

TO ALL PARTIES PARTICIPATING IN TAX DEED AUCTIONS

Gulf County Clerk's Office maintains a listing of upcoming Tax Deed sales on our website www.gulfclerk.com. A Tax Deed Legal Advertisement Notice is published in the STAR newspaper once a week for four (4) consecutive weeks prior to the auction date, and is available on their website at www.starfl.com. If you are interested in participating in a Tax Deed Auction, we recommend that you review the following:

- "Online Sunshine" - Florida Statute regarding Tax Deeds at <http://www.leg.state.fl.us/Statutes>. [Florida Statutes Title XIV "Taxation and Finance" Chapter 197 "Tax Collections, Sales, and Liens"](#) Sections 197.432 - 197.602
- The Tax Deed File located in the Clerk's Finance Department, Room 138 at the Gulf County Courthouse during normal business hours, 9:00 a.m. – 4:30 p.m. Monday through Friday, EXCEPT the day of the sale. The file will be closed to inspection at 10:00 a.m. on the day of the sale.

AUCTION PROCESS

To bid on a Tax Deed property, you must register. Registration begins fifteen (15) minutes prior to the time of the sale. You cannot register or place a bid via mail or internet. Bidding starts with the required minimum bid and the highest bidder is awarded the bid. The clerk may refuse to recognize the bid of any person who has previously bid and refused, for any reason, to honor such bid.

F.S.197.542(2), "The high bidder shall post with the Clerk a nonrefundable deposit of 5% of the bid or \$200, whichever is greater, at the time of the Sale, to be applied to the sale price at the time of full payment. Notice of the deposit requirement is posted at the auction site, and the Clerk may require bidders to show their willingness and ability to post the deposit. The Clerk accepts cash or certified funds for payments of the deposit and final bid. No personal or business checks will be accepted.

If Full Payment of the Final Bid, Documentary Stamp Tax, and Recording Fees (based on the bid price) is not made within 24 hours, excluding weekends and legal holidays, the Clerk shall cancel all bids and immediately re-advertise the Sale once, to be held within 30 days after the date of cancellation. All costs of the sale will be paid from the nonrefundable cash deposit with any remaining funds applied to the opening bid.

"BUYER BEWARE"

It is the bidder's responsibility to research the property prior to the sale for possible liens recorded against the property. The Tax Deed issued by the Clerk does not guarantee clear and marketable title to the property. All parcels are sold in "as-is" condition. No warranty, guarantee, or representation, real or implied, is made about a parcel's condition, location, title quality, accessibility, zoning, land use, size, value, or as to whether any improvements, including buildings or mobile homes, are located on the property.

Florida Statute prohibits the Clerk's Office from providing legal advice and/or opinions concerning the real estate properties sold at auction. The clerk is performing its statutory function when conducting a Tax Deed Sale. If you have any legal questions regarding the bid process, title to the property, liens affecting the property, Quiet Title, or any other matters related to the Tax Deed Sale, you should consult an attorney. Tax Deed Sales are governed and administered by the clerk in accordance with Florida Statute 197.

Florida Statute 197.552 states, "...a lien of record held by a municipal or county governmental unit, special district, or community development district, when such lien is not satisfied as of the disbursement of proceeds of sale under the provisions of s. 197.582, shall survive the issuance of a tax deed".

The (O&E) Owner and Encumbrance Report in the tax deed records is not to be relied upon as a title search and the Clerk's Office assumes no responsibility for any inaccuracy contained in the tax deed file, posted to the website, or for any encumbrances (judgments, mortgages and other liens) on any property offered for sale. Current Year County Taxes are the responsibility of the highest bidder.

A completed **IRS FORM 8300** "Report of Cash Payments Over \$10,000 Received in a Trade or Business: is required for Cash payments of \$10,000 or more. The term "Cash" is defined as: U.S. and foreign coin and currency received in any transaction; or a cashier's check, money order, bank draft, or traveler's check having a face amount of \$10,000 or less that is received in one transaction or related multiple transactions. Cash does not include a check drawn on the payer's own account, such as a personal check.