

**WARREN COUNTY
REAL PROPERTY TAX SERVICES AGENCY**

Michael R. Swan
Director

Lexie Delurey
Deputy Director

AGENDA

REAL PROPERTY TAX SERVICES

COMMITTEE MEETING

April 25, 2011

- I. Committee meeting called to order by Chairman.
- II. Motion to approve minutes of prior committee meeting.
- III. Resolution request.
 - A) To correct the attached list of corrections from the Treasurer's Office.
- IV. Pending items.
 - A) On April 14, 2011 I mailed a letter to DEC Commissioner Joseph Martens requesting that his department do testing on the three parcels that we requested be tax exempt. I have not received a reply yet.
 - B) I am waiting for the deed filing guidelines from several counties to determine if it is feasible to do review of deeds prior to filing.
 - C) Referral from Legislative & Rules committee to consider a local law to allow brochures pertaining to unfunded state mandates be included with the January Land Tax Bills. I have reviewed the information from Fulton County, of which I have attached a copy of the Truth in Taxation Introduction Kit, cover letter from the chairman of the Fulton County Board and a copy of their flyer. How to proceed with this idea is the question. Before a "Local Law Establishing Truth in Taxation" is enacted, we must make sure that we can accomplish the tasks to comply with the law. The information concerning NYS Medicaid Mandates, Welfare Mandates and other Mandate will need to come from either the

County Administrators Office or the Clerk of the Board . Once the information is compiled into a flyer, Real Property can print it (Not in Color). Some of the mandate information can go on the tax bill, but there is limited space. Estimated cost to print the flyers is \$ 500.00. Because the local tax collector in each town stuffs the tax bills into envelopes, I would suggest that they be brought into the loop as they may have an increased cost if they have a mailing/stuffing service. Timing for this process is very important and I am not sure how much time the Administrator/Budget/Clerks office will need to compile the information and create the flyer. Real Property would need the flyer by December 1st in order to get and the bills done in time for the collectors to mail them.

V. New Business, updates.

- A) The Warren County Assessors Association has requested that I bring an idea to this committee. They are requesting that the county require that anyone who purchases a parcel from the tax auction have the deed filing fees added to the purchase price and then have the county file the deed. This request is because several deeds from the auction do not get file each year and that causes problems for the assessor.
- B) Additional items from committee members.

VI. Adjournment of meeting.

County of Fulton

COUNTY BUILDING
JOHNSTOWN, NEW YORK 12095

Board of Supervisors

Telephone 518-736-5540

Fax: 518-762-0224

Dear Chairperson:

On 14 March, our county Board of Supervisors formally enacted a "Local Law Establishing Truth in Taxation in Fulton County". We believe passage of this local law in counties throughout the State will make a significant impact in turning back unfunded State mandates from Albany. I am writing to ask you to join this initiative.

For too long, State legislators have been able to increase property taxes without accountability for the tax bills that are sent out; however, county governments have the authority to design and administer their own property tax billing procedures. Implementing a truth in taxation local law is a very logical, low cost way to inject transparency into the problem of unfunded State mandates. Our county has been doing something similar for several years and the response from taxpayers has been eye-opening. Our cost is only about \$600.00 per year to print tax bill flyer inserts.

Enclosed is a Truth in Taxation "Introduction Kit" that we put together to assist other counties in adopting this important grassroots legislation. The Kit includes a MS PowerPoint overview of the Truth in Taxation initiative, examples of Fulton County's enactments and sample templates that your Clerk of the Legislature can easily adapt for your county's use. We also have an electronic version of the Introduction Kit that we will e-mail to your staff upon request. Simply call our Board Office, at 518-736-5540, or e-mail us at fultbos@co.fulton.ny.us, and we will e-mail the kit immediately so that you can use it in your 2012 tax billing. We believe wholeheartedly that it is time to take back home rule on property taxes and are confident that this initiative will be a successful first step.

Sincerely yours,



DAVID B. HOWARD

Chairman of the Board

YOUR PROPERTY TAXES...



