full authority and power to do and perform any and all other acts necessary or incident to the performance and execution of the powers herein expressly granted with power to do and perform acts authorized hereby; as fully to all intents and purposes as the Grantor might or could do if personally present. This Power of Attorney shall be limited to the express purpose(s) set forth above.

This Power of Attorney will cease twelve (12) months from the date hereof.

DATE: _____ **SIGNATURE:** _____

ACKNOWLEDGMENT

STATE OF_____)

)

COUNTY OF_____) SUBSCRIBED AND SWORN TO in person and before me, the undersigned Notary Public for the above-named State and County, this _____ day of _____, 20____.

_____

Notary Public

Commission NO.:_____

Commission Expires: _____