



Office of the Wayne County Treasurer  
Terms and Conditions of Sale  
October 21-27, 2011  
Tax Foreclosed Property Auction  
Internet Bidding

**I. PROPERTY**

1. The Auction of tax-foreclosed real property (the “Auction”) is being held in compliance with the Michigan General Property Tax Act, MCL 211.1 et seq., as amended, applicable court decisions and these Terms and Conditions of Sale. The property for sale was foreclosed by the Wayne County Treasurer (the “Treasurer”) for non-payment of delinquent real property taxes pursuant to a Judgment of Foreclosure entered by the Wayne County Circuit Court, Wayne County Circuit Court Case No. 10-006738 CH.
2. The property is subject to any liens, easements, building or use restrictions, governmental interests, or special assessments not extinguished pursuant to MCL 211.78k, or other applicable law, and is also subject to taxes levied in the same calendar year as the year of the sale and taxes not yet due and payable. The Treasurer makes no warranty regarding the existence of such liens or encumbrances. Neither the Treasurer nor the County of Wayne, its departments, boards, commissions, officers, employees, agents, and its successors and assigns, (herein collectively referred to as the “County”) guarantee the usability or access to any of the offered property.
3. In accordance with state law, the State of Michigan, a local governmental unit, or the County may purchase property prior to the Auction. Any such purchased property will be removed from the Auction. The property listing <http://www.bid4assets.com/Wayne> will be updated to reflect that the property no longer for sale.
4. **The legal description and parcel identification number designate the property offered for sale.** The street address is based upon information provided to the Treasurer by local tax jurisdictions and may not correspond to the actual legal description or parcel identification number.
5. The sale of tax-foreclosed property is mandated by Michigan law and should not, in any way, be equated to real estate sales by licensed salespersons, brokers, or real estate agents.
6. The Treasurer reserves the right to remove any property from the Auction.



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## **II. CONDITIONS AND DISCLOSURES**

1. The property is offered for sale “**as-is**” and “**where is**”.
2. **The Winning Bidder, its agents, grantees, successors and assigns, if any (herein collectively referred to as the “Winning Bidder”), is responsible for all property taxes for 2011**, including, but not limited to, state education taxes, Summer and Winter taxes billed in 2011, and/or special assessments due.
3. The Winning Bidder releases the Treasurer and the County from all liability whatsoever arising from any condition of the property, whether now known or subsequently discovered, including, but not limited to, all claims based on environmental contamination of the property, if any. The Winning Bidder agrees not to sue the Treasurer or the County, for any claim, whether legal or equitable, in any manner. The Winning Bidder also releases, waives, and discharges the Treasurer and the County from any and all liability, arising in any manner in connection with, or relating in any way to, the sale of property from the Auction.
4. Some property may be landlocked with no ingress or egress or as provided by abutting owners. Winning bidder must make arrangements with any abutting owner to create ingress and egress to the property. The Treasurer and the County make no representation or claim as to fitness for purpose including any right of ingress/egress, conditions, covenants or restrictions. There are no warranties, either expressed or implied, regarding any property.
5. In addition to any liens and encumbrances not canceled pursuant to the Foreclosure Judgment, the property may be subject to liens and/or encumbrances incurred after the entry of the Foreclosure Judgment. It is the responsibility of the Winning Bidder to ascertain if the property is subject to, or may be subject to, any such liens or encumbrances. The Treasurer makes no warranty regarding the existence of such liens or encumbrances.
6. The Treasurer assumes no liability for any lien, encumbrance, or easement, recorded or not recorded which was not cancelled by the Foreclosure Judgment of the property under MCL 211.78k. It is the responsibility of the bidder to research the existence of any liens or encumbrances not canceled by the Foreclosure Judgment or other applicable law. Further, it is the responsibility of the bidder to research the use of the land for its intended purpose and to determine if it will be suitable for the purposes for which it is being purchased. The Treasurer and the County are not in any way responsible for the cost of any research, fees, costs, or other expenses related to the research.
7. The Winning Bidder agrees to indemnify and hold harmless the Treasurer and the County, from any and all claims, demands, judgments, and expenses, including attorney fees, for any and all loss, damage, injury, or death related to the property.
8. The property is subject to any applicable state, county and local zoning and building ordinances.
9. The property may or may not be occupied at the time of sale. Occupied structures should not be entered without the occupant’s permission.