The Fulton County Board of Supervisors is providing this information to all property taxpayers in Fulton County to inform them about how State and federal mandates affect their annual property tax bills.

*** The 2011 County Budget totals \$100,114,645. Of that amount, 67% is mandated. County government has little or no control over these costs.**

"Mandates" are federal or State created programs that are required to be operated by lower level governments. In New York State, most of these mandates are not accompanied by State money to pay for them or are only partially paid for. Because County government relies primarily upon property taxes to operate, expensive State mandates become expensive property taxes on local taxpayers.

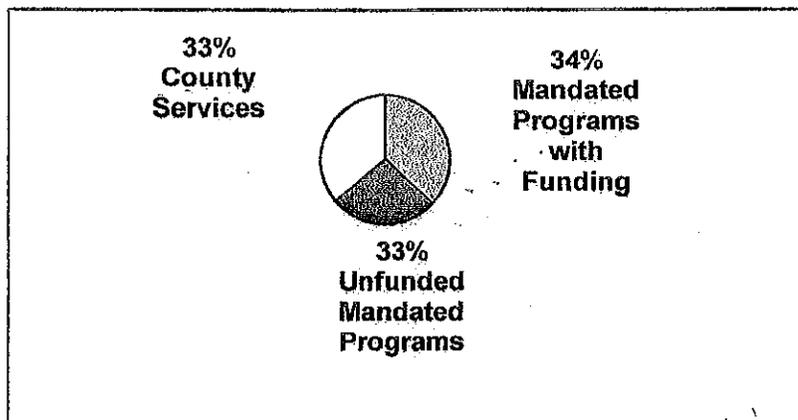
NYS Medicaid Mandate: New York State has the most expensive Medicaid program in the nation. State legislators have authorized optional services for recipients that exceed what is required by federal regulations. Spending per recipient is highest in the country, and nearly exceeds those of California and Texas combined. New York is one of only a few states that mandate county governments to pay a portion of the State's cost. **Fulton County's Medicaid bill will be \$13.4 million in 2011 and will increase by 3% every year, as mandated by the State. In 2011, about 52% of the property tax you pay will pay just one bill – Medicaid.**

NYS Welfare Mandate: The State has established an extensive system of welfare benefits to assist needy individuals and families. Three central program groups: Public Assistance, Safety Net and Child Welfare cost the County \$1,520,500, which is 5.8% of this year's tax levy.

NYS Mandates (other): State legislators mandate numerous other expenses included in Early Intervention services, probation, indigent defense, youth detention and the public pension system. These mandates cost the County \$6,670,129 which is 25.6% of this year's tax levy.

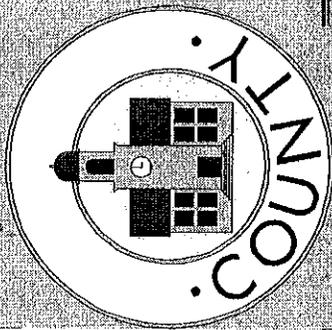
Approximately 49% of the mandated programs imposed upon Fulton County government are not accompanied by monies to operate them. As illustrated in the chart below, 33% of the County's total expenses are mandated without funding by the state or federal governments.

2011 Fulton County Budget (\$100,114,645)



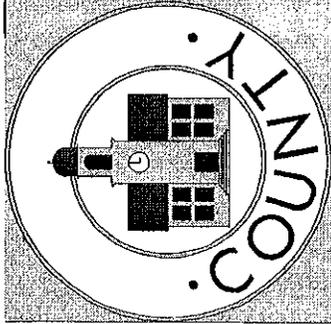
INTRODUCTION

KIT



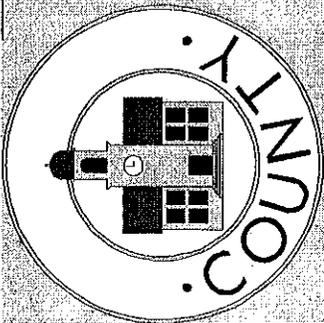
“Truth in Taxation Law”

