

## **Auction - Frequently Asked Auction Questions**

### **1. If I purchase a piece of property at auction, do I receive a deed or a tax lien to the property?**

If you are the successful bidder at auction you will receive a Quit Claim Deed to the property. You do become the actual owner/title holder of the property and not a lien holder.

### **2. When do I receive my deed to the property?**

The Treasurer will execute a Quit Claim Deed to the new owner of the property within 14-30 days of the end of auction. The deed will then be recorded at the Register of Deeds and mailed to the owner.

### **3. Are all existing liens against the property “wiped out”?**

Yes, all liens with the exception of Department of Environmental Quality (DEQ) liens and specific IRS liens are extinguished. You own fee simple title to the property free and clear of all other pre-existing liens. In the rare case that there is a DEQ lien on a piece of property, you will need to contact the DEQ to see how it will affect you as the new owner. The Treasurer's Office will make known any DEQ or IRS liens that they are aware of prior to the sale of the property.

### **4. Am I responsible for any existing delinquent taxes on the property?**

No, you are only responsible for taxes which become due and payable the same year as the auction and all subsequent years. For example, if you purchase a piece of property at a 2021 auction, you would be responsible for paying the 2021 Summer and Winter bills for that property and then all subsequent years. There is a State statute requiring you to pay the 2021 Summer bill before the deed can be executed. The 2021 Summer Bill amount is included in the minimum bid.

### **5. Can I visit at or inspect the property before auction?**

No, due to safety and liability issues you are not permitted to go into or onto any of the properties prior to auction. Doing so could open you up to trespassing charges.

### **6. How can I find out about the condition of the properties offered if I cannot go onto the properties?**

Please remember that you are purchasing these properties “as is, where is.” Neither the County Treasurer nor their staff has actually gone into any of these properties. You will need to do all of your own research. We recommend researching zoning issues, building issues, and what is currently being assessed on the property by contacting the respective city or township officials where the property is located. These officials' phone numbers can be found in the County Directory, which is located on the Newaygo County website's homepage at [www.newaygocountymi.gov](http://www.newaygocountymi.gov) under the County Clerk's page.

**7. Did I buy everything on the property?**

No, you only bought the real property. Real property is generally defined as the land, anything that is attached to the land, and all structures assessed as being part of the real property.

**8. When do I take possession of the property?**

It is recommended that you do not take possession or make improvements on the property until you have your deed in hand. If you purchased a piece of property with a habitable structure on it, it is recommended that you execute an Eviction through District Court to ensure you do not have any tenant problems. People currently living in any of these properties have rights that you should terminate through court.

**9. Do I get the mineral rights to the property?**

You receive any mineral rights that existed with the property at the time of foreclosure. If the foreclosed property owner had all of the mineral rights then they transfer with the real property to you. If the mineral rights had already been deeded away, then you do not receive any. Any oil and gas leases already in effect will remain valid and in effect. If the mineral rights are a concern for you, you will have to do your own in-depth search.

**10. If I purchase a property with a mobile home on it, do I receive a title to the mobile home?**

NO.

**11. Can I obtain Title Insurance on this property?**

Title insurance companies may or may not be willing to issue title insurance on your purchased property. While State statute says you receive "good and marketable fee-simple title to the property," you may find that some of your local title companies are still not comfortable with insuring these parcels unless you first execute a suit to quiet title action in court.

**12. Can I purchase a piece of property that I originally had an interest in?**

You may purchase a property that you had an interest in prior to the foreclosure if you have previous approval from the County Treasurer, do not have delinquent taxes on any other property in Newaygo County, and pay the minimum bid or higher at auction. This applies to any second offering as well.