



## FRANKLIN COUNTY SHERIFF'S OFFICE

157 Lincoln Way East  
Chambersburg, PA. 17201-2233

**SHERIFF BENJAMIN H. SITES**

*Chief Deputy*

**Daniel P. Foy**

*Solicitor*

**Clinton T. Barkdoll**

Phone: (717) 261-3877

Hearing Impaired: (717) 264-8474

Fax: (717) 261-3882

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### **CONDITIONS OF SHERIFF SALES**

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."

Prospective bidders must complete the Bid4Assets on-line registration process to participate in the auction. All bidders must submit a \$1,000.00 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 of the auctions that close on that particular date.

The starting bid or minimum bid for the auction will be set at, "Sheriff's Costs". This is the costs that the Sheriff's Office has incurred up to the date of the sale. The plaintiff's attorney shall submit the plaintiff's upset price ("Upset Price") to Bid4Assets, at least one (1) hour prior to the start of the Auction. The Upset Price is the least amount the plaintiff will accept for a property. The Sheriff's costs will be added to the Upset Price to determine the reserve price for the auction. The reserve price is the minimum dollar amount the Sheriff will accept for the sale to go to a third-party bidder. Bidders will not know what the reserve price is, but they will see when the reserve price has been met.

If the reserve price is met, the highest bidder shall be the purchaser. By close of the next business day of the auction, the purchaser is responsible for 10% of the purchase price for each property purchased plus a buyer's premium of 1.5% of the total price of each property purchased. The purchaser shall pay the balance of 90% of the purchase price for each property purchased by 4:30pm EST on the 10<sup>th</sup> calendar day following the Auction Date unless that day falls on a holiday or weekend day, then the balance is due on the next business day by 4:30pm EST.

**Failure to pay the balance by the due date will result in a default and the forfeiture of the deposit.** In the event of a default, the next highest bidder may be notified by Bid4Assets. The Sheriff may at their discretion 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 Sheriff for any and all costs incurred for the resale of the property.

The 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 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.

In the event an overpayment is received, the Franklin County Sheriff's Office will refund the money upon payment received from Bid4Assets.

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 post-sale Schedule of Distribution.

**THE BIDDER ASSUMES ALL RESPONSIBILITY FOR "DUE DILIGENCE" IN ANTICIPATION OF PARTICIPATING IN THIS AUCTION AND PURCHASING A PROPERTY.**

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

The Schedule of 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 buyer and all parties involved.

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

Distribution payments will be made in accordance with the proposed Schedule unless exceptions are filed on or before the tenth day of the distribution dated. Pending litigation will delay processing the distribution and recording of the deed. Deeds will be recorded in the name of the successful bidder.

Deed processing will begin approximately 11 days after the distribution dated, 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 Statements of Value Form, with original signatures on both. Once recorded, the deed cannot be emailed to you. A self-addressed stamped envelopes are required to mail you the recorded deed.

#### **IMPORTANT POINTS TO REMEMBER:**

- The Sheriff's Office highly recommends that you seek the advice of an attorney to review the pros and cons of a Sheriff's sale purchase.
- The Sheriff's Office does not guarantee clear title to any property being sold.
- The winning bidder may be responsible for additional liens; your due diligence is required.
- The winning bidder may be responsible for completing an eviction or ejectment process. Seek legal advice for all matters related to the eviction/ejectment process.

- The Sheriff's Office and Bid4Assets do not have keys to any of the properties.
- Prospective bidders cannot inspect the interior of any property listed for sale.
- Each purchase is unique; situations and issues will vary from case to case.
- The Sheriff's Office complies with the Pennsylvania Rules of Civil Procedure.
- Properties are advertised in the local newspaper and the Franklin County Legal Journal.
- A full listing of the properties is available on the Sheriff's website [www.franklincountypa.gov](http://www.franklincountypa.gov)
- Sales are typically scheduled the second Friday of every other month. These dates are published on the Sheriff's website.
- The sales are open to the public via an online format at [www.bid4assets.com/franklincountypasheriffsales](http://www.bid4assets.com/franklincountypasheriffsales) – registration is required
- Deeding instruction packets for properties sold for Costs to the Plaintiff must include;
  - \*The Law Firms cover letter stating plaintiff's vesting information
  - \*Two completed Pennsylvania Realty Transfer Tax Statement of Value Forms with original signatures on both.
  - \*One copy of the complete mortgage and assignment of mortgage.
  - \*One self-addressed stamped envelope for the return of the deed.
  - \*Case refunds will be mailed with the cost sheet after the deed has been recorded.

If you wish to participate in the auction and do not have access to a computer, Bid4Assets website can be accessed on mobile devices and tablets. The day of the sale, the Sheriff's Office will have two computers available for public use. An offline Bid Packet can be obtained by contacting Bid4Assets.

Terms and conditions are subject to change by the Sheriff and Bid4Assets