- An initiative to promote fair representation and financial accountability in New York State



“Truth in Taxation Law” Goals

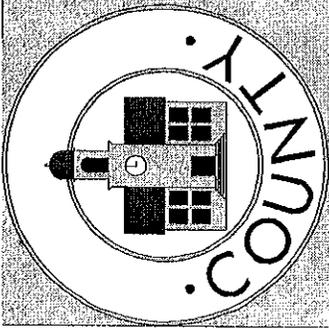
1. Enact local law in every county throughout New York State to delineate the true relationship between State mandates and property taxes.
2. Create a standard system to deliver property tax information to every taxpayer in the state.
3. Promote communication between taxpayers and the state officials responsible for a substantial portion of their property tax bill.



“Truth in Taxation Law”

★ **Adopt a county local law that requires certain steps to be included in county property tax bills on an annual basis:**

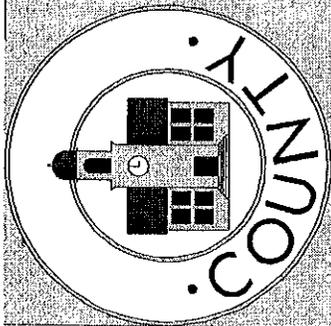
- Mandate Itemization
 - “NYS Medicaid Mandate” line
 - “NYS Welfare Mandate” line
 - “NYS Mandates (other)” line
- Enclosure of a *Tax Bill Flyer*
 - Front: summary of major impacts of state mandates
 - Back: contact information for state legislators



Mandate Itemization on Tax Bills

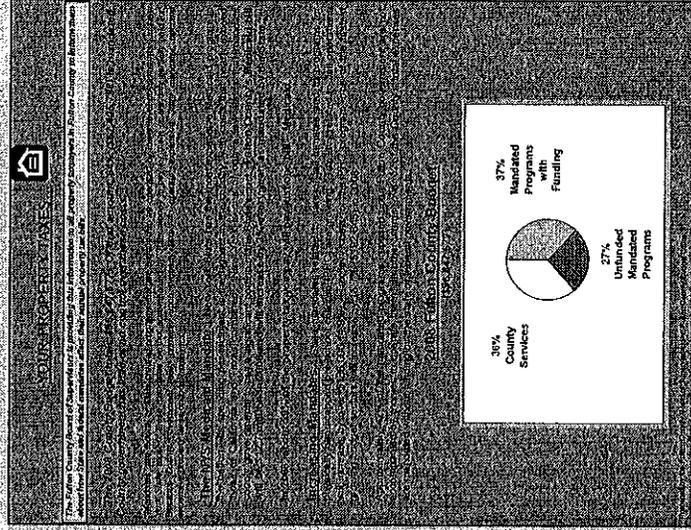
Taxing Purpose	Total Tax Levy	% Change	TAV	Rate per \$1000	Tax Amount
GENERAL COUNTY	1,166,186	7.5	166,800	3.710000	618.83
NYS MEDICAID MANDATE	1,458,519	-8.3	166,800	4.640000	773.95
NYS WELFARE MANDATE	239,999	2.0	166,800	.760000	126.77
NYS MANDATES (OTHER)	519,999	3.2	166,800	1.650000	275.22
TOWN TAX	281,950	1.3	166,800	.900000	150.12
FIRE PROTECTION	33,275	-0.9	166,800	.490000	81.73
TOTAL TAXES DUE					\$ 2,026.62

