

SHELBY COUNTY LAND BANK “BID OFF” PROCEDURE

- A. The “**Bid Off**” will be held on the Date & Time specified in the “**Daily News**” or “**Tri-State Defender**” advertisement, at the Shelby County Land Bank office located at 584 Adams Ave. in Memphis, Tennessee. A grace period of up to 15 minutes is permissible to allow for unforeseen circumstances of any bidder. Any bidder who is not available (**i.e. present at the Bid Off; or represented by a person present at the Bid Off; or represented by written and received bid instructions at the Bid Off**) by the end of this grace period shall be disqualified from the “**Bid Off**”.
- B. The minimum bid increase amount will be established at the “**Bid Off**” prior to the start of bidding. The first bid will be from the prospective Purchaser who submitted the initial purchase offer and followed by the prospective Purchasers who submitted purchase offers thereafter within **ten (10) working days** of the initial publication date of the advertisement (**working days are based on Shelby County Government’s regular work schedule**) in the order that the purchase offers were received. (**If a bidder passes on his/her time to bid, he/she will not be allowed to continue bidding**) Bidding will continue in this order until the bidding stops, a high bid purchase price is established and a successful bidder is declared.
- C. At the conclusion of the “**Bid Off**”, the prospective Purchaser, who bids the highest purchase price, will be declared the successful bidder and his/her previously signed “**Offer to Purchase**” will be adjusted to reflect the high bid purchase price and new required good faith deposit***. Within forty-eight (48) hours of the “**Bid Off**” the successful bidder must submit the additional funds to establish the new required good faith deposit via Certified Funds, Cashier’s Check or Money Orders made payable to “**Shelby County Trustee**” (**personal checks and/or cash NOT accepted**). Should the successful bidder fail to submit the additional funds necessary to establish the new required good faith deposit within said forty-eight (48) hour period, his/her initially submitted deposit and advertising, notification and processing fee shall be forfeited; and said successful bidder shall be declared ineligible to participate in any Shelby County Land Bank property sales for twelve (12) months from the date of said forfeiture. In this situation, SCLB Staff will contact the second highest bidder by telephone and offer the property to the second highest bidder for the second highest bid purchase price. Upon receipt of the required additional funds, such additional funds will be forwarded to the Shelby County Trustee’s Office for immediate deposit. Following the “**Bid Off**” and the establishment of the successful bidder’s “**Offer to Purchase**”, SCLB Staff will notify the Shelby County Trustee’s Office of the “**Bid Off**” results and request it to promptly refund the required good faith deposit and \$200.00 advertising, notification and processing fee previously submitted by the unsuccessful bidders. (Note: It usually takes the Shelby County Trustee’s Office four to five weeks to process the refund).
- D. Once a prospective Purchaser is declared the successful bidder, the “**Offer to Purchase**”, along with the other required “**Disclosure Documents**”, are signed, and the good faith deposit and advertising, notification and processing fee are submitted, SCLB Staff will prepare, schedule and present a **Resolution** to the County Commission for approval of the sale and request the Trustee’s Office to prepare a **Quit Claim Deed** for use in transferring the subject property to the successful bidder.

**** Disclosure Documents:**

All prospective Purchasers of Delinquent Tax Property must sign a DTP Sales Disclosure Form, a Property Use and Responsibility Disclosure Form, and a Gratuity Disclosure Form at the time they sign an “Offer to Purchase” (See “Disclosure Documents” attached hereto and made a part hereof).

***** Good Faith Deposit Requirements:**

Property sales up to \$ 1,000.00 - Required Deposit is 100 % of “Offer to Purchase” purchase price amount plus an amount equal to the estimated transfer tax and recording fee.

Property sales from \$ 1,001.00 to \$10,000.00 - Required Deposit is \$ 1,000.00.

Property sales above \$ 10,000.00 - Required Deposit is 10 % of “Offer to Purchase” purchase price amount.

(x) Initial here _____ to acknowledge receipt of a copy of this “Bid Off” Procedure.