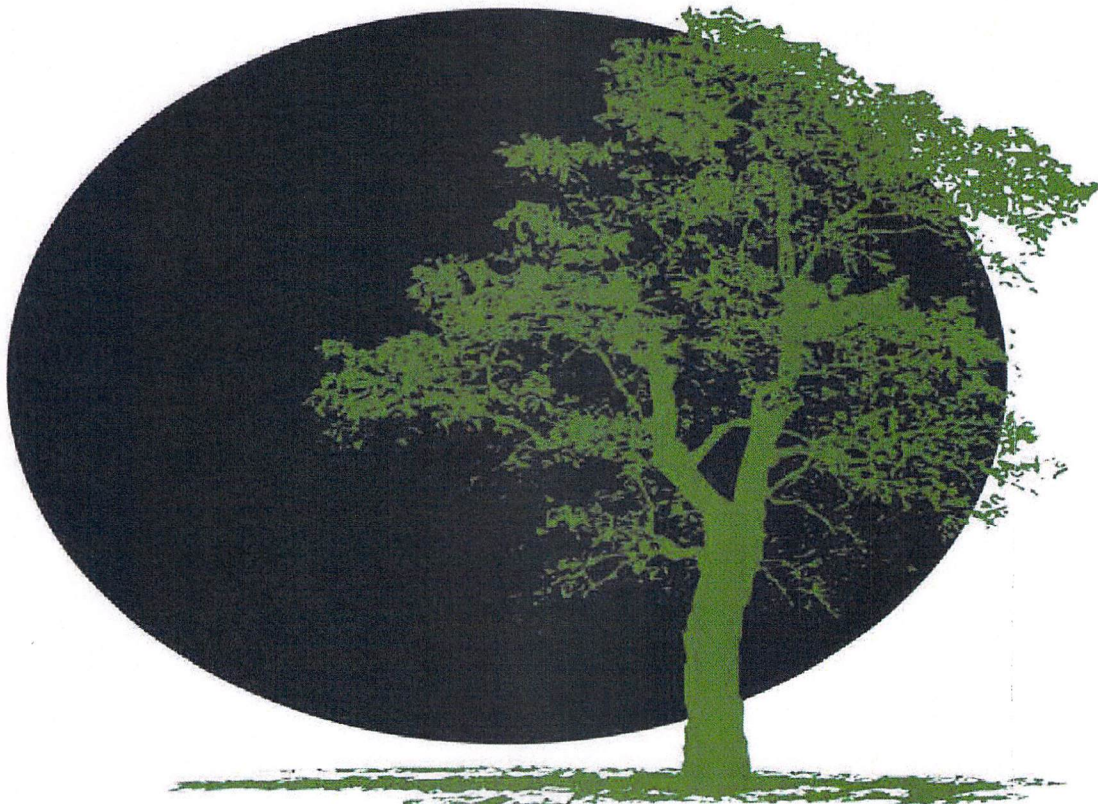


Ouachita Parish Police Jury Adjudicated Property Program



E & P Consulting Services, LLC

Tel: (318) 807-0924

Fax: (318) 807-0925

www.parishtaxland.com

PARISH ADJUDICATED PROPERTY PROGRAM

Thank you for your interest in the Parish Adjudicated Property Program. **PLEASE READ ALL INFORMATION PROVIDED IN THIS PACKET.** After you review this information, we will be happy to answer any further questions that you may have. Contact information for important offices and resources appears on the last page of the packet.

Adjudicated property is *real* or *immovable* property that meets both of the following criteria:

- The property taxes were not paid and
- The property was not purchased at a subsequent tax sale.

State law requires that such properties be “adjudicated” to the Parish. Once property is adjudicated to the Parish, it will not typically come up for another tax sale. It can only be: redeemed (which will place the property back in the name of the tax debtor); sold by the Parish through the abandoned adjudicated properties process; or declared needed by the Parish for public purposes.

NOTE: The Parish is authorized to sell only those properties that have been adjudicated since January 1, 1975, are abandoned (vacant or not lawfully occupied) and considered surplus (or no longer needed by the Parish for a public purpose.) The Louisiana State Land Office manages property adjudicated before January 1, 1975. The Parish’s current policy, keeping in mind the state’s constitutional mandate that property owners have a three year right to redeem their property, is to make available for sale at public auction only those properties that have been adjudicated to the Parish for at least *three* years. This means that the tax debtor has had at least three years to redeem the property (pay the back taxes) and has failed to do so.