Sample section of a county tax bill

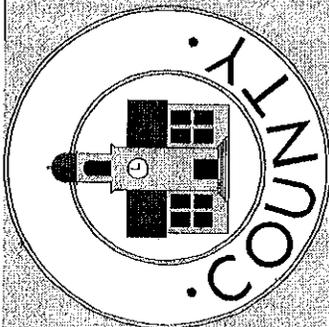


Tax Bill Flyer

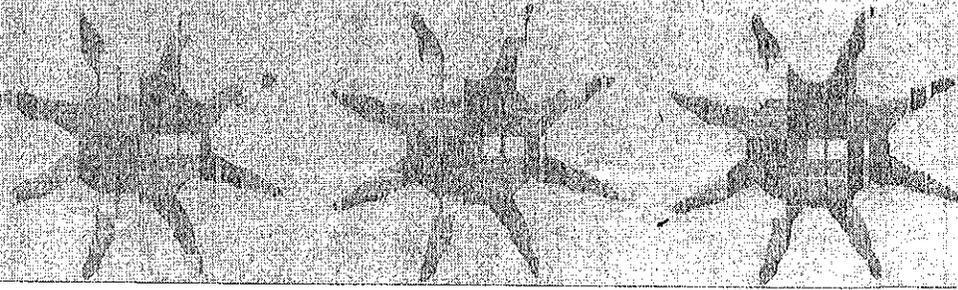
1. Standard statement defining "mandate"
2. Summary of key financial impacts
 - "NYS Medicaid Mandate"
 - "NYS Welfare Mandate"
 - "NYS Mandates (other)"
3. "Pie Chart" showing mandated portions of county budget



sample front

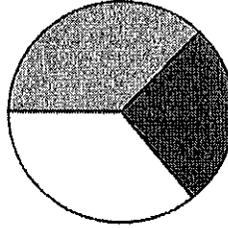


Budget "Pie Chart"



2011 County Budget
(\$100,114,645)

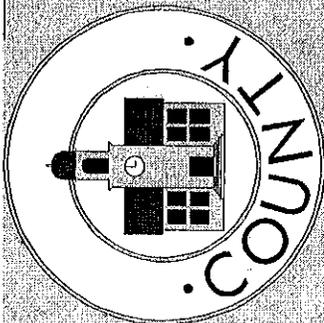
33%
County
Services



34%
Funded
Mandated
Programs

33%
Unfunded
Mandated
Programs

sample



Contact Information for State Legislators

CONTACT INFORMATION FOR STATE & FEDERAL REPRESENTATIVES

UNITED STATES SENATORS

Charles Schumer
313 Hart Senate Office Building
United States Senate
Washington, D.C. 20510-0605
(202) 224-6542 Fax: (202) 228-3027

Kirsten Gillibrand
United States Senate
487 Broadway
Saratoga Springs, NY 12866
518-581-8247

REPRESENTATIVES IN CONGRESS

**21st Congressional District—Includes
Cloversville, Johnstown and Town of
Johnstown**
Paul D. Tonko
128 Cannon HOB
Washington, DC 20515
(202) 225-5076 Fax: (202) 225-5077
Website: <http://www.house.gov/tonko>

**23rd Congressional District—Include Stecker,
Broadalbin, Caroga, Enriatai, Mayfield, Northampton,
Oppenheim, Perth & Stratford**

Bill Owens
2366 Rayburn House Office Bldg.
Washington, DC 20515
(202) 225-4611 Fax: (202) 226-0621
Website: <http://owens.house.gov>

STATE REPRESENTATIVES

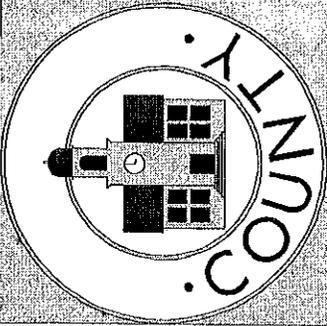
NEW YORK STATE SENATOR
(44th Senatorial District)

Hugh Farley
Room 706, Legislative Office Building
Albany, NY 12247
(518) 455-2181 Fax: (518) 455-2271

NEW YORK STATE ASSEMBLYMAN
(117th Assembly District)

