

OKLAHOMA TAX SALE PROCEDURES
SEMINAR "PACKET"

Wednesday, June 28, 1995

- * 1. Agenda
- * 2. KQE Resume
- * 3. FA Resume
- * 4. Flow Chart
- 5. "Taxes Due": Dec. 31, 1991 (68 O.S. § 3105)
- 6. "Certificate Tax Sale": October 1992 (68 O.S. § 3106, 3107 & 3108)
- 7. "Certificate Tax Deed": October 1994 (68 O.S. § 3118)
- 8. "Quiet Title Suit" after "Certificate Tax Deed"
- 9. "Tax Resale & Deed": June 1995 (68 O.S. §§ 3108, 3125 & 3127)
- 10. "Quiet Title Suit" after "Tax Resale Deed"
- 11. "Commissioners Deed" (68 O.S. § 3135)
- 12. "Quiet Title Suit" after "Commissioners Deed"
- * 13. "Title Report"
- * 14. "Title Commitment (& Policy)"
- * 15. "Bomford Evidentiary (Address) Affidavit"
- 16. "Invisible and Invincible Liens":
 - a. State Liens
 - (1) 68 O.S. § 3118
 - (2) 68 O.S. § 3142
 - (3) Ok. Const. Art. 5, § 53
 - b. City Liens
 - (1) 11 O.S. § 22-111(A)(6)
 - (2) 11 O.S. § 22-112(5)
 - (3) 11 O.S. § 22-112.1 (C)(7)
 - c. FDIC Liens: 12 U.S.C. § 1825(b)
 - d. "Personal" Liens
 - (1) 26 U.S.C. § 6323(f)(1)(A)(i)
 - (2) 12 O.S. § 706
- * 17. Title Report & Policy Expenses * Handout Provided
- * 18. Quiet Title Expenses
- * 19. Seminar Evaluation

ATTEND A FREE PRACTICAL ONE-HOUR SEMINAR ON:

Tax Deeds: How to Economically and Effectively Clear and Confirm Your Title

1. Title Investigation: Title Reports
 - A. Pre-Initial Tax Sale
 - B. Pre-Certificate Tax Deed
 - C. Pre-Resale Tax Deed Sale
 - D. Pre-Commissioners Tax Deed Sale

2. Title Confirmation: Quiet Title Suit & Title Policy
 - A. Title Report -- in advance of Resale
 - B. Pre-Quiet-Title-Suit Title Insurance Commitment
 - C. "Bomford" Address Affidavit
 - D. Quiet Title Suit
 - E. Title Insurance Policy

Seminars Presented:

When?

9:00 A.M., Wednesday, June 28, 1995
2:00 P.M., Wednesday, June 28, 1995
6:00 P.M., Wednesday, June 28, 1995

Where?

First American Title Insurance Company
133 Northwest 8th Street
Oklahoma City, Oklahoma 73102

Presented Jointly By:

Kraettli Q. Epperson
Attorney at Law
COOK & EPPERSON
6520 N. Western, Suite 300
Oklahoma City, OK 73116
PH: (405) 842-7545
Fax: (405) 840-9890
Compuserve: 75532, 15

FIRST AMERICAN TITLE INSURANCE
133 Northwest 8th Street
Oklahoma City, OK 73102
PH: (405) 232-3258
Fax: (405) 232-0552

**TO REGISTER FOR THESE SEMINARS
CALL JEANNIE BARBOUR AT (405)232-3258.
-- SPACE IS LIMITED --**

KRAETTLI Q. EPPERSON

POSITION: Partner with the law firm of *Cook & Epperson*, Oklahoma City, Oklahoma
6520 N. Western Avenue, Suite 300, Oklahoma City, OK 73116; (405) 842-7545
(Of Counsel to: *White, Coffey, Galt & Fite*)

PRACTICE: Mediation; Real Property Litigation (Quiet Title Suits, Lien Priorities,
Foreclosures); Real Estate Acquisitions and Lease Negotiations; Corporate
Records Management

EDUCATION: University of Oklahoma [B.A. (Poli.Sci.) 1971];
State Univ. of N.Y. at Stony Brook [M.S. (Urban and Policy Sciences) 1974];
and Oklahoma City University [J.D. (Law) 1978].

