Legal Notice

Sale of Commissioner Owned Tax Sale Certificates

Pursuant to I.C. 6-1.1-24-6.1(c), for properties not sold at their initial commissioners tax sale in a prior year, the Lake County Auditor has omitted the descriptions specified by I.C. 6-1.1-24-2(b)(1) and I.C. 6-1.1.-24-2(b)(5) from this notice. The descriptions of those tracts or items of real property are available on the auctioneer’s website at http://www.onyxelectronics.com and the information may be obtained in printed form or in digital form from the Lake County Auditor Tax Sale Department upon request after online registration.

The sale will be held virtual via an online auction through Onyx Electronics. Assuming a registrant is approved to bid, the bidder will receive instructions for participating in the auction via the email address the bidder provided on their bidder packet.

The dates of the sale are as follows:

1. The sale will begin at 9:00 a.m. on C.D.S.T. on **Monday May 8, 2023** and stop at 5:00 p.m. that day.

2. If the auctioneer has not gone through the property list at least once, then the auction will carry over to **Tuesday, May 9, 2023** starting at 8:30 a.m. on C.D.S.T. and ending at 5:00 p.m. on that date.

3. If necessary because the auctioneer still has not gone through the list of properties at least once, then the auction will carry over to **Wednesday May 10, 2023** starting at 8:30 a.m. on C.D.S.T. and ending at 5:00 p.m**.**

4. If necessary because the auctioneer still has not gone through the list of properties at least once, then the auction will carry over to **Thursday May 11, 2023** starting at 8:30 a.m. on C.D.S.T. and ending when all certificates are auctioned off**.**

**5.** The date of sale and redemption date deadline as listed on the TAX CERTIFICATE issued to the buyer are the dates that MUST BE USED by the buyer in any and all post-sale notices (4.5 and 4.6) to owners and/or parties with a substantial property interest of public record in the parcel. Failure to utilize the dates as listed on the TAX CERTIFICATE for the post-sale noticing will make the noticing NON-COMPLIANT and result in an Auditor’s objection and no tax deed being issued.

There will be no second sale in 2023. Persons interested in acquiring commissioner tax sale certificates must participate in the May sale.

**A registration fee of $500 has been established for this sale. In addition to the $500 registration fee, there is a $100 non-refundable paddle fee. The registration and paddle fee can be paid together only online during the registration process.**

**1. If the registrant is a successful bidder, then the $500 registration fee will be applied to the purchase price.**

**2. If the registrant is not a successful bidder and the registrant owes any outstanding tax liability, the $500 registration fee will be applied to the tax liability.**

**3. If the registrant is not a successful bidder and the registrant does not owe any outstanding tax liability, the $500 registration fee will be returned to the registrant.**

**4. All tax sale registrants will be vetted by the Auditor Tax Sale Department to determine eligibility to participate in the tax sale under Indiana law. Auditor shall have sole discretion to determine if a registrant is approved as a tax sale bidder.**

**5. The $100 paddle fee is non-refundable and will not be returned regardless of whether or not the registrant is deemed to be an approved bidder by the Auditor or a winning bidder during the auction sale.**

Bidders will be allowed to register **ONLINE ONLY** starting on **MONDAY, FEBRUARY 6, 2023 at 8:30 AM C.D.S.T**. **and running 24 hours a day through TUESDAY, FEBRUARY 21, 2023 up until 4:30 PM C.D.S.T.** The website for online registration is https://www.onyxelectronics.com. Any questions or concerns regarding online registration should be directed to Don Guernsey via email at dononyx@yahoo.com. After review and assuming the registration is approved, the bidder will receive their bidder packet and instructions for participating in the auction via the email address the bidder provided during online registration. **THERE WILL BE NO IN PERSON REGISTRATION THIS YEAR!**

THE MINIMUM BID FOR EVERY CERTIFICATE IS $500 (Five Hundred Dollars).