Marc Butler
Room 318, Legislative Office Building
Albany, NY 12248
(518) 455-5393 Fax: (518) 455-5889
or
District Offices
235 N. Prospect St. - Suite 101
Herkimer, NY 13350
(315) 866-1632 Fax: (315) 866-5058

sample back



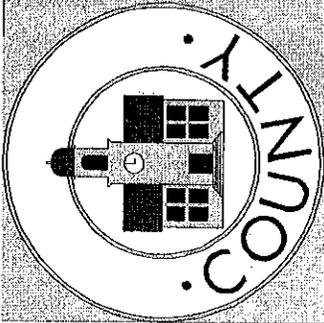
NYSAC "9 for 90" Mandate Categories

"NYS Medicaid Mandate" [1. Medicaid

"NYS Welfare Mandate" [2. Public Assistance/Safety Net
3. Child Welfare

"NYS Mandates (other)" [4. Preschool Special Ed.
5. Early Intervention
6. Probation
7. Indigent Defense
8. Youth Detention
9. Pensions

Reference: "The County Call to Cut Property Taxes in NYS: Counties Call for a Collaborative Effort to Reform the Nine Mandates that Consume 90 Percent of the County Property Tax Levy"; New York State Association of Counties, December 2010.



Initiative...

- ★ Local Laws in all counties...
- ★ Press Releases...
- ★ Letters to the Editor...
- ★ Guest columns...

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

**Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.*

DEPARTMENT NAME: Real Property

DATE: April 15, 2011

- (a) Purpose of Request: To have the Board approve the attached list of corrections from the Treasurers Office

- (b) Details:

- (c) Previous Resolution Number:

- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount:

CHARGEBACK OF TAXES

TOWN	YEAR	ASSESSED TO & TAX MAP #	LOCATION	BREAKDOWN	CODING	REASON
Hague	2011	T & V. Hanifin 60.9-1-2	103 Bobkat Lane	County Fire Total	167.56 <u>24.13</u> 191.69	Small Claims Decision of Hearing Officer
Lake George	2011	G. Harder E. Rizzo 251.07-1-70	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	S. Kopek R. Tumilowicz 251.07-1-71	3014 Lakeshore Dr	County Town Fire Total	119.05 50.38 <u>13.44</u> 182.87	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	L & C. Devane 251.07-1-72	3014 Lakeshore Dr	County Town Fire Total	119.05 50.38 <u>13.44</u> 182.87	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	M. Maslinoff T. Miller 251.07-1-73	3014 Lakeshore Dr	County Town Fire Total	101.20 42.82 <u>11.42</u> 155.44	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	C. Wetherell K. Baer 251.07-1-74	3014 Lakeshore Dr	County Town Fire Total	101.20 42.82 <u>11.42</u> 155.44	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	B Pasquali J. Vinci 251.07-1-75	3014 Lakeshore Dr	County Town Fire Total	116.41 49.26 <u>13.15</u> 178.82	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	M & P. Roux 251.07-1-76	3014 Lakeshore Dr	County Town Fire Total	116.41 49.26 <u>13.15</u> 178.82	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	J & L. Hammer 251.07-1-77	3014 Lakeshore Dr	County Town Fire Total	116.41 49.26 <u>13.15</u> 178.82	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)

CHARGEBACK OF TAXES

TOWN	YEAR	ASSESSED TO & TAX MAP #	LOCATION	BREAKDOWN		CODING	REASON
Lake George	2011	S. Klinne D. Whiting 251.07-1-78	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34		Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	G & H Klein 251.07-1-79	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34		Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	K. Baer W. Hallenbeck 251.07-1-80	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34		Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	L. Winkler A. King 251.07-1-81	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34		Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	R. Askew F. Giaquinto 251.07-1-82	3014 Lakeshore Dr	County Town Fire Total	101.20 42.82 <u>11.42</u> 155.44		Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	J. Drapala P. Stopera 251.07-1-83	3014 Lakeshore Dr	County Town Fire Total	101.20 42.82 <u>11.42</u> 155.44		Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	M. David A. Annese Jr. 251.07-1-84	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34		Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	A. Jenkins R. Radday 251.07-1-85	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34		Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	Martin & Son Inc M. Nasta Jr. 251.07-1-86	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34		Court Order 1999 - 2010 (Quarters at Four Seasons Inn)

