

# **PROSPECTIVE BIDDER INFORMATIONAL PACKET**

**JUNE SALE (RESALE) OF PROPERTY  
WITH DELINQUENT TAXES  
2<sup>ND</sup> MONDAY OF JUNE AT 9:00 AM**



**OFFICE OF MAYES COUNTY TREASURER  
MAYES COUNTY COURTHOUSE  
1 COURT PLACE, STE 100  
PRYOR, OK 74361**

**918-825-0160**

**BOBBIE MARTIN, MAYES COUNTY TREASURER**

## WHAT YOU SHOULD KNOW

### BEFORE THE SALE:

You or your representative must be present at the sale. This is not a sealed bid sale – it is an open, active auction where property is sold to the highest bidder.

The deed you receive conveys only the interest held by the person shown as the owner of record on the latest tax rolls.

Mayes County does not own the properties being sold – we have only a lienholder's interest in these properties!

This sale is foreclosing the County's lienholder's interest!

If the **Oklahoma Tax Commission** has a lien, there is a possibility they will come back against the property at a later date. You will need to contact the Oklahoma Tax Commission and negotiate with them. If such a lien exists, it will be announced prior to the sale of the property.

If the **IRS** has a lien and has not contacted us after they received notice of the sale, we can sell the property but the IRS still has a 120 day right of redemption from the deed date. You can contact them for a release. If such a lien exists, it will be announced prior to the sale of the property.

If the property sold involves a Manufactured Home, which may be subject to the right of a secured party to repossess, it will be announced before the sale of the property.

**PLEASE NOTE: YOU DO NOT OWN THE PROPERTY UNTIL THE DEED IS FILED.**

**RESEARCH THE PROPERTY IN WHICH YOU ARE INTERESTED.** Properties are listed, published and sold by their legal description as shown on the tax rolls. Property location addresses as shown on the tax rolls were typed in once upon a time, and some were entered incorrectly. In addition, humans do the typing and humans make mistakes. Therefore, addresses can be misleading and / or wrong. If we have located the property and know for sure where it is, we will tell you. You can also take the legal description to the County Assessor's mapping department to see if they can locate it for you.

**NO GUARANTEE OR WARRANTY OF TITLE IS OFFERED BY MAYES COUNTY.** We know nothing about these properties except what is revealed in the tax rolls and records of the County Clerk. There is no guarantee that the property described even exists in Mayes County. We are selling and you are buying a description on the tax rolls. No abstract or title insurance is to be provided. The properties are sold "if is, as is, where is." If some other person is using a tract you purchase for their own purpose, it will be up to you to take possession. Mayes County does not know if any property is being used by someone else, and is not responsible for removing anyone or anything.

**KNOW THE AMOUNT YOU ARE WILLING TO SPEND OVERALL ON A PROPERTY.**

Properties bought through the delinquent tax process often have some type of deficiency, either in chain of title or in the property itself which has caused an owner to stop paying property taxes. We don't know what these are and it can be difficult to estimate how much you may have to spend to resolve any deficiency. Also, properties bought through the delinquent tax process will require further legal action in the form of a lawsuit to quiet the title in your name to obtain title insurance or to be used as collateral. A Resale Tax Deed gives you title to the property, but not a clear and marketable title. Quiet title suits can cost anywhere from \$1500 up, depending on what you run into when the records are examined by an attorney.

In addition to the total amount bid, you will also pay a \$10 deed fee and approximately \$20 for recording the deed in the County Clerk's Office, depending on the number of affidavits needed to be filed. You should factor all of this into your calculation of the amount you are willing to spend on a property.

**SIGN IN AS A BIDDER.** To obtain a bidder number, you will be required to give your name, address and telephone number on the sign in sheet. This sheet will become part of the permanent sale record.

**ALL PAYMENTS MUST BE CASH. NO CHECKS OR CREDIT CARDS WILL BE ACCEPTED.**

## **During the Sale:**

**PLEASE BE PATIENT.** There are some formalities that must be gone through at the beginning of the sale to satisfy statutory and audit requirements.

