

## ISABELLA COUNTY'S REGULATIONS:

All offered properties may be subject to flooding. Any new construction or reconstruction should be elevated above the 100-year flood plain. Also, any filling, dredging or other permanent construction below the ordinary high-watermark of the water body involved may be subject to the provisions of 1972 Public Act 346. Any earth change on the property may be subject to the provisions of 1972 Public Act 347. These properties may also be subject to the Goemaere-Anderson Wetland Protection Act, 1979, Public Act 203.

The County of Isabella does not guarantee the usability or access to any of these lands. IT IS RECOMMENDED THAT ALL PROSPECTIVE PURCHASERS DO THEIR OWN RESEARCH AS TO THE USE OF THE LAND FOR THEIR INTENDED PURPOSE AND MAKE A PERSONAL INSPECTION OF THE PROPERTY ON THE GROUND TO DETERMINE IF IT WILL BE SUITABLE FOR THE PURPOSES FOR WHICH IT IS BEING PURCHASED. IF TENANTS OCCUPY THE PROPERTY, THE PURCHASER MAY INCUR LEGAL FEES TO EVICT THESE TENANTS.

Purchaser accepts the premises in its present condition “AS IS”, and releases the Isabella County Treasurer, employees and agents from all liability whatsoever arising from any condition of the premises, whether known or subsequently discovered, including but not limited to all claims based on environmental contamination of the premises.

The illustrations presented on the County's GIS mapping site may not be exact and the boundary lines may vary slightly.

WE RECOMMEND THAT NO PURCHASER TAKE PHYSICAL POSSESSION OF ANY PROPERTY BID ON AT THIS SALE UNTIL A DEED HAS BEEN EXECUTED AND DELIVERED TO THE PURCHASER NO ACTIVITIES WILL BE CONDUCTED ON THE SITE OTHER THAN A BASELINE ENVIRONMENTAL ASSESSMENT. HOWEVER, STEPS SHOULD BE TAKEN TO PROTECT YOUR EQUITY IN THIS PROPERTY, I.E., SECURE THE PROPERTY AGAINST ENTRY IF VACANT, INSURE IF THE PROPERTY IS OCCUPIED, ETC. ADDITIONALLY, BUYERS ARE RESPONSIBLE FOR CONTACTING LOCAL UNITS OF GOVERNMENT TO PREVENT POSSIBLE DEMOLITION OF STRUCTURES SITUATED ON PARCELS.

Quit-Claim deeds will be issued conveying only such title as received by the County through tax foreclosure. **Title insurance companies may or may not issue title insurance on properties purchased at this sale. The County makes no representation as to the availability of title insurance and the unavailability of title insurance is not a ground for reconveyance to the County.** The purchaser may incur legal costs for quiet title action to satisfy the requirements of title insurance companies in order to obtain title insurance.

Isabella County reserves the rights and retains all non-severed mineral rights for the properties foreclosed and sold under MCL 211.78.

Properties with a septic system will need to follow the Ordinance that Isabella County has established.

A person who acquires property that is contaminated (a “facility” pursuant to Section 20101(1) (1) of the Natural Resources and Environmental Protection Act (NREPA), 1994, P.A. 451, as amended) as a result of a release(s) of a hazardous substance may become liable for all costs of cleaning up the property and any other properties impacted by the release(s). Liability may be

imposed upon the person acquiring the property even in the absence of any personal responsibility for, or knowledge of, the release. Protection from such liability may be obtained by conducting a Baseline Environmental Assessment (BEA) as provided for under Section 20126(1) (c) of NREPA. However, the BEA must be conducted prior to or within 45 days of the earliest of purchase or occupancy of the property. The person who acquires the property may have “due care” obligations under Section 20107a of NREPA even if they conduct a BEA and are not liable for the contamination.

Pursuant to Part 201 of the NREPA, the person(s) responsible for an activity causing a release at the property is obligated to pursue response activities at the property. Consequently, the non-liable purchaser may be required to provide access to a liable party to conduct response activities at the property in the future.

Section 20116 of the NREPA requires that a person who has knowledge that their property is contaminated provide a written notice to the purchaser or other person to which the property is transferred which discloses the general nature and extent of the release. Additional disclosure obligations may also apply at the time the property, or an interest in the property, is transferred.

Accordingly, the Treasurer recommends that a person who is interested in acquiring surplus County property contact an attorney or an environmental consultant for advice prior to the acquisition of any surplus County property that may be contaminated.

Anyone interested in purchasing a parcel of this nature should request this information from the LAND RECORDS & TAX REVERSION SECTION, REAL ESTATE DIVISION, MICHIGAN DEPARTMENT OF NATURAL RESOURCES, STEVENS T MASON BUILDING, P.O. BOX 30448 LANSING MI 48909-7948.

YOU MAY ALSO CONTACT THE ENVIRONMENTAL ASSISTANCE CENTER AT 1-800-662-9278 FOR POSSIBLE INFORMATION REGARDING QUESTIONS TO ENVIRONMENTAL CONCERNS ON ANY OF THESE PROPERTIES.

Deeds are executed and recorded with the Isabella County Register of Deeds within 30 days. Name of the registered bidder shall be the name put on the Quit Claim Deed unless an affidavit is filed prior to the start of the sale that states otherwise. **The Isabella County Treasurer reserves the rights to cancel any sale for any reason on or before the 30 days after the sale to which the parcel was purchased.** The deeds will be mailed to the successful purchaser upon completion of the recording. If deeds are lost, misplaced or stolen, certified deeds are obtainable through the Isabella County Register of Deeds office. **A replacement deed can be issued for a fee of \$50.00 for any deeds that were not recorded by our office.** The purchaser of any property will be responsible for all the property taxes assessed for the current year. **All summer taxes on the purchased parcel will be due at the time of the tax sale. The tax amounts will be added to the winning bid amount and be considered paid at the time that the funds are delivered to the county for processing.**

NEW LEGISLATION PASSED – MCL 211.78 m (2) – An affidavit under this section shall indicate that a person meets all the following conditions:

- a. The person does not directly or indirectly hold more than a de minimis legal interest in any property with delinquent property taxes located in the same county as the property.
- b. The person is not directly or indirectly responsible for any unpaid civil fines for a violation of an ordinance authorized by section 41 of the home rule city act, 1909 PA 279, MCL 117.41, in the local tax collection unit in which the property is located.