CHARGEBACK OF TAXES

TOWN	YEAR	ASSESSED TO & TAX MAP #	LOCATION	BREAKDOWN	CODING	REASON
Lake George	2011	G & S Colman 251.07-1-87	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	M. Hardial M. Milligan 251.07-1-88	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	M. Lephart D. Gisotti 251.07-1-89	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	B. Going III M. Smith 251.07-1-90	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	T & C Otero 251.07-1-91	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	J. Kienzle R. Rubenstein 251.07-1-92	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	F & D. Bernthal 251.07-1-93	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Lake George	2011	W. Russo W. Mohr 251.07-1-94	3014 Lakeshore Dr	County Town Fire Total	137.59 58.22 <u>15.53</u> 211.34	Court Order 1999 - 2010 (Quarters at Four Seasons Inn)
Queensbury	2011	W.S.&D. Seaboyer 227.13-2-36	83 Rockhurst Rd	County Town Fire Cr.Lib EMS Total	656.71 95.56 123.83 80.77 <u>21.17</u> 978.04	Small Claims Decision of Hearing Officer

CHARGEBACK OF TAXES

TOWN	YEAR	ASSESSED TO & TAX MAP #	LOCATION	BREAKDOWN	CODING	REASON
Queensbury	2011	Jenkinsville Sand & Gravel LLC 279.-1-25	201 Jenkinsville Rd	County (946.78) Town (137.77) Fire (178.53) Cr.Lib (116.44) EMS (30.52) Total (1,410.04)		Assessment from 35,400 to 244,449
Queensbury	2011	Scott McLaughlin 279.-1-26	Ridge Rd	County 946.78 Town 137.77 Fire 178.53 Cr.Lib 116.44 EMS 30.52 Total 1,410.04		Assessment from 275,200 to 66,151
Queensbury	2011	John Boomer 239.14-1-3	23 Wood Point Lane	County 566.13 Town 82.38 Fire 106.75 Cr.Lib 69.62 EMS 18.25 Total 843.13		Court Order Assessment Change from 1,198,800 to 1,073,800
Queensbury	2011	L & L Kutcher 301.8-2-22	31 Cottage Hill Rd	County 101.00 Town 14.69 Total 115.69		25% Combat Veteran's Exemption left off bill.
Stony Creek	2011	D & T Nelson 231.-1-10	Wolf Pond Rd	County 216.84 Town 268.84 Fire 40.81 Total 526.49		Clerical Error Parcel s/h/b removed from roll after the split had occurred.
City of Glens Falls	2011	The Michael's Group 302.12-17-16	10-18 Parker Street	County 569.28		Property Formerly Exempt.
City of Glens Falls	2011	St of NY Mort. Ag. 302.19-20-17	31 Grove Ave	County 435.64		State owned property & s/h/b placed in an exempt status.
City of Glens Falls	2011	A. Rivera 303.17-11-8	24 Walnut St	County (339.81)		Parcel had a tax sale exemption placed on it & s/n/h.

REFUND OF TAXES

TOWN	YEAR	ASSESSED TO & TAX MAP #	LOCATION	BREAKDOWN	CODING	REASON	
Johnsburg	2010	W & M. Bryant 99.-1-41	51 Mohican	County Town Jsbg. Fire Interest Total	201.38 116.12 34.65 <u>7.78</u> 359.93		Court Order Assessment change from 5,000 to 3,961
Queensbury	2009	John Boomer 239.14-1-3	23 Wood Point Lane	County Fire Cr.Lib EMS Total	453.63 100.25 68.00 <u>22.25</u> 644.13		Court Order Assessment change from 1,198,800 to 1,073,800
Queensbury	2010	John Boomer 239.14-1-3	23 Wood Point Lane	County Fire Cr.Lib EMS Total	541.88 103.87 67.88 <u>20.25</u> 733.88		Court Order Assessment change from 1,198,800 to 1,073,800
Queensbury	2008	L & L Kutcher 301.8-2-22	31 Cottage Hill Road	County	71.54		Clerical Error s/h received a 25% Combat Veteran's Exemption
Queensbury	2009	L & L Kutcher 301.8-2-22	31 Cottage Hill Road	County	74.40		Clerical Error s/h received a 25% Combat Veteran's Exemption
Queensbury	2010	L & L Kutcher 301.8-2-22	31 Cottage Hill Road	County	96.67		Clerical Error s/h received a 25% Combat Veteran's Exemption

