

# Carbon County, PA Sheriff's Sales Conditions of Sale

- I. All properties are sold "AS IS," with NO expressed or implied warranties OR guarantees whatsoever. The Sheriff and Bid4Assets shall not be liable for any loss or damage to the premises sold resulting from any cause whatsoever. In anticipation of participating in this auction and purchasing a property the Bidder assumes all responsibility for "due diligence."
  
- II. Prospective bidder must complete the Bid4Assets on-line registration process to participate in the auction. All bidders must submit a \$1,000 deposit (plus a \$35.00 processing fee) to Bid4Assets before the start of the auction. This single deposit will be associated with a particular auction date and allows a bidder to bid on all auctions that close on that particular date.

The highest bidder shall be the purchaser. Upon the auction's close, purchaser shall have their deposit applied towards their balance due. Purchaser shall pay the balance of 10% of the purchase price plus a 1.5% buyer's premium (on the total purchase price) by close of business of the Sheriff's Office on the second (2nd) business day following the Auction ("Due Date"). Purchaser shall have **12 calendar days** from the auction date to pay the remaining balance. Payments shall be made to Bid4Assets. If any payment deadline falls on a federal holiday, payment deadline shall be close of business on the first business day after that date. **Failure to pay the balance by the due date will result in a default and the forfeiture of any deposit(s) paid.** In the event of a default the next highest bidder may be notified by Bid4Assets. Sheriff may settle with the second bidder who has complied with all of the conditions of sale. The defaulting party shall be liable to the plaintiff and/or the Sheriff for any and all costs incurred for the resale of the property.

- III. Winning Bidder shall comply with all post-sale instructions required by the Sheriff's Office and Bid4Assets. Buyer shall be responsible for the cost of preparing the deed poll and such other costs that are imposed by law. Payment extensions are uncommon. If one is necessary the decision will be made by the plaintiff's attorney once the Sheriff's Office is notified and provides consent.
  
- IV. In the event an overpayment is received of the balance, the Carbon County Sheriff's Office will refund the money upon payment received from Bid4Assets. In the event the balance is \$15.00 or less no balance will be refunded and should than be considered part of the Sheriff's cost.

The Plaintiff, at the discretion of the Sheriff's Office, can at any time cancel the sale after the auction closes for reasons of bankruptcy and any other reason that may arise. It is the responsibility of the bidder to investigate any and all liens, encumbrances and/or additional mortgages that may be held against the property and may not be satisfied by the postsale Schedule "A" Distribution. The bidder assumes all responsibility for "due diligence" in anticipation of participating in this auction and purchasing a property.

The Schedule "A" Distribution will be completed, within approximately 30 days after the sale by the Sheriff's Office, for all properties sold to third party bidders.

The Schedule "A" Distribution directs how the purchase price of the property will be disbursed and which liens will be satisfied. Disbursement payments are listed in priority order. Our office follows the Pennsylvania Rules of Civil Procedure when determining these payments.

Once we complete our lien search and review the distribution, we will email a copy to the third party bidder and all parties involved.

The Schedule "A" Distribution is available to the public for review for 10 days at the Sheriff's Office and is made part of the case history at the Prothonotary's Office.

Distribution payments will be made in accordance with the proposed Schedule "A" unless exceptions are filed on or before the tenth day of the distribution date. Pending litigation will delay processing the distribution and deed.

The Sheriff's Deed is the last step in the distribution process.

Deed processing will begin approximately 11 days after the distribution date, provided no legal actions are pending against the purchase.

Winning bidder must comply with all post-sale instructions required by Bid4Assets and the Sheriff's Office. The Sheriff's Office must receive your vesting instructions and two completed and signed, Pennsylvania Realty Transfer Tax Statement of Value Forms, with original signatures on both, to process the Sheriff's Deed. Once recorded the deed cannot be emailed to you. Two self-addressed stamped envelopes are required to mail you your recorded deed

- V.** The Plaintiff, at the discretion of the Sheriff's Office, can at any time cancel the sale after the auction closes for reasons of bankruptcy and any other reason that may arise.
  
- VI.** It is the responsibility of the bidder to investigate any and all liens, encumbrances and/or additional mortgages that may be held against the property and may not be satisfied by the post-sale Schedule "A" distribution. The bidder assumes all responsibility for "due diligence" in anticipation of participating in this auction and purchasing a property.

The Schedule "A" distribution directs how the purchase price of the property will be disbursed and which liens will be satisfied. Disbursement payments are listed in priority order. Our title company follows the Pennsylvania Rules of Civil Procedure when determining these payments.

Once we receive and review the distribution, we will email a copy to the third-party bidder and all parties involved.

The Schedule "A" Distribution is available for 10 days at the Sheriff's Office and is filed with the Prothonotary's Office as part of the case history. Distribution payments will be made in accordance with the proposed Schedule "A" unless exceptions are filed on or before the tenth day of the distribution date. Pending litigation will delay processing the distribution and deed. The sheriff's deed is the last step in the distribution process. Deed processing will begin approximately 15 days after the distribution date, provided no legal actions are pending against the purchase.

Winning bidder must comply with all post-sale instructions required by Bid4Assets and the Sheriff's Office. The Sheriff's office must receive your vesting instructions, to process your deed, along with two completed and signed Pennsylvania Realty Transfer Tax Statement of Value forms, with original signatures on both, to process the sheriff's deed. Once recorded the deed cannot be e-mailed to you. A 6x9 self-addressed stamped envelope is required to mail you your recorded deed.