

**REAL ESTATE AUCTION
(BIDS SUBJECT TO CONFIRMATION)
ONEIDA COUNTY FINANCE DEPARTMENT
800 PARK AVENUE, UTICA, NEW YORK 13501
(315) 798-5760**

The Oneida County Finance Department will hold a land auction on **Thursday, September 16, 2010** on the tenth floor of the Oneida County Office Building at 6:30 PM. For more information call (315) 798-5760 or visit the Oneida County website at www.ocgov.net for a current listing and description of properties available.

1. The County of Oneida makes no promises or statements of fact about any parcel that is being offered for sale. No employee or agent of the County of Oneida has any authority to make any promises or representations of any nature concerning any of these parcels. It is the responsibility of each bidder to investigate any and all aspects of the status of each parcel which he or she may desire to purchase **PRIOR TO BIDDING ON THE PARCEL.**
2. You are strongly encouraged to go to the property(ies) you are interested in and examine them in person from the sidewalk or street. You are, however, prohibited from trespassing on the property(ies) or entering into the building(s), if applicable. This restriction also applies to the highest bidder on the property until the quit claim deed transferring ownership from the County to the new owner is recorded in the County Clerk's Office.
3. In most cases, a picture of the property is available for viewing in this office. A map and tax information are available for each parcel. Tax maps are only representations and may depict a proposed development or road. The County does not guarantee that a development and/or road actually exists, nor does it guarantee the eventual creation of any development and/or road. Tax maps do not represent exact dimensions and are not intended to be used as or in place of a survey map. Tax maps may not accurately depict the exact location of a property. Bidders are also encouraged to obtain the zoning regulations from the municipality where the property is located.
4. No representation is made as to the condition or validity of title to the parcels to be sold. Abstracts of title and land surveys will not be furnished.
5. Any bills not yet received by this office will be the responsibility of the new owner. This includes all fees and taxes from other municipalities. City, school, water and sewer tax lien/fee information must be obtained from the collector for the municipality in which the property is located. Liens and mortgages on the properties are on file at the County Clerk's Office.
6. The buyer will be responsible for all City and School taxes and other municipality liens, fees, or taxes. This includes amount due prior to filing the deed as well as after filing. The buyer of the property will not be responsible for the previous delinquent County taxes. Under intermunicipal agreement, properties sold in the City of Rome are free and clear of all delinquent city, and delinquent county tax liens. However, the buyer will be responsible for the pro-rata portion of the current City, County and School taxes if the Board of Legislators accepts the bid. This department reserves the right to withdraw any property from the auction without notice or combine any properties and sell them as one.
7. At the time of the auction, all highest bidders must sign a memorandum of agreement wherein the highest bidder affirms that he or she is not acting on behalf of the former owner(s). If this provision is violated, the highest bidder will be liable for any excess of taxes, penalties, interest, and administrative costs over the amount of said auction bid. Said amounts will be subject to relevy. They must also certify that there are no delinquent county taxes due and owing beyond the current year on other properties located in Oneida County owned by them and/or any corporation, partnership, etc., as represented hereunder. In the event that the Commissioner of Finance finds such delinquent county taxes outstanding as of the date of auction, and as described above, said Commissioner is directed by the Board of Legislators to reject such bid(s) and may do so at any time. Bidder will hereby acknowledge that with any violation of this provision, any and all deposits will be forfeited to the County of Oneida and the Commissioner of Finance may cause a deed to be filed transferring title to the Oneida County Board of Legislators.

8. If Oneida County accepts the bid, you are prohibited from selling the property to the former owner for a period of five years. If title to the property is transferred to the former owner within the five year period, the Commissioner of Finance at his/her discretion, may declare conveyance to the highest bidder, his or her successors and/or assigns, null and void wherein the Commissioner will cause a deed to be filed transferring title to the Oneida County Board of Legislators. Any deposit(s) will not be returned and will be forfeited. If the property is occupied, and the buyer of the property wants the property vacated, the buyer will be responsible for the eviction of the occupants.
9. If the highest bid on the property is more than \$1,000, the highest bidder will be required to deposit 30% of the bid at the time of the auction, with the balance and deed recording fee due 30 days after date of auction. In the event that the highest bid is \$1,000 or less, the full amount of the bid and a minimum \$185.00 deed recording fee for a home must be deposited at the auction. A minimum deed recording fee of \$310.00 will be due for vacant or commercial property.
10. All bids must be approved by the Oneida County Board of Legislators at a regular or special meeting of the Board to be held at a date subsequent to this sale. If the balance of your bid is not submitted within the thirty (30) days after the date of the auction, **the deposit will be forfeited**. Bid offers/deposits held by the Commissioner of Finance and the Board of Legislators for approval will not be returned unless the Commissioner, his or her designee, or the Board of Legislators reject the offer. A withdrawal of any offer prior to acceptance or rejection of that offer will cause forfeiture of the deposit(s).
11. Bidders are hereby advised that this is an auction "**SUBJECT TO CONFIRMATION**". All bids must be approved by the Oneida County Board of Legislators at any regular or special meeting of the Board to be held at a date subsequent to the sale. Oneida County reserves the right to accept or reject any bid.
12. The Commissioner of Finance or his designated deputy may reject a bid at any time.
13. Upon acceptance of the offer and if payment of the balance of the purchase price and all applicable charges have been received, the County of Oneida will convey all its rights, title and interest in such property to purchaser by Quit-Claim Deed(s). There are no warranties or representations regarding the property, its condition, size, location or title thereto. Pursuant to a resolution passed by the Oneida County Board of Legislators, the Quit-Claim Deed(s) issued will be filed in the County Clerk's Office. There is a **minimum** \$185.00 charge for this service. Successful bidders will be required to provide their social security number for a Real Property Transfer Gains Tax Affidavit. Identification, which has a photograph, such as a driver's license, will also be required so that signatures may be notarized.
14. It is the responsibility of each prospective purchaser to investigate any and all aspects of the status of each parcel which he or she may desire to purchase.

The County makes no representation as to the condition of the property(ies) concerning environmental problems. Each bidder assumes all responsibility for having previously checked the condition of the property(ies) and the County assumes no responsibility for any environmentally hazardous conditions on the property(ies).

Prior to bidding, the bidder or agent should have conducted any investigations he or she may deem necessary, including, but not limited to:

1. Zoning;
2. Subdivision regulations;
3. Sewerage or the presence of any possible toxic or harmful wastes;
4. Water
5. Any and all other matters pertaining to public health; together with such other matters as the prospective purchaser or his /her agent deems appropriate.