

Archuleta County Treasurer  
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## Tax Lien Sale Information

Colorado state law requires that each county have a tax lien sale annually. The 2008 sale in Archuleta County will be held on Friday, November 14, 2008, beginning at 9:00 am in the County Commissioners' meeting room, 449 San Juan Street, Pagosa Springs, CO 81147.

Prospective tax lien buyers must be registered with the Treasurer's Office to participate in the tax lien sale. To register, please fill out and return the attached W-9 form and disclaimer. These forms should be filled out exactly as you wish to have your name(s) appear on Tax Sale certificates and possible Treasurer's Deeds. You may register by mail or in person prior to the day of the sale (November 13, 2008).

We recommend that prospective buyers research properties for information regarding such things as access restrictions, covenants and availability of water and sewer. Various maps may be obtained from the Assessor's Office or County Clerk.

## Tax Lien Sale Procedures

All property taxes not paid by early October each year are advertised in the Pagosa Springs Sun, our local weekly newspaper. This list will be published for three consecutive weeks. During publication no changes or deletions will be made to the list. As payments are made, deletions will appear only on the list posted in the Treasurer's Office. Prospective buyers may call or come to the office for updates.

The delinquent tax list is distributed by the Pagosa Springs Sun. Copies may be obtained by calling (970) 264-2100 or emailing our office at [kevans@archuletacounty.org](mailto:kevans@archuletacounty.org). The list is also on our website at: [www.archuletacounty.org](http://www.archuletacounty.org).

The tax lien sale is conducted as an auction. Buyers may pick up their numbers on the morning of the sale. At sale time we will announce each listing in the order it appears in the paper using the item number at the top of the listing. The bidding will begin with the amount listed in the paper and continue in increments of at least one dollar. Any amount over the opening bid is known as a premium. **The buyer does not earn interest on the premium nor is it returned when the tax lien is redeemed.**

All winning bids must be paid on the day of the sale. Payment must be in certified funds such as money order, cashiers check or cash. Final determination regarding the acceptability of any payment other than cash will be at the discretion of the Treasurer or her deputy.

It is the bidder's responsibility to know the parcel on which he or she is bidding. The item number of each parcel will be read only once by the auctioneer. All sales are final. The certificate issued on each tax lien will be in the statutory form showing the lawful rate of interest for the life of the lien, the legal description, purchase amount and the buyer's name and date of sale. Certificates will not be issued in a name other than that of a registered buyer.

After the sale the Treasurer's Office will open to accept payments on successful bids. In the unlikely event that all tax liens are not sold on the day of the sale, the sale will be held open for three additional days. During that time, unsold tax liens will be available at the original face value. After three days any tax liens still unsold will be struck off to the county and may later be obtained by assignment from the county for payment of taxes, additional interest and a small assignment fee.

Tax lien sale certificates may be held by the buyer or remain on file at the Treasurer's Office. Most buyers elect to leave their certificates on file with the Treasurer for safety and to expedite payment when the certificate is redeemed. If you elect to hold your own original certificates please keep them in a secure place. It is time-consuming to replace them if they are lost and payment to you may be delayed.

The interest rate on tax lien sale certificates is set each year by the state of Colorado. The 2008 interest rate will be 11%.

### **Lien Holder Information**

Once a tax sale lien has been purchased the lien holder will be permitted annually to endorse unpaid taxes onto his or her lien at the original rate of interest. The owner of the property will receive the first opportunity to pay the taxes but their payment of any individual year's tax will not affect your lien. If the owner has not paid the tax by August, an endorsement notice will be sent to the tax sale lien holder. If the lien holder does not endorse the current tax onto his or her lien an additional lien will be sold at the next tax sale. To protect his or her interest the holder of the older lien must pay off the new lien. The new lien holder, however, is not required by state law to pay off the prior lien. **To protect your interest it is important to endorse all subsequent taxes.**

To endorse subsequent taxes onto a tax lien the lien holder must return the original tax sale certificates with his or her payments. (If we hold the originals please enclose a note to that effect.)

At any time after three years from the date of sale the lien holder may apply for a Treasurer's Deed. The lien holder must submit an application which may be obtained from the Treasurer's Office, the original certificate (if not on file at the office), and a deposit (currently \$375) to pay for the required title search, notifications, legal advertisements and other fees. The deeding process usually requires four to six months. All unpaid taxes or subsequent tax liens must be paid prior to application for deed. Once a deed is issued a quiet title proceeding should be started by an attorney. If the title is not quieted through the judicial system it will automatically be quieted after nine years from the date the deed is issued. Please contact an attorney for cost and details of a quiet title action. **Please remember that Treasurer's Deeds are issued on only a very small number of properties (usually less than three percent).**

Keep in mind that the tax lien sale does not automatically convey ownership of the property. Until a Treasurer's Deed is issued the tax sale lien holder has no right to the physical property but only the right to be redeemed with interest upon the property owner's payment of the delinquent taxes.