



**Effective: May 13, 2013**

West's Tennessee Code Annotated Currentness

Title 67. Taxes and Licenses (Refs & Annos)

Chapter 5. Property Taxes

Part 25. Tax Lien--Sale of Property

**→ → § 67-5-2507. Lands brought in by county**

(a)(1) It is the duty of the county mayor of each county to take charge of all the lands bought in by the county at such delinquent tax sales.

(2) During the period when redemption of any such tract of land can be made, the land shall be held and put only to such use as will not result in a waste of such land.

(3) After the period of redemption has elapsed, it shall be the duty of the county mayor to arrange for the disposition of every tract of such land as expeditiously and advantageously as possible.

(b)(1) A committee of four (4) members shall be elected by the county legislative body, from the county legislative body, who, together with the county mayor, shall place a fair price on each tract of land, for which price the land shall be sold. In counties having adopted the County Financial Management System Act of 1981, compiled in title 5, chapter 21, the financial management committee created by § 5-21-104 may serve as this committee, instead of the committee as established in this subdivision (b)(1).

(2) Such committee may authorize the sale of any tract of land upon such terms as will secure the highest and best sale price, but the credit extended shall not exceed three (3) years and a lien shall be retained to secure purchase price.

(3) No tract of land shall be sold for an amount less than the total amount of the taxes, penalty, cost and interest, unless the legislative body, upon application, determines that it is impossible to sell the tract of land for this amount, and grants permission to offer the land for sale at some amount to be fixed by such legislative body.

(4) Interest shall be calculated on the full amount of the taxes, penalty, cost and interest from the time of the acquisition of the land by the county until the sale thereof.

(5) Deleted by 2013 Pub.Acts, c. 353, § 23, eff. May 13, 2013.

(6) Whenever the sale of a tract of land is arranged by the county mayor, the deed shall not be executed and the sale shall not become final until ten (10) days after the publication in a newspaper published in the county of a notice of the proposed sale, the name of the purchaser and the terms, conditions and price. The land shall be described in the notice only by number, which shall refer to a description on file with such committee.

(7) If anyone, during such ten (10) days, increases the offer made for the land by ten percent (10%) or more, the party making the first offer shall be notified and a day fixed when both parties shall appear and make offers.

(8) The tract of land shall be sold to the party making the highest and best offer.

(9) Conveyances of the land shall be made without warranties of any sort, and deeds shall be executed by the county mayor or other chief fiscal officer of the county and the county trustee, who shall collect the purchase price at the time of the execution of the deed, and prorate it as provided in this part.

(10) The deed shall be prepared by the back-tax attorney as a part of the duties for which the attorney is compensated by the provisions of § 67-5-2410, and no additional compensation shall be allowed.

(11) The county may, upon a majority vote of its legislative body determining it in the best interests of the county to use the property for a public purpose, decide to retain ownership and possession of such property.

(12) This section shall not apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000) according to the 2010 federal census or any subsequent federal census.

#### CREDIT(S)

1949 Pub.Acts, c. 193, § 2; 1993 Pub.Acts, c. 315, § 8, eff. May 17, 1993; 2003 Pub.Acts, c. 90, § 2, eff. July 1, 2003; 2013 Pub.Acts, c. 353, §§ 21 to 24, eff. May 13, 2013.

**Formerly** 1950 Code Supp., § 1612.3; Williams' Code, § 1051.2; §§ 67-2034, 67-2035.

#### HISTORICAL AND STATUTORY NOTES

2003 Pub.Acts, c. 90, § 2, substituted "county mayor" for "county executive."

2013 Pub.Acts, c. 353, § 21, in subsec. (a), substituted "for the disposition of" for "to sell", § 22 rewrote subsec. (b)(3), § 23 deleted subsec. (b)(5), and § 24 added subsecs. (b)(11) and (b)(12), relating to retaining ownership and possession of property and application of the section. Prior to amendment and deletion, subsecs. (b)(3) and (b)(5) read:

"[(b)](3) In no event shall any tract of land be sold for an amount less than the total amount of the taxes, penalty, cost and interest."

“[(b)](5) If it appears that it is impossible to sell any tract of land for this amount, upon application, the county legislative body in session may grant permission to offer the land for sale at some amount to be fixed by the county legislative body.”

LIBRARY REFERENCES

Taxation ☞ 2970.

Westlaw Topic No. 371.

NOTES OF DECISIONS

In general 1

1. In general

Deed of county of realty bid in by county for delinquent taxes was void, for failure to comply substantially with statute dealing with terms and proceedings for resale by county of land bid in by county for delinquent taxes, where no committee had ever been appointed as required by statute, no appraisal or advertisement had been made in accordance with statute, and deed of county was not executed by county trustee as provided by the statute. T.C.A. §§ 67-2034, 67-2035. Scott v. Goss, 1957, 311 S.W.2d 326, 43 Tenn.App. 659. Taxation ☞ 2975(3)

T. C. A. § 67-5-2507, TN ST § 67-5-2507

Current with laws from the 2013 First Reg. Sess., eff. through June 30, 2013 and Ch. 390, eff. July 1, 2013

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