

1969

Amending Sections 137-11-35 and 137-12-3 (3), Colorado Revised Statutes 1963, as Amended, Concerning the General Property Tax, Increasing the Interest Rate Chargeable on Redemption From Tax Sales, and Amending the Form of the Treasurer's Deed to be Executed When no Redemption is Made.

Colorado General Assembly

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CHAPTER 341

TAXATION I — GENERAL PROPERTY TAX

TAX SALES

(House Bill No. 1139. By Representative Burch.)

A N A C T

AMENDING SECTIONS 137-11-35 AND 137-12-3 (3), COLORADO REVISED STATUTES 1963, AS AMENDED, CONCERNING THE GENERAL PROPERTY TAX, INCREASING THE INTEREST RATE CHARGEABLE ON REDEMPTION FROM TAX SALES, AND AMENDING THE FORM OF THE TREASURER'S DEED TO BE EXECUTED WHEN NO REDEMPTION IS MADE.

Be it enacted by the General Assembly of the State of Colorado:

Section 1. 137-11-35, Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

137-11-35. Form of tax deed.—Deeds executed by the treasurer under the provisions of this article shall be substantially in the following form:

Know all men by these presents, that, whereas, the following described real property, viz: (description of property taxed), situated in the county of _____, and state of Colorado, was subject to taxation for the year (or years) A.D. 19____;

And, whereas, the taxes assessed upon said property for the year (or years) aforesaid remained due and unpaid at the date of the sale herein-after named; and, whereas, the treasurer of the said county did, on the ____ day of _____, A.D. 19____, by virtue of the authority vested in him by law, at the sale begun and publicly held on the ____ day of _____, A.D. 19____, expose to public sale at the office of the treasurer, in the county aforesaid, in substantial conformity with the requirements of the statute in such case made and provided, the real property above described for the payment of the taxes, penalty interest, and costs then due and remaining unpaid on said property;

And, whereas, at the time and place aforesaid, _____ of the county of _____ and _____ of _____ bid on all of the above described property the sum of _____ dollars, and _____ cents, being the whole amount of taxes, penalty interest, and costs then due and remaining unpaid upon said property for that year, and the said _____ having offered in his said bid to accept interest upon the said sum at the rate of _____ per cent

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

per annum for the first six months and at the rate of _____ per cent per annum for the next six months; and thereafter at the rate of _____ per cent per annum; and the said rate of interest being the lowest rate of interest at PAY THE SUM OF _____ DOLLARS AND _____ CENTS IN EXCESS OF SAID TAXES, PENALTY INTEREST, AND COSTS, AND THE SAID BID BEING THE LARGEST AMOUNT which any person offered to pay IN EXCESS OF the said taxes, penalty interest, and costs so due upon said property for that year, and payment of the said sum having been made by him to the said treasurer, the said property was stricken off to him at that price;

And, whereas, the said _____ did, on the _____ day of _____, A.D. 19____, duly assign the certificate of the sale of the property as aforesaid, and all his rights, title, and interest in said property, to _____ of the county of _____, and _____ of _____;

And, whereas, at the sale so held as aforesaid by the treasurer, no bids were offered or made by any person or persons for the said property, and no person or persons having offered to pay the said taxes, penalty interest, and costs upon the said property for that year, and the treasurer having become satisfied that no sale of said property could be had, therefore the said property was, by the then treasurer of the said county, stricken off to the said county, and a certificate of sale was duly issued therefor to the said county in accordance with the statute in such case made and provided;

And, whereas, the said _____ county, acting by and through its treasurer, and in conformity with the order of the board of county commissioners of the said county, duly entered of record on the _____ day of _____, A.D. 19____ (the said day being one of the days of a regular session of the board of county commissioners of said county), did duly assign the certificate of sale of said property, so issued as aforesaid to said county, and all its rights, title, and interest in said property held by virtue of said sale;

And, whereas, the said _____ (or _____) has paid subsequent taxes on said property to the amount of _____ dollars and _____ cents;

And, whereas, more than three years have elapsed since the date of the said sale, and the said property has not been redeemed therefrom as provided by law;

And, whereas, the said property was valued for assessment for that year at the amount of _____;

And, whereas, all the provisions of the statutes prescribing prerequisites to obtaining tax deeds have been fully complied with, and are now of record, and filed in the office of the treasurer of said county;

Now, therefore, I, _____, treasurer of the county aforesaid, for and in consideration of the sum to the treasurer paid as aforesaid, and by virtue of the statute in such case made and provided, have granted, bargained, and sold, and by these presents do grant, bargain, and sell the above and foregoing described real estate unto the said _____ (or _____), his heirs and assigns, forever, subject to all the rights of redemption by minors, or incompetent persons, as provided by law.

In witness whereof, I, _____, treasurer as aforesaid, by vir-

tue of the authority aforesaid, have hereunto set my hand and seal this____ day of____, A.D. 19____.

State of Colorado, County of____, ss: _____ (Seal) _____ Treasurer

The foregoing instrument was acknowledged before me this____ day of____, 19____, by____ as treasurer of said county.

Witness my hand and official seal. (If notary public, state date commission expires).

(SEAL)

Title of Officer

Section 2. 137-12-3 (3), Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

137-12-3. Redemption made, when—interest.—(3) The redemption may be made at any time before the execution of the A treasurer's deed to the purchaser, his heirs or assigns, upon payment to the treasurer, to be held by him subject to the order of the purchaser, of the amount of taxes, penalty interest, and costs for which the property was sold, with interest thereon from the date of sale at the rate of one and one-half per cent per month for the first six months, and one per cent per month for the remaining period, together with the amount of all taxes accruing on such real property after the sale, paid by the purchaser and endorsed on his certificate of purchase, with interest at the rate of one per cent per month on such taxes so endorsed on the certificate of purchase.

Section 3. Saving clause.—Nothing in this act shall apply to or in any manner affect any tax deed or other authorized act done or to be done or proceeding arising under or pursuant to the laws in effect immediately prior to the effective date of this act, but the same shall be governed by and conducted pursuant to the provisions of law in effect immediately prior to the effective date of this act.

Section 4. Effective date.—This act shall take effect May 1, 1969.

Section 5. Safety clause.—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 31, 1969