MEMBERSHIPS: Oklahoma County, Oklahoma State and American Bar Associations.

POSITIONS: OBA Title Examination Standards Committee (current chairman);
ABA Conveyancing Committee (current Title Standards Project Chairman);
OBA Real Property Law Section (current member, current director,
former chairman);
The Oklahoma City Title Attorneys Association (current member, former
president, former director);
The Oklahoma City Commercial Law Attorneys Association (current member);
OBAnet (Compuserve) Systems Operator, Supervising Real Estate "Bulletin
Board", and
Webelos Den Leader, Pack 5, and Assistant Scout Master, Troop 193, All Souls
Episcopal Church, OKC.

SPECIAL EXPERIENCE: Oklahoma City University School of Law adjunct professor:
"Oklahoma Land Titles" course (1982-present); and
Previously served as *Title Examiner* and *Commercial Loan Closer* with Lawyers
Title of Oklahoma City, Inc., Oklahoma City, Oklahoma, and as *General
Counsel* of American First Land Title Insurance Co. (now American
Guaranty Title Co.) of Oklahoma City, Oklahoma.

SELECTED PUBLICATIONS: "*Statute, Practices On Tax Sale Notices Raise Concerns*", 85 Oklahoma
Banker 9 (June 9, 1995);
"*Federal Money Judgment Liens Under the Federal Debt Collection Procedure
Act: A 40-yr. Super-Lien*" Consumer Finance Law Quarterly Report Vol.
47, No.4 (Fall 1993);
"*Local Real Property Recordings Required for Federal Money Judgments*," 63
Oklahoma Bar Journal 2697, (September 30, 1992); and
"*Oklahoma Title Examination Standards and Curative Acts Relating to Oil and
Gas Interests*," 24 Tulsa Law Journal 548 (Summer 1989) (Co-author).

SPECIAL HONORS: Who's Who in American Law, Sixth through Ninth Editions (1991-1995);
Who's Who In America, 50th Edition (1996);
Who's Who In American Education, Third Edition (1992-1993);
Oklahoma Bar Association 1990 Earl Sneed *Continuing Legal Education
Award*; and
Oklahoma Bar Association 1990 Golden Gavel Award: *Title Examination
Standards Committee*.

