

WARNING - RESEARCH BEFORE YOU INVEST!

The sale of these properties should not, in any way, be equated to real estate sales by licensed salesmen, brokers and realtors. The San Diego County Treasurer-Tax Collector cannot guarantee the current, future, or potential use and/or condition of the property nor assume any responsibility for conformance to codes, permits or zoning ordinances. **You should inspect the property before investing. The burden is on the purchaser to thoroughly research, before the sale, any matters relevant to his or her decision to purchase. The County's sole interest in the sale is the recovery of back taxes.** It is recommended that bidders consult with the Zoning Department of any city within which a particular parcel lies, or the Zoning Section of the County Planning Department for an unincorporated area parcel. **Tax-defaulted property will be sold on an "as is" basis.** Any costs incurred by the purchaser during the process will be borne by the purchaser.

Should the successful purchaser desire a survey of the property, this must be done at the purchaser's own initiative and expense. No warranty is made by the County, either expressed or implied, relative to usability, the ground location, or property lines of the properties. The exact location, desirability, and usefulness of the properties must be determined by the prospective purchaser. **Refund of any purchase or any deposit payment on a sale will not be made.**

The County assumes no liability for any other possible liens, encumbrances or easements, recorded or not recorded. When property, on which the IRS holds a tax lien, is sold at Public Auction, the United States has the right of redemption for 120 days from the date of such sale (26 USC §7425(d) and Revenue and Taxation Code §3712(g)). The IRS will pay the actual amount paid for the property by the bidder, plus interest at 6% per annum from date of sale, plus the expenses of sale that exceed any income received from the property.

"CAVEAT EMPTOR" MEANS, "BUYER BEWARE" RESEARCH BEFORE YOU INVEST."

- **Tax Defaulted Property is sold on an "As Is" basis.**
- **Any costs incurred by the purchaser during the process will be borne by the purchaser.**
- **There are absolutely NO refunds of expenses, purchases, nor refunds of deposit.**

RIGHT OF REDEMPTION

The right of redemption ceases at 5:00 p.m. (Pacific Time) on the last business day prior to sale, Friday, May 15, 2009. Payment to redeem (pay the defaulted taxes in full) must be made with guaranteed funds, and must be physically received by the San Diego County Treasurer-Tax Collector prior to 5:00 p.m. (Pacific Time), on Friday, May 15, 2009. **The only acceptable forms of payment are CASH, CASHIER'S CHECK, or WIRE.**

UNDER NO CIRCUMSTANCE WILL A REDEMPTION PAYMENT BE ACCEPTED IF RECEIVED IN OUR OFFICE AFTER 5:00 P.M. OF THE LAST BUSINESS DAY PRIOR TO THE SALE.

The term **REDEEMED** indicates that all defaulted taxes, penalties, fee(s), and/or costs have been paid in full. The term **WITHDRAWN** indicates that the parcel will not be offered at sale. Reasons for withdrawing a parcel from sale can include, but are not limited to, an assessee who is the debtor in bankruptcy, unprobated estate, the Treasurer-Tax Collector's determination to sell at another sale, and/or error in advertising or noticing.

TREASURER-TAX COLLECTOR'S POWER TO SELL

Properties in San Diego County that are subject to sale at public auction for non payment of property taxes must be offered for sale within four years of the time the property becomes subject to the Treasurer-Tax Collector's power to sell (Revenue and Taxation Code Section 3692). The Treasurer-Tax Collector is responsible for the administration of these sales.

The purpose of the tax sale is to collect the unpaid taxes and to convey the tax-defaulted property to a responsible owner. These properties are subject to the Treasurer-Tax Collector's power to sell because of liens for defaulted taxes. Tax-defaulted properties subject to the Tax Collector's power to sell may be purchased from the San Diego County Treasurer-Tax Collector at Public Auction. The San Diego County Treasurer-Tax Collector does not offer tax lien certificates or make over the counter sales.

The minimum price at which property may first be offered for sale per Section 3698.5 of the California Revenue and Taxation Code shall be an amount not less than the total amount necessary to redeem the taxes and the costs of sale.

Where property has been offered for sale at least once and no acceptable bids have been received, the Treasurer-Tax Collector may re-offer that property within 90 days, or at the next scheduled sale at a minimum price that he deems appropriate.

