

**TITLE 32: REAL PROPERTY**



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### Article 1: Alienation of Real Property Chapter 2: Information Required for Deed

#### **§ 32-1-2-4 REAL ESTATE DEEDS.**

All real estate deeds offered for transfer to the Auditor of the county must contain (either as a part of the deed itself, or as an addendum to the deed) the following information:

- (A) The number of tillable acres;
  - (B) The number of pasture land and non-tillable acres;
  - (C) The number of acres of woodland and wasteland;
  - (D) When a property is split, the improvement on the property identified as to ownership; and
  - (E) The correct address for the mailing of the tax notice.
- (Ord. 1989-1, passed 6-2-1989; Ord. 1996-, passed - -1996)

### Article 29: Sheriff's Sale Program Chapter 7: Foreclosure Sales

#### **§ 32-29-7-3 SHERIFF'S SALE PROGRAM; FORECLOSURES.**

(A) The Sheriff's Sale Program is approved and established to provide the procedure for the Sheriff to contract for those administrative, technical, clerical and related services that are reasonable and appropriate for the Sheriff to effectively prepare for, manage and implement foreclosure sales.

(B) The Commissioners hereby establish a fund to be titled the Sheriff Sale Fund into which all collections of foreclosure costs fees, as hereafter defined, shall be deposited and from which the appropriate expenses of the Sheriff Sale Program shall be appropriated and paid. The Sheriff Sale Fund shall be a non-reverting fund to be used only for the purposes set forth herein and shall not revert to the County General Fund at year end.

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(C) The Sheriff is authorized to negotiate and execute a contract with a provider to obtain administrative, technical, clerical and related services (the “Sheriff sale services”) in order for the Sheriff to conduct the Sheriff’s Sale Program.

(D) The Sheriff Sale Services contract shall provide for the delivery of services by a contractor (the “contractor”) in compliance with all applicable statutory provisions for the conduct of foreclosure sale proceedings and the Sheriff’s Sale Program. The Sheriff sale services contract shall also provide for the payment of a fee, not to exceed the amount as listed in subsection (H) for each cause number scheduled in the Sheriff’s Sale Program, to the contractor for services.

(E) The Sheriff is hereby authorized to charge a fee of the amount as listed in subsection (H) per cause number of property in the Sheriff’s Sale Program (the “foreclosure costs fees”) and to deposit the foreclosure costs fees collected by or on behalf of the Sheriff in the Sheriff Sale Fund.

(F) The foreclosure costs fee shall be payable at the time of filing the praecipe under I.C. 32-29-7-3(h), which shall be a charge for the Sheriff’s sale in addition to other statutory costs and fees.

(G) The Sheriff’s Sale Program contract shall provide for a complete and accurate accounting of all Sheriff Sale Program proceeds and compliance with any reporting or record requirements as set forth by the State Board of Accounts.

(H) The estimated costs herein are estimates of the County Sheriff for the administration foreclosure sales as required by I.C. 32-29-7. The fees are authorized by I.C. 32-29-7-3.

- (1) Contractual services - \$100 per cause number;
  - (2) Employee time defined;
  - (3) Employee cost per, definition in item 2; and
  - (4) Other defined costs, i.e., service of notice, cost of paper, envelopes, telephone calls.
- (Ord. 2011-1, passed 1-20-2011)