

**SAN BERNARDINO COUNTY TAX COLLECTOR
DATA CONCERNING PROPERTY TO BE SOLD
TAX SALE NO. 362**

I. DATES OF SALE: This tax sale is scheduled for **MAY 12, 2012 through MAY 18, 2012.**

II. PURPOSE OF SALE: The purpose of this tax sale is to collect unpaid property taxes and convey title to the purchaser, subject to the title limitations described in Section V. E., below. These properties are subject to the Tax Collector's power to sell because of a default in the payment of property taxes. Properties that are subject to sale for non-payment of property taxes shall be offered for sale within four years of the time such properties become subject to the Tax Collector's power to sell. The Tax Collector is responsible for the administration of these sales.

III. CONDUCT OF SALE: This tax sale shall be conducted online by an independent contractor at its website, Bid4Assets.com. This contractor is solely responsible for conducting this tax sale on behalf of the County and its Tax Collector. The County, its constituent departments, and its Tax Collector shall not be responsible or otherwise liable for any error, omission, equipment failure, mistake, or other fault or defect occurring during the conduct of this tax sale.

IV. NOTICE TO PARTIES CONCERNING REDEMPTION: **The right of redemption for properties offered for this tax sale shall terminate at 5:00 p.m., Pacific Time, on Friday, May 11, 2012, the last business day prior to the date of the sale.**

Each remittance sent by mail for redemption of tax-defaulted property shall be made by a cashier's check or bank money order only. All such checks and money orders shall be made payable to SBC Tax Collector. A cash remittance shall be delivered in person to the Tax Collector at 172 West Third Street, San Bernardino, CA 92415. All remittances shall be received by the Tax Collector no later than the termination deadline given above.

To all persons seeking to redeem any tax-defaulted property: **TAKE NOTICE THAT:**

Redemption merely pays the amount of property taxes then due and owing on the defaulted property at the time of redemption. **Redemption does not cause a change in legal title to the property so redeemed.** Please consult an attorney for further information and legal advice concerning redemption.

V. NOTICE TO BIDDERS:

A. Bidder's Duty of Due Diligence: All properties offered for sale and sold at each auction of this tax sale are offered and sold on an "as is" basis only. Therefore, each bidder shall alone bear the duty of due diligence to inspect the properties offered for this tax sale and investigate all title matters; judgment, nuisance abatement, tax, or other liens; encumbrances; easements; covenants; restrictions; servitudes; boundaries; the existence, condition, and legal status of all improvements and appurtenances; compliance with all applicable zoning ordinances; building and other codes; permit requirements; notices of violation; other recorded notices; bankruptcy proceedings; and all other conditions affecting these properties.

Each bidder shall alone bear the burden to thoroughly research these properties prior to the tax sale as to any and all matters relevant to his or her decision(s) to bid and purchase any of the properties offered in this tax sale. Each bidder who desires a survey of any property offered shall obtain the survey at his or her own expense. Each bidder bears the burden of determining the actual location of the property and its boundaries, property lines, and the actual location of all rights-of-way and easements affecting the property.

The auction sale of these properties in this tax sale shall not be considered equivalent in any way to a sale of real property conducted by licensed real estate agents, brokers, or salesmen.

The Tax Collector's sole interest in the sale of these properties through this tax sale is the recovery of unpaid property taxes as directed or permitted by law.

The information concerning these properties is presented by the Tax Collector as a courtesy for general reference only and the Tax Collector makes no warranty whatsoever as to the accuracy or veracity of any County General Plan map, County Assessor's Parcel map, other map(s), photograph, property description, legal description, property profile, County Property Information Management System (PIMS) report, or other information so provided.

The Tax Collector makes no warranty whatsoever as to any property offered in this tax sale regarding the suitability for or legality of any land use contemplated by the bidder or purchaser of that property. See Section V. F, below.

USE CAUTION – AND INVESTIGATE BEFORE YOU BID!

B. Bid Deposit and Fee Requirements: Payment of a \$5,000.00 bid deposit and \$35.00 fee is required of each bidder prior to bidding on any property auction conducted as part of this tax sale. The bid deposit and fee payment shall be made a minimum of three (3) business days before the sale begins. Bid4Assets shall accept deposits starting at 9:00 a.m., Pacific Time, on Monday, April 16, 2012. In order to participate in this tax sale, all bid deposit and fee payments shall be received by Bid4Assets no later than 5:00 p.m., Pacific Time, on Tuesday, May 8, 2012.

The deposit and fee payment shall be accepted by wire transfer or mailing of a certified or cashier's check or money order, made payable to Bid4Assets, Inc. Escrow Account FBO Its Clients, to Bid4Assets at 8757 Georgia Avenue, Suite 520, Silver Springs, MD 20910. You must reference your User# and Auction ID for proper application.

Refunds of the bid deposit and fee payment shall be made to unsuccessful bidders within ten (10) business days after the close of all property auctions for this tax sale. Bid4Assets shall transfer the deposit of the successful bidders (i.e., the highest bidder of each property auction) to the County where the deposit shall be credited toward their purchases, subject to meeting the Settlement Requirements described in the next section.

C. Settlement Requirements: The properties offered at each auction of this tax sale shall be sold to the highest bidder. The highest bidder for each property auction of this tax sale shall pay in full within five (5) business days from the close of each auction. In the event the highest bidder on an auction fails to comply with these Settlement Requirements, then that bidder's deposit shall be forfeited to the County. **Winning bidders who do not perform on all auctions won will forfeit their deposit to the County.**

The following forms of payment only shall be accepted:

1. Certified or cashier's check (made payable to SBC Tax Collector)
2. Cash (paid at the Tax Collector's office)
3. Wire transfer.

