

Clay County Sheriff Sale Procedures for Real Estate

The Clay County Sheriff's Office strongly suggests that any potential purchaser of any property to be sold at Sheriff's Sale contact an attorney prior to the sale with any questions they might have regarding the purchase of the property.

Any and all real estate property sales held at Sheriff's Sale are considered "Buyer Beware" and as such, the Clay County Sheriff's Office makes no guarantee that the property will be sold with a clear deed and title. It is the sole responsibility of any potential buyer(s) to research any risk that may be associated with the purchase of real property at Sheriff's Sales.

The Clay County Sheriff's Office will not accept personal checks for the purchase of real estate property sold at Sheriff's Sale. If you are an interested bidder, you must provide the Sheriff or Deputy conducting the sale a letter of credit from your bank at the time of your bid. This letter must be on bank letterhead, signed by a bank officer and must include an amount equal to the highest limit allowed for you to bid on the property. If you are the highest bidder, you will then need to return to the bank and get a certified check in the exact amount of your bid. Certified checks must be received at the Sheriff's Office by 2:00 p.m. the same day as the sale.

Copies of the Notice of Sheriff's Sale and Levy must be posted at least four weeks prior to the sale. Notices are posted at the Clay County Courthouse, Gateway North Mall and the Clay County Sheriff's Office. Copies may be obtained at the Clay County Sheriff's Office during regular office hours or may be printed from this website. Each Notice is also published twice in the Spencer Daily Reporter newspaper, with the first publication being at least four weeks prior to the date of the sale and the second publication the following week.

If the property to be sold is subject to redemption, a certificate of purchase containing a description of the property and the amount paid by the purchaser will be issued to the purchaser. A Sheriff's Deed will not be issued to the purchaser until the redemption period has expired and then only in the event that no redemption was made. If there is no redemption period, a Sheriff's Deed will be issued to the purchaser. It is the purchaser's responsibility to record the deed after the sale.

Sheriff's fees will be paid out of the proceeds of the sale if the property is purchased by anyone other than the mortgage holder.