Of important note, the tax debtor or owner of record or someone on their behalf is ineligible to purchase adjudicated property through this program. Redemption of the property is the appropriate process for these individuals to extinguish a political subdivision’s lien on their property. Redemption amounts can be received by contacting the appropriate tax collector’s office.

This packet provides information to facilitate the purchase of property that has been adjudicated to Parish Police Jury to third party purchasers. State law allows the governmental body holding jurisdiction over such property to sell it to the highest bidder via public auction and for the Parish to establish the minimum bid on these properties. For parishes participating in the program run by E & P Consulting, the minimum bid for a particular property general begins at the lower of: 2/3 of the tax assessor’s valuation of the property or the redemption amount.

The Parish is authorized to sell adjudicated property pursuant to Louisiana Revised Statute (La. R.S.) 47:2196, and pursuant to La. R.S. 47:2207 a purchaser of an adjudicated property acquires full ownership of the affected property with a non-warranty deed.¹ The entire process from beginning to end takes generally follows the procedures explained on the following pages:

¹ Parish will reserve any and all of the oil, gas and other mineral rights under the subject property.

PROCEDURES TO PURCHASE ADJUDICATED PROPERTY

1. The Adjudicated Property list for each participating parish is available from the Parish Police Jury office or the website of E&P Consulting Services, LLC (www.parishtaxland.com). Review the adjudicated property list to determine if there is a piece of property that you are interested in buying. We recommend that you then conduct a preliminary review of the property by driving by it to ensure that it is vacant.
2. You can obtain additional information regarding the property from the Parish Assessor's website that is generally accessible from the Parish website or through a link from parishtaxland.com. Stop by or call our offices at 1300 Hudson Lane, Suite 5 for assistance in this process.
3. Once you have identified a property, you should complete and submit a "Request to Purchase Adjudicated Property Form," which is attached to this packet. This form can also be accessed by calling (318) 807-0924 to have a form emailed to you; or picking up the form at 1300 Hudson Lane, Suite 5, Monroe, LA 71201. The form is also available at the Parish Police Jury Offices or on our website: www.parishtaxland.com.
4. You should complete the form and return it with a certified check or money order in the amount of \$1,000.00. The \$1,000.00 is an administrative fee that is fully refundable at this point in the process. The packet can be submitted via mail or in person. The form should be submitted to: E & P Consulting Services, LLC, 1300 Hudson Lane, Suite 5, Monroe, Louisiana 71201.

Explanation of Fees: The administrative fee of \$1,000.00 is applied to handling the administration of the sale, including, but not limited to: conducting title research, complying with statutory notice requirements which include public notice and individual correspondence, drafting of documents, and executing closing of sale on the property. **Other charges that will be involved in the purchase:** The clerk of court will charge to file closing paperwork in the conveyance and mortgage records and the winning bidder is responsible for those fees plus the purchase price of the property at the time of closing.

5. After the application and administrative fee have been received, you will receive a letter inviting an "Offer to Purchase" and you will be advised of the minimum bid amount. You should complete the form enclosed with this correspondence and return as instructed as soon as possible.

Minimum Bid Amount: The Parish has established the minimum bid at the first public sale of an adjudicated property to be the lesser of two-thirds of the value of the property (as determined by the Parish Assessor's Office) or the amount of the statutory impositions owed on the property.

6. **NOTE:** In the event that the property has already been redeemed or is otherwise ineligible for purchase through the Adjudicated Property Program, you will be notified that the Parish will deny your request to purchase. Note that if the property is determined to be ineligible for purchase at this preliminary state or if you do not want to offer the minimum bid, you will be entitled to a refund of the deposit paid at this time.