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10. The Winning Bidder does not acquire title and legal title is not conveyed at the time of delivery of the purchase price. Title is conveyed only upon the execution and delivery of the quit claim deed for the property. Notwithstanding, upon payment of the full purchase price, the Winning Bidder assumes the full risk of loss and shall be solely responsible for protecting its interest in the property, including and not limited to, obtaining insurance and contacting local units of government to prevent possible demolition of structures situated on parcels.
11. The property may be subject to flooding. Any new construction or reconstruction should conform to local, county, and state regulations. Also, any filling, dredging, or other permanent construction below the ordinary high-water mark of the water body involved, or earth change may be subject to restrictions under state law. The property may also be subject to wetlands protections under Part 303 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA).
12. The Winning Bidder accepts the property in its present "as is" condition, and releases the Treasurer and County from all liability whatsoever arising from any condition of the premises, whether now known or subsequently discovered, including but not limited to all claims based on environmental contamination of the premises. A person who acquires property that is contaminated as a result of a hazardous substance(s) may become liable for all costs of cleaning up the property and any other property impacted by the release(s), pursuant to NREPA or other state or federal laws. Liability may be imposed upon the person acquiring the property even in the absence of any personal responsibility for, or knowledge of, the release. Protection from such liability may be obtained by conducting a Baseline Environmental Assessment (BEA) as provided for under section 20126(1)(c) of NREPA.
13. Pursuant to NREPA, the person(s) responsible for an activity causing a release at the property is obligated to pursue response activities at the property. Furthermore, NREPA requires that a person who has knowledge that their property is contaminated provide a written notice to the successful bidder or other person to whom the property is transferred which discloses the general nature and extent of the release. Additional disclosure obligations may also apply at the time the property, or an interest in the property, is transferred.
14. It is recommended that a person who is interested in purchasing a parcel, contact an attorney and/or an environmental consultant for advice prior to the acquisition of the property.
15. The Winning Bidder expressly waives any and all claims for damages against the Treasurer and the County, of any kind, including and not limited to, interest, attorney fees, costs or other expenses.



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### **III. THE AUCTION**

1. The Treasurer **WILL NOT** conduct an Auction at the Office of the Wayne County Treasurer.
2. The Auction will be conducted on the internet by Bid4Assets,Inc., at [www.bid4assets.com/wayne](http://www.bid4assets.com/wayne). Bids will **NOT BE** accepted by the Treasurer or at the Office of the Wayne County Treasurer.
3. Click here or visit Bid4Assets.com for details regarding registration, deposits and bidding deadlines.
4. The information for each property may be updated at any time and will not be finalized until the day of the sale. Please read all due diligence materials and check <http://www.Bid4Assets.com/Wayne> for updates.
5. At the sole discretion of the Treasurer, the Auction may be extended.
6. The Treasurer reserves the right to reject any bid.
7. The Treasurer reserves the right to withdraw a property from the Auction.
8. The Treasurer reserves the right to cancel the sale of a property at any time prior to the issuance of the deed.
9. The property will be awarded to the registered bidder submitting the highest amount, provided the bid is equal to or greater than the opening bid as required by MCL 211.78m. The opening bid is the minimum bid for the October Auction. The Treasurer may change a Minimum Bid any time prior to the opening of an Auction to reflect new costs and expenses that may have been incurred.



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**IV. AUCTION PARTICIPATION**

1. Participation in the Auction is a two step process:
  - a) Registration with Bid4Assets.
  - b) Placement of the required deposit (all deposits and final payment shall be in U.S. Dollars).
2. Auction Participants may register and deposits may be submitted Online or Offline. (Bid4Assets to provide hotline)

IMPORTANT DATES FOR 2011 AUCTION PARTICIPATION

1. First date to view property on Bid4Assets.com	September 28, 2011
2. Register on Bid4Assets	September 28, 2011 thru October 14, 2011
3. \$500.00 Bid Deposit and \$35.00 registration fee ( <b>for one property</b> ) and \$5000.00 and \$35.00 registration fee ( <b>for more than one property</b> ) due at Bid4Assets for prospective bidders ( <b>THERE WILL BE NO ACCEPTANCE OF BIDS OR DEPOSITS AT THE OFFICE OF THE WAYNE COUNTY TREASURER</b> )	October 14, 2011
4. Deadline for <b>OFFLINE</b> bidding registration and deposit acceptance. Required form must be submitted via FAX to Bid4Assets at 301-650-7475.	October 14, 2011*
5. Online bidding begins on all parcels.	October 21, 2011 11:00 a.m. (EST)
6. Online bidding ends for first 100 parcels.	October 24, 2011 at 8:30 a.m.**
7. Online bidding ends for last 100 parcels.	October 27, 2011
8. Notification of winning bid to email address provided.	End of day the auction you won ends.
9. Notification of winning bid for OFFLINE bidder by telephone to number provided or bidder may call 877-427-7387.	End of day the auction you won ends.
10. Final payment (via Cashier's Check, Certified Check or Bank Wire Transfer) <b>due at Office of the Wayne County Treasurer on purchased property.</b> (Payment instructions provided to winning bidders.	Within 24 Hours of acceptance of winning bid
11. Deed issuance, recording and mailing.	By November 30, 2011

\*If your deposit has not been received prior to this date, you will be unable to submit a bid.