TAX SALE ITEMS

Timeshare Tax Sale Items being offered at public auction tax sale by the San Diego County Treasurer-Tax Collector are a deeded interest or 'right to use' a particular unit or unit type within the timeshare association for a specified interval of time on an annual, bi-annual or seasonal basis, as described in the legal description of the timeshare interval. It is the tax-defaulted timeshare interval that is being offered for sale at public auction, not the entire building or Timeshare Association.

Only those **Timeshare Associations** located within the county of San Diego with ownership intervals that have been tax-defaulted for five or more years are being offered at this sale. The legal description should be reviewed to determine the property and interest that is to be conveyed by the Tax Deed.

Whatever right, title and/or interest the last assessee holds, as described in the legal description and Deed(s) conveying title, is the same and only right, title and/or interest that is conveyed at the time the Tax Deed is recorded.

MINIMUM BID

Minimum bids will be as stated per parcel and each raise will be in increments of at least \$100 until sold. The successful bidder must pay the **full purchase price** to the San Diego County Treasurer-Tax Collector. The Documentary Stamp Act requires the payment of a "Transfer Tax" at the rate of 55 cents for each \$500.00 of value or fractional part thereof when the bid exceeds \$100.00. The transfer tax will be collected at the time the purchase price is paid in full.

Title to the property will not be transferred until the total bid price plus the Documentary Transfer Tax is received.

§3712 CALIFORNIA REVENUE AND TAXATION CODE

The Tax Deed to Purchaser conveys title free of all encumbrances existing before the sale with the following exceptions as stated in Section 3712 of the Revenue and Taxation Code.

- (a) Any lien for installments of taxes and special assessments, that installments will become payable upon the secured roll after the time of the sale.
- (b) The lien for taxes or assessments or other rights of any taxing agency which does not consent to the sale under this chapter.
- (c) Liens for special assessments levied upon the property conveyed that were, at the time of the sale under this chapter, not included in the amount necessary to redeem the tax-defaulted property, and, where a taxing agency that collects its own taxes has consented to the sale under this chapter, not included in the amount required to redeem from sale to the taxing agency.
- (d) Easements constituting servitudes upon burdens to the property; water rights, the record title to which is held separately from the title to the property, and restrictions of record.
- (e) Unaccepted, recorded, irrevocable offers of dedication of the property to the public or a public entity for a public purpose, and recorded options of any taxing agency to purchase the property or any interest therein for a public purpose.
- (f) Unpaid assessments under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highways Code) that are not satisfied as a result of the sale proceeds being applied pursuant to Chapter 1.3 (commencing with Section 4671) of Part 8, or that are being collected through a foreclosure action pursuant to Part 14 (commencing with Section 8830) of Division 10 of the Streets and Highways Code. A sale pursuant to this chapter shall not nullify, eliminate, or reduce the amount of a foreclosure judgment pursuant to Part 14 (commencing with Section 8830) of Division 10 of the Streets and Highways Code.
- (g) Any federal Internal Revenue Service liens that, pursuant to provisions of federal law, are not discharged by the sale, even though the tax collector has provided proper notice to the Internal Revenue Service before that date.
- (h) Unpaid special taxes under the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code) that are not satisfied as a result of the sale proceeds being applied pursuant to Chapter 1.3 (commencing with Section 4671) of Part 8, or that are being collected through a foreclosure action pursuant to Section 53356.1 of the Government Code. A sale pursuant to this chapter shall not nullify, eliminate, or reduce the amount of a foreclosure judgment pursuant to Section 53356.1 of the Government Code.

**Any of the encumbrances listed above have not been researched,
nor are they included in the sale notice of this brochure.**

ON-LINE BIDDING INFORMATION

Prospective purchasers will be asked to register via the Internet at www.Bid4Assets.com Each registered bidder will receive an identification number, that the bidder must have in order to participate. You **MUST** register with [Bid4Assets](http://www.Bid4Assets.com) in order to bid.

AUTOBIDS: An autobid (or proxy) authorizes Bid4Assets to bid \$100 above any competing bid, up to, but not exceeding the maximum dollar amount that you are willing to pay. Your bid will automatically be increased ONLY as other bidders participate and ONLY up to the maximum amount you specified. This enables you to continually bid without having to constantly monitor the auction.

Your bid is an irrevocable offer to purchase the asset.