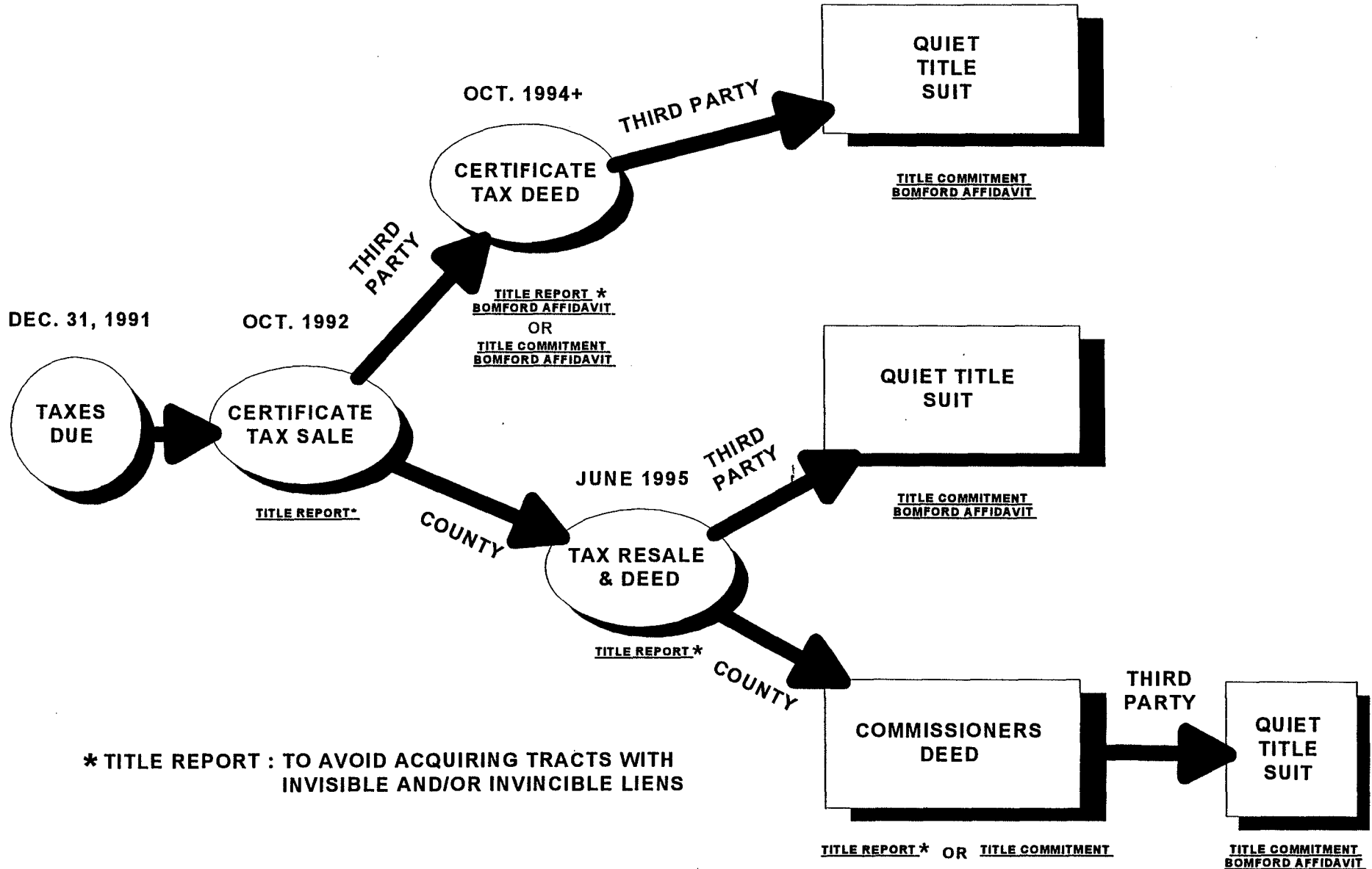
FIRST AMERICAN TITLE INSURANCE COMPANY

First American Title Insurance Company has been in existence for 100 years, as of 1989, and is currently one of the largest title insurance companies in the nation. We operate through agents and/or wholly owned branches and subsidiaries in fifty (50) states, and in Guam, Puerto Rico and the Virgin Islands.

Our office is comprised of well-trained, knowledgeable personnel who will assist you on placement of orders and coordinate all of your title and escrow needs with our network of agents and direct operations across the state. First American Title now has the largest network of title insurance agents in the State of Oklahoma. In addition, we can design a program of service that fits your needs.

We have direct title plants and closing operations in the following counties: (1) Oklahoma County, Cleveland County and Pottawatomie County which are all operated through our wholly owned subsidiary, Southwest Title & Trust Company; and (2) Tulsa County which is operated through our wholly owned subsidiary First American Abstract & Title Company.