7. Once the signed Offer to Purchase is received, the following will take place (not necessarily in the order listed):
 - i. Examination of the mortgage, conveyance, probate and civil suit records of Parish Clerk of Court to obtain the names of all parties who may have an interest in the subject property.
 - ii. Preparation of a report on all parties with a real or contingent interest in the property.
 - iii. Notification of the parties of interest identified in the title research described above.
 - iv. Schedule of the Property for auction.
 - v. Placement of an item on the agenda of the Parish Police Jury's regular meeting requesting via proposed ordinance that the specific property at issue be sold and preparation of the ordinance.
 - vi. Publication of a Notice(s) in the local newspaper.
 - vii. Communication of documentation of all of the above to any prospective purchasers who have paid an administrative fee regarding the particular property.
8. **Public Bidding Session:** You will be notified of the date and time of the auction and you or a proxy **MUST BE PRESENT** for the auction. As long as there are no other bidders, E & P Consulting can serve as the proxy. Other individuals may be present to also bid on the property and an oral bidding session will take place to determine the high bidder for the property at issue. Each individual intending to bid on the property must pay the same \$1,000.00 deposit via certified check or money order that you paid to initiate the process. If you are not the high bidder, you will receive a full refund of the deposit the same day or shortly after the bidding session has occurred.
9. **Ordinance:** The Parish will introduce and adopt an ordinance authorizing the sale of the property.
10. The successful bidder may close on the property after the auction and respective 60 day/6 month timeframe has expired. A convenient closing date and time will be scheduled with E & P Consulting for final paperwork to be signed and the purchase price delivered. Upon closing, the successful purchaser will be issued a "Non-Warranty Cash Sale" Deed and an "Affidavit," both of which are required to record the sale with the Clerk of Court.
11. A certified check or money order for **the full amount** of the purchase price plus clerks actual filing costs made payable to the E & P Consulting is required at closing. The closing takes place at the offices of E & P Consulting Services, LLC, 1300 Hudson Lane, Suite 5, Monroe, Louisiana 71201.
12. After the sale and recordation, the Parish Assessor will note the change in ownership.

General Disclaimers:

You should consider the following in your decision to pursue the purchase of surplus adjudicated property.

- A tax debtor is allowed to redeem property at any time up to the point when the Parish executes the act of sale on the property.
- The sale of any property under this program is the prospective buyer's legal and financial risk. Parish shall be selling the property subject to *a non-warranty deed*. This means that the Parish and its agent, E&P Consulting Services, LLC, make no warranties of any kind whatsoever, express or implied. The implied warranties of merchantability and fitness for any purpose are hereby disclaimed and excluded. The Parish and its Agent shall not be liable to any applicant, purchaser, owner or any third party for any special, punitive, incidental or consequential damages resulting from the sale of the property. **If title insurance is desired, purchasers will likely need to pursue curative title work at their own expense after the act of sale.**
- Parish will reserve any and all of the oil, gas and other mineral rights under the subject property.

To participate in this program, the Parish Police Jury requires that you acknowledge that you have received this information. *Your signature on the attached Registration Form confirms that you have read and understand the procedures and requirements for participation in the purchase of adjudicated surplus property.*

E & P CONSULTING
REQUEST TO PURCHASE ADJUDICATED PROPERTY

Date of Application: _____

Parish: _____

APPLICANT INFORMATION

Applicant's Name (Please print): _____

Address: _____

Telephone Numbers: (Home) _____

(Cell) : _____

PROPERTY INFORMATION

Parcel # _____ WARD _____

PROPERTY MUNICIPAL ADDRESS: _____

PROPERTY DESCRIPTION (check all that apply):

_____ Vacant _____ Occupied

_____ Lot _____ House _____ Building

_____ Other (specify) _____

YEAR OF ADJUDICATION: _____

(Check one) I ☐ DO ☐ DO NOT own property directly adjacent to or adjoining this property

Enclosed are (please check):

_____ Certified check or money order in the amount of \$1,000.00 made out to "E & P Consulting, LLC"

My signature below indicates the following:

- I acknowledge that I have received and reviewed the Parish Adjudicated Property Information Packet.
- I am not the tax debtor or owner of the property, nor am I seeking acquisition of this property on behalf of the tax debtor or owner. If so, redemption is the appropriate avenue for property acquisition.
- I understand that \$1,000.00 advanced by me will be applied to both the purchase price and administrative cost and is **100% REFUNDABLE up until the written offer for a minimum bid is signed by me**. This fee is also refunded if the property is redeemed or if I am outbid at the auction by another bidder.
- I understand that if I am the successful bidder, I will purchase the property subject to a non-warranty deed that may require curative title work after the act of sale in order to obtain title insurance.
- I understand that Parish will retain all mineral rights under the subject property.
- If purchasing subject property through the "Lot Next Door Program", I acknowledge that I will have to attest that I have maintained said property for a period of one (1) year or longer.
- I will receive a notification of receipt of this request to purchase followed by an Offer to Purchase with a minimum bid that is determined in accordance with applicable statutes, ordinances and the state constitution.

Printed Name

Signature

Date

Mail Form and Administrative Fee to: E & P Consulting, 1300 Hudson Lane, Suite 5, Monroe, LA 71201