WHEN THE AUCTION ENDS: After the close of the final San Diego County listing for auction, all winning bidders are sent detailed instructions via e-mail on settlement procedures and how to provide the county with the necessary deed transfer information.

If you are the Winning Bidder, you will need to remit payment in full to be received in our office within 72 hours either wire funds to us or FedEx **CASH, CASHIER'S CHECK; or WIRE.**

Payable to: **SAN DIEGO COUNTY TAX COLLECTOR**
ATN: TAX SALES
1600 Pacific Highway, Room 162
San Diego, CA 92101

OFF-LINE BIDDING INFORMATION

Off-line Bidding Instructions - call toll free 1-877-427-7387, option 2 to request an Offline Bid Packet to be mailed to you at no charge."

AUTOBIDS: An autobid (or proxy) authorizes [Bid4Assets](http://www.Bid4Assets.com) to bid \$100 above any competing bid, up to, but not exceeding the maximum dollar amount that you are willing to pay. Your bid will automatically be increased ONLY as other bidders participate and ONLY up to the maximum amount you specified. This enables you to continually bid without having to constantly monitor the auction.

Your bid is an irrevocable offer to purchase the asset.

PAYMENT TERMS

Payment, in full, to complete your purchase must be received by the close of business, **5:00 p.m. on Friday, May 22, 2009.** Payment must be in the form of a **CASH, CASHIER'S CHECK; or WIRE.**

Payment must be physically received by the San Diego County Treasurer-Tax Collector on or before the close of business (5:00 p.m., Pacific Time) Friday, May 22, 2009.

Make Cashier's Check Payable to: **SAN DIEGO COUNTY TREASURER-TAX COLLECTOR**
ATN: TAX SALES
1600 Pacific Highway, Room 162
San Diego, CA 92101

WIRE

Wired funds must settle to our account prior to close of business on Friday, May 22, 2009.

Complete the wire instruction form.

Send completed Wire Instruction form and Winning Bidder confirmation(s) to **ATTN: Elenita Mucho,** Supervisor, Tax Sales Section at **Fax: (619) 685-2589** or email: Elenita.Mucho@sdcounty.ca.gov if you require further assistance in remitting the wire, you may call her at (619) 531-5708.

MAPS

The maps show the approximate dimensions and general geographical location of the properties. You may view the maps for parcels offered at sale by clicking the link for the desired parcel **Map Image**.

The information provided is furnished to the prospective bidder WITHOUT WARRANTY and is for the convenience and guidance in locating parcels. All items and descriptions are believed to be correct. The images provided show the approximate dimensions and general geographic location of the property. However, the Treasurer-Tax Collector shall not be held responsible for typographical errors.

ZONING INFORMATION

For information pertaining to **Zoning** or other land use related questions, contact the zoning and planning department(s) for that jurisdiction.

DEED INFORMATION

A completed *Deed Information Sheet* with the signature of all parties taking title is required.

The **Deed Information Sheet** is required for the completion of the Tax Deed to Purchaser-at-Sale. Additional documentation may be required to show that the party/parties bidding at the sale have the authority to purchase on behalf of the entity to be vested on title to property purchased at the sale.

It is important to know how you want title to the property purchased at the tax sale to be vested, as NO CHANGES to vesting will be allowed after registration. Title to property purchased at tax sale will appear on the Tax Deed exactly as instructed by the Deed Information Sheet. Any desired change to the name(s) or manner that title to the property acquired at sale is to be vested must be made after the Tax Deed has been recorded.

To assist you in determining the manner that title is to be vested, please refer to the **Title and Vesting Schedule**. This information is provided for informational purposes only. Specific questions for actual real property transactions should be directed to your attorney, accountant, or financial advisor.

If title is to be held in the name of a legal entity, additional documentation will be required to evidence the legal name and existence of the legal entity; the name and capacity of the person(s) authorized to act on behalf of the legal entity; and, to specifically authorize that the party/parties have the authority to purchase property at Public Auction 90-Day Re-Offer Tax Sale 7025 on behalf of the entity to be vested on title to property acquired at the tax sale.

The successful bidder may take possession or make use of a property acquired at tax sale after the Tax Deed to Purchaser-at-Sale has been recorded. However, most title companies will not insure the title until one year after the Tax Deed is recorded. Legal action to challenge a tax sale must be brought within one year of the Tax Deed's recording date.