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**RESOLUTION 2020-07**

## **DISPOSAL OF PROPERTY AT PUBLIC AUCTION**

It is the intent of the Montana Association of Counties to revise statutory language to remove the appraised value restriction for property which did not sell at a sale of tax-deed. If two attempts at tax deed sales fail, allow counties to dispose of property at a public auction without requiring a minimum value set by appraisal.

**WHEREAS**, MCA 7-8-2301 (4) indicates that if bids are not received at a sale of tax-deed land, the board shall order another auction sale of the land under this part within 6 months and may, if required by the circumstances, redetermine the sales price of the land determined in subsection (2); and

**WHEREAS**, MCA 7-8-2301 (5) further indicates that if a bid is not received at the sale conducted under subsection (4), the board may dispose of the land as provided in Part 25; and

**WHEREAS**, PART 25, requires that an appraisal of the land be required if it has an estimated value of \$20,000 or more and further states that the land may not be sold for less than the appraised value; and

**WHEREAS**, if a property goes unacquired during the tax deed bid process and is then restricted by MCA 7-8-25 the properties likelihood of sale is very low resulting in an ongoing burden for maintenance with no solution.

**NOW, THEREFORE BE IT RESOLVED** that the Montana Association of Counties will seek to establish legislation to remove the minimum appraised value provision for properties that failed at tax deed sale and enable the County Commission to determine or negotiate a sales price.

<b>SPONSOR:</b>	DAWSON COUNTY
<b>RECOMMENDATION:</b>	DO PASS
<b>REFERRED TO:</b>	MACO TAX, BUDGET & FINANCE COMMITTEE
<b>ADOPTED:</b>	ANNUAL CONFERENCE – OCTOBER 1, 2020