\*\*During the Auction hours, 8:30 a.m. to 4:30 p.m., bidding will close on approximately 100 properties every 15 minutes. Please pay particular attention to the closing time associated with the parcel listed at Bid4Assets.com. Bids may be entered beginning at 11:00 a.m. ET, 8:00 a.m. PT, October 21, 2011. Bidding may extend beyond the posted



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time, if a bid is received within the last 5 minutes of the posted closing time. Bidders should be attentive to this fact and monitor bidding activity property of interest.



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**A. AUCTION ONLINE**

1. Each bidder must register with Bid4assets, Inc. at [www.bid4assets.com](http://www.bid4assets.com).
2. The deposit must be made a minimum of seven (7) days before any bid may be placed. **In order to participate in this sale, your deposit must be received by Bid4Assets no later than October 14, 2011.** Please plan ahead and allow enough time for receipt of deposit. The required deposit is \$500.00 plus an additional \$35.00 registration fee is charged per deposit for each registered bidder of one property. The required deposit is \$5,000.00 plus an additional \$35.00 registration fee is charged per deposit for each registered bidder of **more than one** property. The deposit will be accepted via wire transfer (see Registration screen for details) or by mailing a certified check or money order to Bid4Assets only. **(Bid4Assets, Inc., 8757 Georgia Avenue, Suite 520, Silver Spring, MD 20910)** in an amount of not less than \$535.00. **Do not send deposits to the Treasurer. Deposits sent to the Treasurer will not be accepted.** All unsuccessful bidders will receive a refund of their deposit and fee within ten (10) business days after the close of the Auction. The deposit for the Winning Bidder will be forwarded to the Treasurer and applied to the purchased property.
3. A bid is an irrevocable offer to purchase a property.
3. An accepted bid is a binding contract.
4. A Winning Bidder is legally and financially responsible for all property on which he or she bids whether representing himself, herself or itself, or acts as an agent.
5. A Winning Bidder that defaults on the terms of a purchase forfeits its deposit to the Treasurer.
6. Contractors of the Treasurer, their employees, and employees of the Treasurer, members of the immediate family of contractor or Treasurer employee, including children and stepchildren, parents, grandparents, siblings, aunts, uncles, nephews, nieces, and first cousins, are strictly prohibited from participating directly or indirectly, in the bidding and purchasing by any means, including and not limited to, joint ventures, or assignments of any foreclosed property.
7. The Treasurer reserves the right to cancel any sale, at any time, prior to the issuance of the deed. Upon cancellation of a sale by the Treasurer or by order of the Court, the Winning Bidder shall only be entitled to a refund of the purchase price.





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**B. AUCTION OFFLINE**

1. If an individual bidder is unable to participate online, these procedures describe how to participate:  
Individuals interested in offline bidding options should call Bid4assets, Inc. at 1-877-427-7387, **prior to October 10, 2011.**
2. The deposit and Offline Bidder Registration Forms must be submitted a minimum of seven (7) days before any bid placed. **In order to participate in this sale, your deposit must be received by Bid4Assets no later than October 14, 2011.** Please plan ahead and allow enough time for receipt. The required deposit is \$500.00 plus an additional \$35.00 registration fee is charged per deposit for each registered bidder of one property. The required deposit is \$5,000.00 plus an additional \$35.00 registration fee is charged per deposit for each registered bidder of **more than one** property. The deposit will be accepted via wire transfer (see Registration screen for details) or by mailing a certified check or money order to Bid4Assets only. **(Bid4Assets, Inc., 8757 Georgia Avenue, Suite 520, Silver Spring, MD 20910)** in an amount of not less than \$535.00. **Do not send deposits to the Treasurer. Deposits sent to the Treasurer will not be accepted.** All unsuccessful bidders will receive a refund of their deposit and fee within ten (10) business days after the close of the Auction. The deposit for the Winning Bidder will be forwarded to the Treasurer and applied to the purchased property.
3. A bid is an irrevocable offer to purchase a property.
4. An accepted bid is a binding contract.
5. A Winning Bidder is legally and financially responsible for all property on which he or she bids whether representing himself, herself or itself, or acts as an agent.
6. A Winning Bidder that defaults on the terms of a purchase forfeits its deposit to the Treasurer.
7. Contractors of the Treasurer, their employees, and employees of the Treasurer, members of the immediate family of contractor or Treasurer employee, including children and stepchildren, parents, grandparents, siblings, aunts, uncles, nephews, nieces, and first cousins, are strictly prohibited from participating directly or indirectly, in the bidding and purchasing by any means, including and not limited to, joint ventures, or assignments of any foreclosed property.
8. The Treasurer reserves the right to cancel any sale, at any time, prior to the issuance of the deed. Upon cancellation of a sale by the Treasurer or by order of the Court, the Winning Bidder shall only be entitled to a refund of the purchase price.