If after the sale of a certificate a person redeems the real property, that person redeeming the parcel must pay the following:

The amount of the minimum bid under IC 6-1.1-24-5(e) of this chapter for which the tract or item of real property was last offered for sale;

Ten percent (10%) of the amount for which the certificate is sold;

The attorney’s fees and costs of giving notice under IC 6-1.1-25-4.5;

The costs of a title search or of examining and updating the abstract of title for the tract or item of real property; and

All taxes and special assessments on the tract or item of real property paid by the purchaser after the sale of the certificate plus interest at the rate of ten percent (10%) per annum on the amount of taxes and special assessments paid by the purchaser on the redeemed property;

All costs of sale, advertising costs, and other expenses of the county directly attributable to the sale; and

If the certificate is sold for an amount more than the minimum bid under IC 6-1.1-24-5(e) this chapter for which the tract or item of real property was last offered for sale and the property is not redeemed, the owner of record of the tract or item of real property who is divested of ownership at the time the tax deed is issued may have a right to the tax sale surplus.

The Lake County Commissioners are selling a tax sale certificate. The Commissioners will transfer their certificate to the winning bidder. The winning bidder will then have to follow a specific procedure prescribed by Indiana statutory law in order to obtain a tax deed. The Lake Circuit Court hears all petitions for tax deeds. If the correct legal procedures are followed by the buyer and if the court approves the buyer’s Petition for Issuance of a Tax Deed, the Lake Circuit Court will order the Lake County Auditor to issue a tax deed to the tax sale buyer.

The tax deed perfection process is very complicated. People who do not have legal counsel prior to and during the purchase and perfection process may be denied a tax deed by the Lake Circuit Court for failure to follow this technical area of Indiana law. While the Board of Commissioners cannot mandate a potential purchaser to obtain legal counsel, because of the complexity of this tax deed process, the Board encourages any potential bidder to seriously consider retaining legal counsel in an effort to avoid possible financial losses. Some people are able to negotiate the tax deed process without legal advice, but some buyers fall prey to the procedural technicalities of the perfection statute. The burden is on the purchaser of a tax sale certificate to evaluate their own abilities and choose what they will do both prior to and during the perfection process.

The property numbers and legal descriptions for the property are those listed in the Auditor’s office and in the Treasurer’s office. Do not rely upon either the address or the legal description in locating a property. The properties are being sold by parcel identification number ONLY and NOT by address or legal description. Because of the location of real estate, the address may not specifically relate to the real estate covered by the tax sale certificate. More importantly the legal descriptions in this notice are abbreviated legal descriptions and not complete. Lastly, the current owner of the parcel listed herein may or may not be the owner listed on the tax certificate.

\*\*\* THE TAX SALE CERTIFICATES ARE IN NO WAY REFLECTIVE OF THE VALUE OF THE PROPERTY FOR WHICH THE CERTIFICATES ARE OFFERED FOR SALE. BUYERS MUST PERFORM THEIR OWN RESEARCH TO DETERMINE THE VALUE OF EACH PROPERTY BEFORE A BUYER BIDS ON THE CERTIFICATES. ALL SALES ARE FINAL-BUYER BEWARE.

\*\*\* IN ACCORDANCE WITH IC 6-1.1-24-8, A SUCCESSFUL BIDDER WHO FAILS TO PAY THE BID SHALL PAY A CIVIL PENALTY OF TWENTY- FIVE PERCENT (25.0%) OF THE AMOUNT OF THE SUCCESSFUL BID. THE LAKE COUNTY PROSECUTOR MAY FILE AN ACTION TO COLLECT THIS CIVIL PENALTY ON BEHALF OF THE INDIANA STATE TREASURER WHICH AMOUNT SHALL BE DEPOSITED IN THE COUNTY GENERAL FUND.

THE IDENTITY OF THE CERTIFICATES THAT HAVE BEEN ON A PREVIOUS SALE AND FOR WHICH THERE WAS NO BID **WILL NOT** be published in the Times, the Post Tribune, or the Gary Crusader. This list of these properties will be available free of charge starting February 6, 2023 from the Auditor’s Tax Sale Department. The list of the properties previously offered for which there was no bid received at the Treasurer’s September, 2022 sale will be available at no cost in printed form, on disc, or on thumb drive.