OKLAHOMA TAX SALE PROCEDURE



SOUTHWEST TITLE & TRUST COMPANY

133 N.W. 8TH STREET
OKLAHOMA CITY, OKLAHOMA 73102
(405) 235-2999

This report is made for the exclusive use of:

JOHN SMITH

LEGAL: LEGAL DESCRIPTION AS SHOWN ON LAST CONVEYANCE OF RECORD:

LOT FIVE (5), BLOCK THREE (3), SMALL TOWN ACRES ADDITION, OKLAHOMA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

OWNER: TITLE IS VESTED IN: (LAST GRANTEE(S) OF RECORD)

NAME

MIKE JONES AND ANNA MARIE JONES, HUSBAND AND WIFE

**UNRELEASED
INSTRUMENTS
OF RECORD:**

MORTGAGE EXECUTED BY MIKE JONES AND ANNA MARIE JONES, IN FAVOR OF PENN SQUARE BANK, FILED JANUARY 1, 1978, IN THE AMOUNT OF \$55,000.00. ASSIGNED TO FDIC.

MORTGAGE EXECUTED BY MIKE JONES AND ANNA MARIE JONES, IN FAVOR OF BENEFICIAL MORTGAGE COMPANY, FILED APRIL 10, 1982, IN THE AMOUNT OF \$9,996.80.

JUDGMENTS: UNRELEASED JUDGMENTS AND TAX LIENS WHICH ARE A LIEN ON THE ABOVE DESCRIBED PROPERTY:

FEDERAL TAX LIEN NO. 790278, FILED MAY 2, 1987, IN BOOK 5078, PAGE 147, INTERNAL REVENUE SERVICE -VS- MIKE JONES AND ANNA MARIE JONES, IN THE AMOUNT OF \$539.45 PLUS PENALTY AND INTEREST.

STATE TAX LIEN NO. ITI8800287-00, FILED SEPTEMBER 8, 1988, IN BOOK 5280, PAGE 1947, OKLAHOMA TAX COMMISSION -VS- MIKE JONES AND ANNA MARIE JONES, IN THE AMOUNT OF \$440.70 PLUS PENALTY AND INTEREST.

CJ-94-1375, JUDGMENT FILED AUGUST 10, 1994, IN BOOK 6780, PAGE 597, FDIC AS RECEIVER FOR PENN SQUARE BANK -VS- MIKE JONES AND ANNA MARIE JONES, IN THE AMOUNT OF \$12,477.00 PLUS PENALTY, INTEREST AND ANY COSTS.

SEE PAGE 2

PAGE 2

**BANKRUPTCIES/
DIVORCES:** PENDING BANKRUPTCIES AND DIVORCES:

NONE

TAXES: UNPAID TAXES ON ABOVE LEGAL DESCRIPTION ONLY:

AD VALOREM TAX FOR 1993 AND 1994 DELINQUENT IN THE AMOUNT OF \$534.80 PLUS PENALTY AND INTEREST. ENDORSED ON COUNTY SALE NO. 179.

NOTICE OF WEED TAX FILED NOVEMBER 1, 1994, IN BOOK 6637, PAGE 237, IN THE AMOUNT OF \$89.01 PLUS PENALTY AND INTEREST.

EXCEPTIONS: This report is based upon a search of the indexes and records of the company. We have not reported any mortgages filed of record against the above described property for which a release has been filed, however, we do not guarantee the adequacy of the releases as filed. This report is for general information only. This report does not purport to set out the ownership or condition of the title. The ownership and condition of the title can only be determined by an Attorney's examination of a complete abstract of the title. This report cannot be relied upon to facilitate any innocent landowner or purchaser defenses which may be available under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended. Due care and diligence have been exercised in preparing this report, however liability as to the correctness or completeness of the information shown above is limited to a maximum of \$0.00 and acceptance of this report by the company or person(s) for whom this report is made, constitutes agreement and confirmation of this limitation of liability.

SOUTHWEST TITLE & TRUST COMPANY

By: _____
Executive Vice President

Countersigned _____

Date: MAY 1, 1995 @ 7:30 A.M.

