

RESOLUTION NO. 2022-5

**A RESOLUTION AUTHORIZING THE FORECLOSURE OF REAL ESTATE
TAX LIENS AND THE SALE OF UNREDEEMED REAL ESTATE**

WHEREAS, pursuant to K.S.A. §79-2801, *et seq.*, the Board of County Commissioners of any county in Kansas is required to file judicial foreclosure proceedings to collect delinquent and unpaid taxes levied upon real estate within such county; and

WHEREAS, pursuant to K.S.A. §79-2301 *et seq.*, the Treasurer of Chautauqua County, Kansas, has bid in and sold parcels of real estate in the name of Chautauqua County, Kansas, at the statutory delinquent tax sale of 2018, and prior years, and such parcels remain unredeemed on the 1st day of September of the second year or more after such sales; and

WHEREAS, K.S.A. §79-2801, *et seq.*, requires counties to foreclose unpaid real estate tax liens whenever the aggregate assessed valuation of the real estate subject to sale is \$300,000 or more, or the aggregate amount of delinquent taxes, including special assessments is \$10,000 or more.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHAUTAUQUA COUNTY, KANSAS, that:

SECTION 1. Upon receiving and confirming the information set forth above, the Board determined that pursuant to K.S.A. §79-2801, *et seq.*, it shall go forward to foreclose the unpaid real estate tax liens on such property located within Chautauqua County, Kansas, and to sell such real estate at sheriff's sale to satisfy such liens as provided by law, and all prior actions and decisions in this regard are approved and ratified.

SECTION 2. After consulting with the County Counselor of Chautauqua County, Kansas, and being properly advised, under the terms of a written contract, the Board employed and authorized outside legal counsel, KLEND AUSTERMANN LLC, to proceed with the judicial foreclosure of all delinquent real estate tax liens, and has ordered such outside legal counsel to prepare and file the necessary petition in order to have a tax sale of all real estate which has been sold at statutory delinquent tax sale to the County for taxes and which remains unredeemed as of at least two years or more after such sale pursuant to K.S.A. §79-2801, *et seq.*, and all prior filings and actions by such outside legal counsel in this regard are approved and ratified.

ADOPTED, APPROVED AND RATIFIED BY THE BOARD OF COUNTY COMMISSIONERS OF CHAUTAUQUA, COUNTY KANSAS ON April 11, 2022.

BOARD OF COUNTY COMMISSIONERS
OF CHAUTAUQUA COUNTY, KANSAS

ATTEST:

W. Collier



Parker Massey
PARKER MASSEY, Commissioner Dist. #1

Rodney Shaw
RODNEY SHAW, Commissioner Dist. #2

David Deal
DAVID DEAL, Chairman, Dist. #3