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

**Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.*

DEPARTMENT NAME: Real Property

DATE: April 25, 2011

- (a) Purpose of Request: To reissue a lost deed from the 2010 land auction for parcel 132.-1-88 in Johnsbury to John Hess.
- (b) Details:
- (c) Previous Resolution Number:
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount:

Sample: A.8021 470 Planning & Community Development-- Contract

* as listed in budget and LOGOS

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

**Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.*

DEPARTMENT NAME: Real Property

DATE: April 25, 2011

- (a) Purpose of Request: To amend Resolution 440 of 2010, Terms of Sale for the County Tax Sale. Add a part to have the deed filing fees added to the purchase of the parcel and have the county file the deed.
- (b) Details:
- (c) Previous Resolution Number: 506 of 2007
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount:

Warren County Board of Supervisors

RESOLUTION NO. 440 OF 2010

Resolution introduced by Supervisors Goodspeed, Bentley, Thomas, Merlino, Stec, Girard and McDevitt

AMENDING RESOLUTION NO. 360 OF 2010; AMENDING TERMS OF SALE - REAL PROPERTY TAX SERVICES DEPARTMENT

WHEREAS, Resolution No. 360 of 2010 (amending Resolution No. 506 of 2007) amended Terms of Sale and added paragraph 15, and

WHEREAS, the Real Property Tax Services Committee has recommended that said resolution be further amended to require that payment in full was due on the day of the auction on sales of One Thousand Dollars (\$1,000) or less, now, therefore, be it

RESOLVED, that Part IV, Section B paragraph 2 of Resolution No. 506 of 2007 is hereby amended to read as follows:

“TERMS OF SALE

The premises described in the preceding advertisement of sale will be sold under the direction of the Director of the Real Property Tax Services Department, upon the following Terms of Sale:

1. The successful bidder (purchaser) of the premises being sold, or any portion thereof, will, at the time of the auction sign a memorandum of purchase agreement in which the purchaser will agree to comply with all terms and conditions of sale relating to auctioned parcels or forfeit the deposit as well as the right to purchase said parcel. Such memorandum will be prepared by the Real Property Tax Services Director in a form approved by the County Attorney;
2. For a successful bid in any amount over One Thousand Dollars (\$1,000), Ten Percent (10%) of the purchase price of said premises and an additional five percent (5%) bidders fee shall be made payable to the Warren County Treasurer at the time of the execution of the memorandum of purchase agreement, and for which payment a County receipt shall be given by the Office of the Treasurer, and which payment may be made by way of a personal check dated as of the date of the auction, cash or certified funds;

For a successful bid of One Thousand Dollars (\$1,000) or less, One Hundred Percent (100%) of the purchase price of said premises and an additional five percent (5%) bidder's fee shall be made payable to the Warren County Treasurer at the time of the execution of the memorandum of purchase agreement, and for which payment a County receipt shall be given