Order No. SMITH

REAL ESTATE RECORD TITLE SEARCH

SOUTHWEST TITLE & TRUST COMPANY

Inquiries Should Be Directed To:
Title Insurance Department

SOUTHWEST TITLE & TRUST COMPANY
(405) 236-2861

PLEASE REFER TO COMMITMENT
NO. AND BUYER/BORROWER
NAME WHEN INQUIRING

American Land Title Association Commitment for Title Insurance - 1966

Commitment No.: *CSAMPLE*

Customer Ref. #

SCHEDULE A

1. Effective Date: *June 15, 1995 at 7:30 A.M.*
2. Policy or policies to be issued: AMOUNT
 - (a) ALTA OWNERS POLICY - B - 1990 \$20,000.00
Proposed Insured:

TAX DEED INVESTORS, INC.
3. The estate of interest in the land described or referred to in this Commitment and covered herein is: *Fee Simple*
4. Title to said estate or interest in said land is at the effective date hereof vested in:

TAX DEED INVESTORS, INC.
5. The land referred to in this Commitment is located in the County of *Oklahoma*, State of Oklahoma and described as follows:

Lot Two (2) in Block Ten (10), in HIGHLAND ACRES ADDITION an addition to Oklahoma City, Oklahoma County, Oklahoma, according to the recorded plat thereof.

American Land Title Association Commitment for Title Insurance - 1966

SCHEDULE B-1
(Requirements)

Commitment No.: CSAMPLE

PART I. The following are the requirements to be complied with:

1. *Proper documents creating the estate or interest to be insured must be executed and duly filed for record, to-wit: Any Deed and/or Mortgage must state current marital status of record owner or proposed mortgagor and be joined in execution by spouse if married.*
2. *An accurate survey of the premises, which would disclose any encroachments, overlaps, or boundary line disputes, or other matters, or exception will remain on policy.*
3. *Satisfactory evidence that all bills for labor and materials furnished for the improvements of said premises have been or will be paid.*
4. *To perfect title in the present owner, it is necessary that a Quiet Title Action be successfully completed to quiet title as against the interests, if any, of the following individuals and entities:*
 - a. *John H. Doe, due to Mortgage recorded in Book 9999, page 999.*
 - b. *AAA Properties, due to Warranty Deed recorded in Book 9999, page 777.*
 - c. *First Local Bank, due to Mortgage recorded in Book 9999, page 666.*
5. *Pay Personal Property Tax for 1992, Lien #12345, against John H. Doe, in the amount of \$56.02, plus interest and lien fees, entered on Lien Docket June 25, 1993.*
6. *File Release of Notice by the City of Oklahoma City, recorded in Book 9999, page 222.*

American Land Title Association Commitment for Title Insurance - 1966

**SCHEDULE B-2
(Exceptions)**

Commitment No.: CSAMPLE

PART II. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

STANDARD EXCEPTIONS:

- a. *Rights or claims of parties in possession not shown by the public records.*
- b. *Easements, or claims of easements, not shown by the public records.*
- c. *Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.*
- d. *Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.*

SPECIAL EXCEPTIONS:

1. *Ad valorem taxes for 1995 amount of which is not ascertainable, due or payable.*
2. *All interest in and to all oil, gas, coal and other minerals and all rights pertaining thereto.*
3. *Airport zoning ordinances and regulations recorded in Book 906, page 301; in Book 993, page 157; in Book 1028, page 521; in Book 2237, page 340; in Book 2237, page 315; and in Book 3065, page 621, to the extent subject property is affected thereby.*
4. *All items affecting subject lot as shown on the recorded plat, copy attached and made a part hereof.*
5. *Restrictive Covenants recorded in Book 5555, Page 222, which do not provide for forfeiture or reversion of title, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604 (c).*
6. *Utility easement across the rear (North) 10 feet, as shown by the recorded plat.*

**IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY
STATE OF OKLAHOMA**

STATE OF OKLAHOMA)
) ss:
COUNTY OF OKLAHOMA)

EVIDENTIARY AFFIDAVIT OF BONDED ABSTRACTER

_____, after first being duly sworn, deposes and states:

That he is Executive Vice President of Southwest Title & Trust Company, a corporation, a bonded abstracter, and that he is authorized to make this affidavit for and on behalf of said Company:

That he is in charge of the Abstract Department of Southwest Title & Trust Company, and that he, or employees under his direct control, have searched the following described records, to-wit:

- (1) Oklahoma County Assessor's records
- (2) Oklahoma County Treasurer's records
- (3) Oklahoma County Probate records
- (4) Oklahoma County Deed records, for return addresses on recorded instruments,

and the Oklahoma City Directories and the Oklahoma City Telephone Directories for the years from ____ to date, for the purpose of determining the last address of certain persons listed below.

