

Chapter 4:

Post Redemption

Title to Property—ORS 312.270

The county takes title to those properties not redeemed by the end of the redemption period free and clear of all liens and encumbrances except assessments levied by a municipal corporation for local improvements to the property.

Those municipalities with liens and encumbrances are granted some exclusive remedies for purchasing the property.

Special steps may need to be taken in the event the property is subject to a federal Internal Revenue Service lien. In that situation, consult with your county legal counsel before taking deed.

NOTE: When the county takes title to a property on which there is a senior citizen deferral program lien, the county is responsible for clearing that lien (ORS 311.694). The senior deferral program is administered by the Oregon Department of Revenue. The county will need to contact the department to learn the amount of the lien.

County Sale of Tax-Foreclosed Property—ORS Chapter 275

Once the county has taken title to the foreclosed property, the property may be sold or divided, or have

rights-of-way set aside or mineral rights reserved. The county governing body may decide to sell the property at public auction or sell it back to the former owner for not less than the accrued taxes, interest, and charges.

The county governing body may order any or all properties sold. The sheriff, or other designated official in a home rule county, conducts the sale. The county governing body sets a minimum price for each parcel or interest to be sold and any conditions or terms of sale.

Notice of the sale is published in a general circulation newspaper in the county for four consecutive weeks prior to the sale date. The notice includes the time and place of the sale, property description, property value as shown on the tax roll, the minimum price set by the county, and the date of the order directing the sale.

At the time the property is sold at public auction, the purchaser receives a certificate of sale.

The county general fund is reimbursed for expenditures related to the sale process. The treasurer disburses the balance of the sale proceeds first to any municipal corporation that has filed a notice relating to a local improvement lien against the property in the amount of principal of the lien plus interest. Second, if any amount remains, the balance is disbursed to all governmental units using the tax distribution formula (ORS 311.390 and 311.395).