- by the Office of the Treasurer, and which payment may be made by way of a personal check dated as of the date of the auction, cash or certified funds;
3. All sales are subject to the approval of the Warren County Board of Supervisors which approval shall be given or denied within sixty (60) days of such sale. In the event a sale is not approved by the Board of Supervisors, the down payment for that sale and the additional bidders fee shall be promptly refunded without interest;
 4. The balance of the purchase price (ninety percent (90%)) shall be made payable by bank or certified check or cash to the Warren County Treasurer, Warren County Municipal Center, Lake George, New York, within sixty (60) days from the date of the resolution of the Warren County Board of Supervisors approving the sale, of which date the purchaser shall be provided with notice at the address given by the purchaser on the memorandum of purchase completed pursuant to Paragraph 1 of the Terms of Sale. The Real Property Tax Services Director is not required to send any further notice to the purchaser. If the purchaser fails to pay the balance of the purchase price within said sixty (60) day period as provided above, all rights to complete the transaction per the memorandum of purchase agreement will expire and the deposit forfeited to the County of Warren;
 5. If the successful bidder at the auction fails to comply with the terms and conditions of sale and therefore forfeits the right to purchase or the time to purchase expires as defined in paragraph 4 above, the County shall consider whether to offer the property for sale to the second highest bidder of record. In furtherance of this, the Real Property Tax Services Director shall provide notice to the second highest bidder by mail at the address provided by the bidder at the auction that the County is considering whether to accept the bid of the said second highest bidder and inquire as to whether said bidder desires to purchase the property. If the said bidder is interested in purchasing the property, the second highest bidder shall have fifteen (15) days after the mailing of such notice to enter into a memorandum of purchase agreement as set forth in Paragraph 1, which agreement, however, as with the offer of the first bidder, shall be considered an offer that may or may not be accepted by the County. If the County accepts the offer, the provisions set forth in Paragraph 4 concerning payment of the balance and forfeiture shall apply as shall all other terms and conditions of sale. If the County does not accept the bid, the deposit of the said second highest bidder shall be returned.
 6. The premises will be conveyed free and clear of delinquent real property tax liens but subject to:
 - (a) city and village tax liens accruing during the year of the auction and not relieved in the last town and county tax immediately preceding the auction;
 - (b) street or other special assessments unpaid or payable to the municipality in which the premises are situated;
 - (c) any water charges unpaid or payable to the municipality in which the premises are situated which have not been relieved in the last town and county tax levy.
 7. The deed delivered shall be a "Quit Claim" deed and shall contain the assessment roll

description of the premises and not a metes and bounds description;

8. The bidding will be kept open after the property is struck down; in the case any purchaser shall fail to comply with any of these Terms of Sale, the premises so struck down will again be put up for sale under the direction of the Real Property Tax Services Agency; the original purchaser may be held liable for any deficiency between the sum for which said premises were purchased and the resale, together with any costs or expenses occurring on such resale;
9. The premises will be conveyed subject to all existing tenancies, easements, rights, licenses, privileges, and agreements, as well as any covenants, conditions, restrictions, reservations, rights of re-entry, possibilities of reverter, rights-of-way, utility or other easement agreements, or sell-offs in former deeds or other instruments of record. Additionally, the premises will be conveyed subject to existing laws and ordinances and any state of facts an accurate survey and prudent inspection of the property would disclose, and any federal and/or state taxes, liens, judgements and encumbrances of record not otherwise extinguished when the County of Warren took title to the subject parcel;
10. The purchaser is responsible for determining by diligent search of the public records, including those in the Warren County Clerk's Office, whether other persons or entities including, but not limited to, mortgagees, lienholders or others have an interest in the property which may affect the title as acquired through the tax foreclosure proceeding;
11. The purchaser is responsible for determining whether any structures are located on the premises and for the condition of any structures located on the premises. The descriptions may contain a reference to a structure that may have been removed after the description was prepared. The County makes no promises regarding the presence or condition of any structure;
12. There shall be no interruptions of the auction by any person. Any person so interrupting the auction may be removed from the auction;
13. Individuals purchasing property at this public auction will be responsible for Real Property Transfer Tax on all parcels purchased; and
14. The Internal Revenue Service and/or other Federal and/or State agencies may have a right to redeem their interest in properties following this auction. The bidder is responsible for ascertaining this information.
15. If a purchaser owes any outstanding and delinquent taxes to Warren County, those taxes must be paid in full prior to closing on any purchase made at this auction. Failure to comply with this provision will be grounds for default and forfeiture of any deposits paid."