

TERMS OF SALE 2021 TAX AUCTION

Online Pre-Bidding Auction: MONDAY, OCTOBER 4, 2021 (through Oct. 11 at 9M)

Online Auction: MONDAY, OCTOBER 11, 2021 - 9AM

***YOU MUST REGISTER UNDER THE NAME THAT WILL BE RECORDED ON THE DEED!!**

1. This auction is held pursuant to Resolution #433 of the Onondaga County Legislature.
2. **NO PERSON OR ORGANIZATION CAN BID ON PROPERTIES AT THE AUCTION IF THEY, OR A CORPORATION OR COMPANY THEY ARE AFFILIATED WITH:**
 - A) **ARE THE PROPERTY OWNER OR ACTING AS AN AGENT OR REPRESENTATIVE OF THE OWNER;**
 - B) **OWE PROPERTY TAXES (CURRENT YEAR OR PRIOR YEAR) TO ONONDAGA COUNTY. ALL TAX LIABILITIES MUST BE PAID PRIOR TO THE AUCTION IN ORDER TO BID;**
 - C) **HAVE HAD A BREACH OF CONTRACT WITH ONONDAGA COUNTY; OR**
 - D) **ARE AN EMPLOYEE OF THE COUNTY OF ONONDAGA OR THE CURRENTLY CONTRACTED AUCTION COMPANY.**
3. All properties are being sold “as is”. Onondaga County makes no representations as to condition, existing zoning violations, or structural integrity of any structure. It is the responsibility of the bidder to have located, viewed and researched the properties. Onondaga County suggests that each bidder inquire of the town zoning or building code officer as to any existing violations or restrictions on the property.
4. Onondaga County makes no representation as to the exact size or location of the properties. Physical location descriptions are taken from property assessment records. Each bidder should locate and view the property from the road before the auction. The County hereby reserves the right, in its sole discretion, to reserve in the deed to the purchaser a right of way for highway purposes along that portion of any property that abuts a County road.
5. All prospective bidders must register online prior to bidding and agree to the terms of sale in order to bid.
6. The Chief Fiscal Officer reserves the right to withdraw from the sale any of the parcels listed and may, at his option, group one or more parcels into one sale.
7. The auctioneer and/or Onondaga County shall have the authority to resolve any disputes which may arise between bidders and may immediately re-offer the parcel for sale to the highest bidder upon resolution of disputes.
8. The tax auction will be conducted ENTIRELY ONLINE IN TWO SESSIONS:
 - **Session one** will commence on October 4, 2021 and continue up to when live online auction starts on October 11, 2021. During this period bids will be received on Proxibid via www.brzostek.com.
 - **Session two** is a ONLINE ONLY auction and will commence at 9:00AM on October 11, 2021 on Proxibid via www.brzostek.com. Parcels will be auctioned alphabetically by town name, then numerically by tax map number. The minimum bid/opening bid for each parcel will start with the highest bid received during session one. **The highest bid received during the second session will be the winning bidder upon the auctioneer saying “SOLD”!**
9. As each parcel is “struck down” by the auctioneer, the credit card of the successful bidder will be immediately charged the amount of the bid, plus a \$360 administrative fee, plus a 6% “buyer’s premium”. Such sum is **NON-REFUNDABLE** and will constitute the, or a portion of the, Sale Price. If the Sale Price exceeds \$10,000.00, the first \$10,000.00 will be charged to the credit card provided and the balance will be due to Onondaga County, *PAYABLE BY CERTIFIED FUNDS, October 13th-15th, 2021 at 421 Montgomery Street, 15th Floor, Syracuse NY 13202
**Certified funds mean cash, certified check or money order.*

10. **If a declared high bidder fails to complete purchase by 4:00PM, October 13th-15th, 2021, all funds paid to the County and/or the auctioneer are FORFEITED**, and he/she will be prohibited from participating at future auctions held by Onondaga County. Onondaga County reserves the right to take **legal action** against this high bidder, should such a default occur.

11. If for any reason any sale is not finalized, the Chief Fiscal Officer reserves the right, without formally re-auctioning the property, to then offer the property to the next highest bidder.

12. The premises are being sold subject to:

- a. Rights of public and others in and to any part of the premises that lies within the bounds of any street, alley, or highway, restrictions, and easements of record.
- b. Any state of facts that an accurate, currently dated survey may disclose.
- c. The right of redemption of the United States of America, including all liens of the IRS, where applicable.
- d. Environmental condition of the property.

The County will not grant access to the buildings located on the premises for the purpose of inspection of the condition or for any other purpose. The successful bidders shall have NO right of inspection prior to recording of the Deed, as all properties are sold "as is" as of the date of the recording of title.

Buyer, by signing the Bidder's Certification and Public Auction Contract, agrees to indemnify and hold harmless Onondaga County, Brzostek's Auction Service Inc. and Brzostek's Real Estate Auction Company Inc. to the extent permitted by law, from and against any and all liability, suits, consent orders, administrative actions and claims, including reasonable attorney's fees, arising from the environmental condition of the property including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, (CERCLA.) 42 U.S.C. SEC.9601, et seq, Article 12 of the New York Navigation Law, or any breach of these terms.

13. Each transfer of title shall be by Quitclaim Deed conveying the County's right, title and interest. Your Deed shall be considered delivered upon recording. It is **UNLAWFUL** to exercise any acts of ownership until the Deed is recorded.

14. Evictions, if necessary, are solely the responsibility of the successful bidder **after recording of the deed**. Personal property, if any, found on the premises is not owned by the County and is not part of your purchase. It shall be your obligation to notify and provide the owner with an opportunity to remove the personal property from the premises.

15. The purchaser, by agreeing to the Bidders Certification and closing documents thereafter, shall hold Onondaga County and its agents, to the extent permitted by law, harmless from any claim based on environmental hazards that may be present on the property.

16. **Purchaser shall be responsible for the current 2021/2022 school taxes, 2021-2022 village taxes and other municipal charges levied against the properties, which will be levied into your 2021 County/Town tax bill with accrued penalty and interest. It is the bidder's sole responsibility to research these obligations and factor in these future costs when placing their bid.**

17. The timing of the auction and issuance of tax bills will result in the 2022 Town/County tax bill being issued in the name of, and mailed to the address of, the previous owner. The successful bidder should contact the town Tax Receiver/Collector for a copy of the bill and/or obtain a copy from www.ONGOV.net/etax.

18. Issuance of a bad check is a Class B misdemeanor under the Penal Law. Any stopped payment checks will be treated as a Breach of Contract.