**PLEASE LISTEN** carefully to any and all announcements and answers to questions.

**PLEASE BE COURTEOUS AND THOUGHTFUL TO OTHERS.** Please keep conversations with others to a minimum. It is difficult to hear when several people are speaking in a confined area. In addition, all cell phones should be turned off. The sale traditionally does not last a long time.

**THE ORDER OF SALE** will be the order in which the tracts are listed in the publication. Please keep up with your list, so that you do not miss an opportunity or bid on a wrong tract. If you are not sure which tract is up for bid, please stop us and ask.

**MINIMUM BID** for each property is the total amount of delinquent tax, penalty, fees, costs and special assessment, if applicable, that are due and owing as of the sale date or two-thirds (2/3) of the assessed value, whichever is the lesser amount. Property will be sold to the highest competitive bidder. In addition to the amount bid, you will pay a \$10 deed fee and approximately \$20 for recording the deed in the County Clerk's Office.

## **AFTER THE SALE:**

**PLEASE BEAR WITH US** as we close the sale and get your totals to you. We will work as quickly as possible, but we don't want to make errors when dealing with your money.

**ALL PAYMENTS MUST BE IN CASH. NO CHECKS OR CREDIT CARDS WILL BE ACCEPTED.**

**SEE OKLAHOMA STATUTES ATTACHED**

**IF YOU ARE THE SUCCESSFUL PURCHASER OF A PROPERTY, YOU WILL RECEIVE A "RESALE TAX DEED" TRANSFERRING TITLE TO YOU.**

**PLEASE NOTE: DON'T PLAN ON BUILDING A NEW HOUSE IN THE NEXT MONTH OR SO. OKLAHOMA LAW PROVIDES A ONE-YEAR TIME PERIOD FOR ANYONE WITH AN INTEREST IN THE PROPERTY TO CHALLENGE THE RESALE DEED IN COURT**

## THANK YOU FOR YOUR INTEREST IN OUR SALE.

### Title 68. Revenue and Taxation

#### Oklahoma Statutes Citationized

##### Title 68. Revenue and Taxation

##### Chapter 1 - Tax Codes

##### Article Article 31 - Collection of Delinquent Taxes

##### Section 3129 - Sale - Property Bid Off in Name of County - County's Liability to Other

#### Taxing Districts

Cite as: O.S. §, \_\_ \_\_

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A. On the day real estate is advertised for resale, the county treasurer shall offer same for sale at the office of the county treasurer between the hours of eight a.m. and five p.m., the exact hours of each sale to be determined by the local county treasurer, and continue the sale thereafter from day to day between such hours until all of the real estate is sold. **The real estate shall be sold at public auction to the highest bidder for cash.**

#### Oklahoma Statutes Citationized

##### Title 68. Revenue and Taxation

##### Chapter 1 - Tax Codes

##### Article Article 31 - Collection of Delinquent Taxes

##### Section 3113 - Redemption From Lien Resulting From Tax Sale

Cite as: O.S. §, \_\_ \_\_

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**The owner of any real estate, or any person having a legal or equitable interest therein, may redeem the same at any time before the execution of a deed of conveyance** therefor by the county treasurer by paying to the county treasurer the sum which was originally delinquent including interest at the lawful rate as provided in Section 2913 of this title and such additional costs as may have accrued; **provided, that minors or incapacitated or partially incapacitated persons may redeem from taxes any real property belonging to them within one (1) year after the expiration of such disability, with interest and penalty at not more than ten percent (10%) per annum.** The term incapacitated as used in this section relates to mental incapacitation only, physical disability is not covered under this term or this section.