Please note: Payment by personal check, traveler's check, or credit card shall not be accepted.

A documentary transfer tax of \$0.55 (fifty-five cents) shall be added for each \$500.00, or fractional portion thereof, of the final sales price.

D. No Auction Sale Refunds; Exception: There shall be no refund of any purchase price, or any portion thereof, and no refund of the payment of the documentary transfer tax paid for a property sold at auction during this tax sale due to a bidder's or purchaser's error, remorse, or failure to exercise due diligence.

However, if, for whatever reason, a property is sold at auction in this tax sale after the property was redeemed, or has otherwise been sold in error; then a refund, limited to the amount of the purchase price and documentary transfer price paid, shall be paid within a reasonable time to that bidder or purchaser and the County and its Tax Collector shall have no further liability arising from the transaction. The bidder or purchaser's acceptance of this refund shall be deemed an accord and satisfaction and constitute a full and complete waiver and release of all claims arising from the transaction.

E. Conveyance of Title; Limitations Regarding Encumbrances:

California Revenue and Taxation Code § 3712 sets forth the scope and extent of title conveyed by the Tax Deed as a result of a tax sale. Please consult an attorney for further information and legal advice concerning any questions you may have regarding legal title to property purchased at a tax sale.

As a courtesy only, the complete text of § 3712 is provided below:

§ 3712. The deed conveys title to the purchaser free of all encumbrances of any kind existing before the sale except:

- (a) Any lien for installments of taxes and special assessments, that installments will become payable upon the secured roll after the time of the sale.
- (b) The lien for taxes or assessments or other rights of any taxing agency that does not consent to the sale under this chapter.
- (c) Liens for special assessments levied upon the property conveyed that were, at the time of the sale under this chapter, not included in the amount necessary to redeem the tax-defaulted property, and, where a taxing agency that collects its own taxes has consented to the sale under this chapter, not included in the amount required to redeem from sale to the taxing agency.
- (d) Easements of any kind, including prescriptive, constituting servitudes upon or burdens to the property; water rights, the record title to which is held separately from the title to the property; and restrictions of record.
- (e) Unaccepted, recorded, irrevocable offers of dedication of the property to the public or a public entity for a public purpose, and recorded options of any taxing agency to purchase the property or any interest therein for a public purpose.
- (f) Unpaid assessments under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highways Code) that are not satisfied as a result of the sale proceeds being applied pursuant to Chapter

1.3 (commencing with Section 4671) of Part 8, or that are being collected through a foreclosure action pursuant to Part 14 (commencing with Section 8330) of Division 10 of the Streets and Highways Code. A sale pursuant to this chapter shall not nullify, eliminate, or reduce the amount of a foreclosure judgment pursuant to Part 14 (commencing with Section 8830) of Division 10 of the Streets and Highways Code.

(g) Any federal Internal Revenue Service liens that, pursuant to provisions of federal law are not discharged by the sale, even though the tax collector has provided proper notice to the Internal Revenue Service before that date.

(h) Unpaid special taxes under the Mello-Roos Community Facilities act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code) that are not satisfied as a result of the sale proceeds being applied pursuant to Chapter 1.3 (commencing with Section 4671) of Part 8, or that are being collected through a foreclosure action pursuant to Section 53356.1 of the Government Code. A sale pursuant to this chapter shall not nullify, eliminate, or reduce the amount of a foreclosure judgment pursuant to Section 53356.1 of the Government Code.

F. No Warranties by County or its Tax Collector: All properties offered for sale and sold at each auction of this tax sale are offered and sold on an "as is" basis only. The County and its Tax Collector assume no liability and make no warranties whatsoever as to each of these properties regarding each of the following:

1. The accuracy or veracity of their legal descriptions; locations; boundaries and property lines;
2. The existence of any liens of any kind, easements, rights-of-way, servitudes, covenants, restrictions, or other encumbrances of any kind, whether or not recorded, affecting these properties;
3. Their suitability for or the legality of any land use contemplated by the bidder or purchaser;
4. The status of compliance with all applicable local codes, permit requirements, zoning and land use regulations;
5. The status of compliance with all environmental regulations imposed by local, state, or federal law;
6. The status of compliance with procedural requirements concerning required notices and the sale itself.
7. The status of creditors' rights or the rights of the Trustee in any proceeding before the U.S. Bankruptcy Court;
8. The accuracy or veracity of any County or City General Plan Map or equivalent, County Assessor's Parcel map;
9. The accuracy or veracity of any other map, or any photograph;
10. The accuracy or veracity of any property profile or title report; and
11. The accuracy or veracity of any information presented in a County Property Information Management System (PIMS) report.

G. Bidder's Acknowledgment of and Agreement to Terms and Conditions: Each bidder participating in this tax sale shall be deemed to have read, acknowledged, and agreed to be bound by the Terms and Conditions for this tax sale as herein stated upon payment of the bid deposit and fee.

VI. CONTACT INFORMATION FOR OTHER COUNTY DEPARTMENTS

ASSESSOR

172 West Third Street
San Bernardino, CA 92415-0018
(909) 387-8307

COUNTY CLERK AND RECORDER

222 West Hospitality Lane
San Bernardino, CA 92415-0018
(909) 387-8306

ENVIRONMENTAL HEALTH LAND USE SERVICES

385 North Arrowhead Avenue
San Bernardino, CA 92415-0835
(909) 387-4044

SPECIAL DISTRICTS

157 West Fifth Street
San Bernardino, CA 92415-0450
(909) 387-5940

TRANSPORTATION/FLOOD CONTROL

825 East Third Street
San Bernardino, CA 92415-0835
(909) 387-8104