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**V. WINNING BIDS**

1. Parcels will be sold to the highest bidder, subject to the Minimum Bid.
2. For Online participants, notification of a winning bid will be made by Bid4Assets to the e-mail address provided by the Winner Bidder.
3. For Offline participants, Bid4Assets will notify the Winning Bidder by telephone at the telephone number provided on the Bidder Registration Form, or the participants may call Bid4Assets at 1-877-427-7387. That notification will include the purchase price of the property and instructions regarding payment and deed registration.
4. The Winning Bidder will be asked to provide deed information. The deed information will be provided by the Winning Bidder and must be completed and submitted within 24 hours after the close of the purchase for that property.
5. A Winning Bidders failure to provide deed registration instruction shall result in issuance of the deed in the name of the registered bidder.
6. A Winning Bidder must make payment in full to the Treasurer by 4:30 p.m. ET on the day after the sale of the successfully bid upon property using a payment method acceptable to the Treasurer. If the Winning Bidder does not make final payment in accordance with the payment policy, that person will forfeit the deposit and may be banned from future sales and all available legal remedies may be pursued. If the Winning Bidder defaults, the Treasurer reserves the right to offer the property to the next highest bidder. If the next highest bidder agrees to purchase the property, the terms of sale will apply to the next highest bidder.



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**VI. DEED CONVEYANCE**

1. A separate quit claim deed will be issued for each property purchased. Unless the sale is canceled by the Treasurer, or unless otherwise ordered by a court. A quit claim deed will be executed by the Treasurer and delivered to the Wayne County Register of Deeds for recording within 30 days of the close of the Auction. The recorded quit claim deed will be mailed only to the person and address indicated in the application for deed.
2. The quit claim deed conveys only title as vested in the Treasurer pursuant to the Foreclosure Judgment.
3. The quit claim deed shall contain a “declaration of condition subsequent” imposing the following restrictions on the sale of the property, which restrictions shall run with the land for a period of two(2) years following the date of the deed and are binding on the Purchaser and subsequent owners: 1) The Purchaser or subsequent owner shall keep the taxes on the property current for the two tax years following the date of the deed conveyed by the Treasurer; and 2) The Purchaser or subsequent owner shall either demolish the property within six months or maintain and secure the property for two years following the date of the deed in accordance with local building, health and public safety ordinances. The quit claim deed shall provide that failure of the Purchaser or subsequent owner to comply with either of the aforementioned restrictions, or to cure the default within 30 days of written notice, may result in a reversion of the title and possession of the Property to the city or township where the property is located, at its option.
4. A Property Transfer Affidavit will be filed by the Treasurer with the city/township in which the property is located when the quit claim deed is issued.
5. The Treasurer reserves the right to cancel any sale, at any time, prior to the issuance of the deed. Upon cancellation of a sale by the Treasurer or by order of the Court, the Winning Bidder shall only be entitled to a refund of the purchase price.
6. Failure to provide deed registration information to the Treasurer shall result in the property being deeded in the name of the bidder.



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**VII. TITLE INSURANCE**

The Treasurer makes no representations regarding the availability of title insurance policies for any of the properties. Unavailability of title insurance is not grounds for reconveyance to the Treasurer.

**VIII. PROPERTY TAXES AND ASSESSMENTS**

1. **The Winning Bidder will be responsible for all property taxes for 2011,** which includes and is not limited to, state education taxes, Summer, Winter, and /or village taxes billed in 2011, and/or special assessments due.
2. Purchasers must contact the city, village, or township treasurer for amounts due.
3. The Winning Bidder must contact the local city or township assessor or treasurer in which the property is located to ensure a correct mailing address for future tax bills.

**ALL SALES ARE “AS-IS”, “WHERE-IS”, AND FINAL.  
THERE ARE ABSOLUTELY NO REFUNDS.**

**TERMS OF SALES ARE SUBJECT TO MODIFICATION PRIOR TO THE  
COMMENCEMENT OF THE SALE.**