



## WELLS COUNTY SHERIFF'S OFFICE

### **RULES AND NOTES**

Last Updated: April 20, 2011

Lieberman Technologies represents the Wells County Sheriff's office at the sheriff sale.

#### **Contact Info**

**Phone:** 812-434-6645  
**Email:** [WellsSheriffSales@LTnow.com](mailto:WellsSheriffSales@LTnow.com)  
**Website:** [www.IN-SheriffSale.com](http://www.IN-SheriffSale.com)  
**Mailing Address:** Wells 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) Wells County requires a unique Notice of Sheriff Sale. Please use the form found on this website at <http://in-sheriffsale.com/90Site/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 prepared 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 WELLS COUNTY SHERIFF.
- 6) The check should be mailed to Wells Sheriff Sales, 223 NW 2<sup>nd</sup> St, Ste 300, Evansville, IN 47708.
- 7) Fees are determined as follows:
  - 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.
- 8) This fee is not flexible and is due even if the sale is canceled.
- 9) This fee MUST be paid prior to the day of sale

### **Taxes**

- 10) 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 will be 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 Wells County Treasurer's office

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

- 11) When the date of the sale for your parcel has been set, we will send the legal notice to the newspaper. The newspaper will notify us of the cost. We will relay this information in a spreadsheet via email. The newspaper must receive a check for the cost before the ad is published. 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) Publication fees must be paid prior to the date of publication
  - iv) Checks should be made payable to News-Banner and mailed to:  
News-Banner  
Attn: Martha Poling  
PO Box 436  
Bluffton, IN 46714
  - v) For additional information, please contact the News-Banner directly  
Phone: 260-824-0224  
Email: [mpoling@News-Banner.com](mailto:mpoling@News-Banner.com)

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

- 12) The Wells Sheriff Sale is held in the Sheriff's Office at 1615 W. Western Ave.
- i) Sale dates can be viewed here: <http://in-sheriffsale.com/90Site/sale%20dates.pdf>
- 13) Effective June 8, 2011-bidding starts at 2:00 pm. Any sale that has multiple bids will go to live auction around 2:15 pm. Third party checks are due by 12 noon the day after the sale at the Wells County Sheriff's Office, 1615 W Western Ave, Bluffton IN.
- 14) Blank bid forms are available
- i) At the sale on the day of the sale
  - ii) On this website: <http://in-sheriffsale.com/90Site/Sheriff's%20Bid%20form.pdf>
- 15) The Wells County Sheriff will accept a bid packet from the plaintiff ('s attorney) before the day of sale. These are the rules:
- i) The envelope may contain bids for more than one sheriff sale number
  - ii) The envelope must be clearly marked with the following:
    - (a) The words "SHERIFF SALE BIDS"
    - (b) The date of the sale
    - (c) The sheriff sale file number(s)
  - iii) The envelope must contain the following items:
    - (a) Bid form
    - (b) Deed
    - (c) Sales disclosure

- (d) Fees checks for the Recorder and Auditor
- (e) A self addressed stamped return envelope

- iv) If the bid packet does not contain all of these items, or if any of the documents are incomplete or incorrect, the parcel will be canceled.
- v) The envelope must arrive by close of business the day before the sale. Envelopes arriving the day of the sale will not be accepted.
- vi) The envelope will not be opened until the day of the sale.

16) Send all bid packets to the following address:

Sheriff Sale  
 Wells County Sheriff  
 1615 W Western Ave  
 Bluffton IN 46714

PLEASE DO NOT SEND BID PACKETS TO LIEBERMAN IN EVANSVILLE

- 17) The delivery receipt from the carrier will be the only receipt. Please do not call the Sheriff's office to ask if the packet has arrived.
- 18) The Sheriff will place only one bid per parcel. In the case of "minimum/maximum" bids, a representative for the Plaintiff must be present.

**After the Sale**

- 19) The Plaintiff's attorney should provide a deed regardless of the 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 Warrick Sheriff Sales, 223 NW 2<sup>nd</sup> St, Ste 300, Evansville, IN 47708 or emailed to [WellsSheriffSales@LTnow.com](mailto:WellsSheriffSales@LTnow.com)
- 20) The Sheriff's representative will prepare the Clerk's Return. We will 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
- 21) 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. The Sales Disclosure
  - d. A check made payable to the RECORDER of Wells County in the amount calculated as:
    - \$16.00 for the first page of the deed.
    - \$2.00 for each additional page of the deed.
  - e. A check made payable to the AUDITOR of Wells 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.