The last addresses shown are as follows:

<u>NAME</u>	<u>LAST ADDRESS</u>
John H. Doe	10005 North Central
John Doe	7900 South Eastern
AAA Properties	Suite 500, Eastgate Center
First Local Bank	1000 Park Avenue

This Affidavit is made in accord with the provisions of Rule No. 16 of the Supreme Court of the State of Oklahoma, dated March 30, 1970, for the purposes set out therein.

Further affiant saith not.

Dated _____

SOUTHWEST TITLE & TRUST COMPANY

By: _____
Executive Vice President

Subscribed and sworn to before me this _____ day of _____, 1995.

My Commission expires:

Notary Public

ORDER NO.: SAMPLE

ESTIMATE OF TITLE CHARGES

TITLE REPORTS

UNPROTECTED TITLE REPORT 50.00
Oklahoma, Cleveland, Canadian, Logan and Pottawatomie Counties
All other counties 75.00

ABSTRACT CHARGES

UNIFORM ABSTRACT CERTIFICATE 150.00
UNMATURED SPECIAL ASSESSMENT CERTIFICATE 50.00
PAGE CHARGE 5.00

TITLE INSURANCE CHARGES

ATTORNEY'S EXAM 100.00 & UP
TITLE INSURANCE PREMIUM BASED ON SALES PRICE

COOK & EPPERSON
ATTORNEYS AND COUNSELORS AT LAW
6520 N. WESTERN, SUITE 300
OKLAHOMA CITY, OKLAHOMA 73116
TELEPHONE 405/842-7545
TELECOPIER 405/840-9890

William R. Cook II
Kraettli Q. Epperson

Of Counsel To:
White, Coffey, Galt & Fite, P.C.

June 28, 1995

QUIET TITLE SUIT EXPENSES

ESTIMATED EXPENSES

Petition Filing Fee*	\$64.00
Summons (assuming 5 Summons, served by mail)*	\$25.00
Publication Notice (if needed)	\$100.00
Title Expenses (See: Title Company Information)	N/A
Legal Fees (uncontested)	\$600.00**
Legal Expenses (Postage, copies, recording fees, etc.)	<u>\$50.00</u>
TOTAL (estimate)	<u>\$839.00</u>

* Court fees will go up on July 1, 1995.

**\$600.00 if uncontested; if contested, usual hourly rate.

TAX DEED SEMINAR EVALUATION

1. Seminar Date: _____ Location: _____
2. Your Name: _____
3. Address: _____
4. City/State/Zip: _____
5. Home Telephone: (____) _____ Work Telephone: (____) _____
6. Your position: Tax Deed Buyer ____; Advisor To a Tax Deed Buyer: _____
7. Was the information at this seminar helpful and clearly presented: _____

8. Approximately how many Tax Deeds have you purchased in the last 5 years?
1-5: ____; 6-10: ____; 11-20: ____; 21+: ____.
9. What kinds of Tax Deeds do you buy?
Certificate Tax Deeds: ____; Resale Tax Deeds: ____; Commissioners Deeds: ____.
10. Would you like to attend a longer more detailed workshop on:
This same topic: Yes ____; No ____.
A related topic(s): Yes ____; No ____; List topic(s): _____

11. Would you like a representative to contact you about:
Title Reports and Title Commitments: Yes ____; No: ____.
Quiet Title Suits: Yes ____; No: ____.
12. Keep me on your mailing list for future Tax Deed Seminars: Yes ____; No: ____.