



## SPENCER COUNTY SHERIFF'S OFFICE

### **RULES AND NOTES**

Last Updated: October 10, 2011

Lieberman Technologies represents the Spencer County Sheriff's office.

#### **Contact Info**

**Phone:** 812-434-6645  
**Email:** [SpencerSheriffSales@LTnow.com](mailto:SpencerSheriffSales@LTnow.com)  
**Website:** [www.IN-SheriffSale.com](http://www.IN-SheriffSale.com)  
**Mailing Address:** Spencer County Sheriff Sale  
223 NW Second St, Ste 300  
Evansville, IN 47708-1221

- 1) Email is our main source of communication. Advertising costs, outstanding taxes, sale date information, and sale cancellations are included in these communications.
- 2) Spencer County requires a unique Notice of Sheriff Sale. Please use the form found on this website at <http://in-sheriffsale.com/74Site/notice%20of%20sheriff%20sale.pdf>
  - i) All the blanks on the form must be filled in
  - ii) Township must be included
  - iii) Common street address must be included
  - iv) Parcel number must be included
- 3) Please include the Notice of Sheriff Sale with the praecipe at the time of filing and the Clerk will send it to us. We only need one copy of this document. We will make additional copies if necessary. Please do not send extra copies to the Sheriff's Office.
- 4) To set up a sale, we require the following documents:
  - i) Notice of Sheriff Sale
  - ii) Praecipe (must have file stamp from Clerk)
  - iii) Judgment

#### **Sheriff Sale Fee**

- 5) The fees for the sale should be paid in one check per parcel. The check should be made payable to SPENCER COUNTY SHERIFF.
- 6) The check should be included with the Praecipe at the time of filing. The Sheriff will not forward documents to Lieberman unless the check is included at the time of filing.
  - i) If, under a cause number, there is one parcel to be sold, then the fee is \$200.
  - ii) If, under the same cause number, there are multiple parcels that are to be sold as one unit, then the fee is \$200.
  - iii) If, under the same cause number, there are multiple parcels, with each parcel being sold separately, then the fee is \$200 per parcel. One check per parcel.
  - iv) This fee is not flexible and is due even if the sale is canceled.

### **Taxes**

- 7) The plaintiff is responsible for paying all taxes, liens, etc attached to the property to be sold. These items must be brought to a zero balance before the sale. If these items are not brought to a zero balance before the sale, the Sheriff will cancel the sale.
  - i) Outstanding taxes are emailed to those attorneys (if we have email addresses on file) that have parcels in the sale.
  - ii) Taxes, liens, etc must be paid PRIOR to the day of sale or the sale will be canceled.
  - iii) Balances may be checked at the Spencer County Treasurer's office

### **Newspaper Publications/Legal Ads**

- 8) When the date of the sale for your parcel has been set, we send the legal notice to the newspaper. The newspaper will notify the attorney directly of the cost. If the publication fees are not paid by the deadline set by the newspaper, the newspaper might not advertise the sale. If the sale is not advertised, we will cancel the sale.
  - i) It is the responsibility of the attorney to notify the newspaper of cancellations. Lieberman does not forward cancellations from attorneys to the newspaper.
  - ii) If the newspaper is notified of a sale cancellation, and asked that the remaining legal notices not be published, the newspaper might refund a portion of the publication fee.
  - iii) Checks should be made payable to the Spencer County Journal Democrat and mailed to:  
Spencer County Journal Democrat  
Attn: Jenifer Heady  
P.O. Box 6  
Rockport, IN 47635
  - iv) For more information please contact the Spencer County Journal Democrat directly at 812-649-9196 or [classifieds@spencercountyjournal.com](mailto:classifieds@spencercountyjournal.com)

### **Bidding and Day of Sale Information**

- 9) The Spencer Sheriff Sale is held in the lobby of the Sheriff's Office at 120 North 2<sup>nd</sup> Street, Rockport, IN 47635.
  - i) Sale dates can be found here: <http://in-sheriffsale.com/74Site/sale%20dates.pdf>
- 10) Bidding starts at 10:00 am. Any sale that has multiple bids will go to live auction around 10:15 am. Third party checks are due by 3:00 pm the day of the sale at the Spencer County Sheriff's Office, 120 North 2<sup>nd</sup> Street, Rockport, IN 47635.
- 11) Blank bid forms are available
  - i) At the sale on the day of the sale
  - ii) On this website: <http://in-sheriffsale.com/74Site/Sheriff's%20Bid%20form.pdf>
- 12) Faxed, emailed, or mailed bids are not accepted for the Spencer County Sheriff Sale. Bids must be presented in person on the sale date at the sale location.

### **After the Sale**

- 13) The Plaintiff's attorney should provide a deed regardless of purchaser as a courtesy to the Sheriff's office. In the event that a parcel is awarded to a Third Party, a Third Party deed can be mailed to Spencer Sheriff Sales, 223 NW 2<sup>nd</sup> St, Ste 300, Evansville, IN 47708 or emailed to [SpencerSheriffSales@LTnow.com](mailto:SpencerSheriffSales@LTnow.com)
- 14) The Sheriff's representative prepares the Clerk's Return. We send a copy of the return, along with the order of sale, to the Clerk's office. You may file for proceeds with the Clerk's office approximately two weeks after the sale and the clerk's office will disburse the proceeds. All funds go through the clerk's office
- 15) After the sale, we will send the following documents to the Plaintiff's attorney:
  - i) Clerk's Return
  - ii) Proof of Publication
  - iii) Receipt for sheriff sale fee

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Many of the reports found on this website are in PDF format. You should use Adobe Reader 9 or later versions. If you have problems searching the document-

1. Open Adobe Reader
2. Click on EDIT
3. Click on PREFERENCES
4. Click on INTERNET on the left side
5. Make sure the only checked box is the "Display PDF in browser" box
6. Click OK
7. Close Adobe Reader
8. Reopen the PDF file

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### **DEED FILING PROCESS:**

This is a note that covers the impact of IC 32-29-7-10(a)(2) which states that the Sheriff, and not the attorney, must file the deed with the County Recorder. At the time of the deed filing, the Sheriff must also give to the Assessor, a Sales Disclosure Form [State Form 46021 ([R9/7-09](#))].

1. On the DAY OF SALE, the attorney must deliver to the Sheriff's agent
  - a. The Bid
  - b. The Deed
  - c. Sales Disclosure
  - d. A check made payable to the RECORDER of Spencer County attached to the deed and Sales Disclosure in the amount calculated as:
    - \$16.00 for the first page of the deed.
    - \$2.00 for each additional page of the deed.
    - \$1.00 per page for nonstandard document
    - Must leave a 2 inch margin on top right side of first page for the Recorders document info
  - e. A check made payable to the AUDITOR of Spencer County in the amount of \$5.00 per parcel.
  - f. A self addressed, stamped envelope to be used by the Recorder to return the recorded deed.
2. If this packet is not presented to the Sheriff's agent at the sale, then the Sheriff's agent will cancel the sale.
3. If the check is for an incorrect amount, then the Sheriff's agent will cancel the sale.