# Oklahoma Statutes Citationized

## Title 60. Property

### Chapter 3 - Alien Ownership of Land

#### Section 121 - Ownership of Personal and Real Property by Aliens

Cite as: 60 O.S. § 121 (OSCN 2024)

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A. No alien or any person who is not a citizen of the United States shall acquire title to or own land in this state either directly or indirectly through a business entity or trust, except as hereinafter provided, but he or she shall have and enjoy in this state such rights as to personal property as are, or shall be accorded a citizen of the United States under the laws of the nation to which such alien belongs, or by the treaties of such nation with the United States, except as the same may be affected by the provisions of Section 121 et seq. of this title or the Constitution of this state. Provided, however, the requirements of this subsection shall not apply to a business entity that is engaged in regulated interstate commerce in accordance with federal law.

B. On or after the effective date of this act, any deed recorded with a county clerk shall include as an exhibit to the deed an affidavit executed by the person or entity coming into title attesting that the person, business entity, or trust is obtaining the land in compliance with the requirements of this section and that no funding source is being used in the sale or transfer in violation of this section or any other state or federal law. A county clerk shall not accept and record any deed without an affidavit as required by this section. The Attorney General shall promulgate a separate affidavit form for individuals and for business entities or trusts to comply with the requirements of this section, with the exception of those deeds which the Attorney General deems necessary when promulgating the affidavit form.

#### *Historical Data*

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Laws 1910, § 6646; Amended by Laws 2023, SB 212, c. 327, § 1, eff. November 1, 2023 ([superseded document available](#)).



**OKLAHOMA**  
Health Care Authority

Serving Oklahomans  
through SoonerCare

**Ellen M. Buettner** | Chief Executive Officer

**J. Kevin Stitt** | Governor

**PROPERTY LIENS HELD BY THE OKLAHOMA HEALTH CARE AUTHORITY**

A property lien of the Oklahoma Health Care Authority (“OHCA”) is valid per the provisions of Title 63 O.S. § 5053.3. Please note if the lien amount held by the OHCA exceeds the value of the property, a lien deduction can be negotiated with the OHCA. A Buyer, of any property on which the OHCA holds a lien, may contact the OHCA to request a reduction of the value of the OHCA lien on said property. To request a reduction in the amount of the lien, the Buyer will need to provide to OHCA the following:

- 1) A written request for a reduction in the amount of the OHCA lien. The written request must specify the amount the buyer is willing to pay the OHCA to release the lien on the property and the reason(s) justifying such a reduction. Please make certain the written request contains all your contact information (including full name, complete address, telephone number and email address).
- 2) A copy of the most recent assessment of the property made by the County Assessor and/or a recent appraisal of the property; and
- 3) The receipt showing the purchase price paid for the property.
- 4) Pictures showing the current condition of the property.

The written request and related documentation will need to be sent via U.S. mail to the attention of: Josh Holloway, Deputy General Counsel, Oklahoma Health Care Authority, P.O. Drawer 18497, Oklahoma City, OK 73154.

When the required documentation is received by the OHCA it will be reviewed. Once a decision has been reached regarding the request, a written response will be sent specifying what, if any, reduction in the lien amount the OHCA will agree to accept in exchange for releasing the subject property lien. Please note that due to the volume of lien reduction requests received, this process could take up to thirty (30) days. The payment of the OHCA lien amount will need to be paid in certified funds (e.g., a certified check made payable to the OHCA). After the certified funds have been received and verified by the OHCA, a lien release document will be mailed to the Buyer. The Buyer will need to file/record the lien release document with the appropriate County Clerk at the Buyers expense.

**If you have any questions regarding the lien amount held by the OHCA or about the process to request a property lien reduction, you may contact JOSH HOLLOWAY at [propertyliens@okhca.org](mailto:propertyliens@okhca.org).**



**ADDRESS**

4345 N. Lincoln Blvd.  
Oklahoma City, OK 73105



**WEBSITES**

[oklahoma.gov/ohca](http://oklahoma.gov/ohca)  
[mysoonerCare.org](http://mysoonerCare.org)



**PHONE**

Admin: 405-522-7300  
Helpline: 800-987-7767