

TAXATION: Trustee's deed.

November 21, 1939

11-22

The State Tax Commission
Jefferson City, Missouri

Attention: Mr. W. N. Doss, Secretary

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Gentlemen:

This is in reply to your request of recent date for this office to make up a form of deed to be used by the trustee when he sells lands which he has purchased at tax sales.

Pursuant to your request, we submit the following form:

"THIS INDENTURE, Made and entered into this _____ day of _____, 19____, by and between _____, trustee, for the use and benefit of the funds hereinafter mentioned, party of the first part, and _____, of the County of _____, State of _____, part__ of the second part; WITNESSETH THAT:

"WHEREAS, the county court of _____ County, Missouri, by an order of record dated the _____ day of _____, 19____, a certified copy of which is on file in the office of the county collector of said county, did designate and appoint the party of the first part as a trustee for the benefit of all funds entitled to participate in the funds entitled to the taxes against the lands herein described; and,

"WHEREAS, the said party of the first part has accepted said appointment and is now the

duly appointed, qualified and acting trustee for the uses and purposes aforesaid; and,

"WHEREAS, the said party of the first part, by virtue of the aforesaid appointment, is now and was at all the times hereinafter stated authorized to bid at all sales of delinquent lands offered for taxes, interest, penalty and costs, by the collector of said county, which had been offered for sale for taxes for two successive years next prior thereto; and,

"WHEREAS, the said party of the first part is and was at all the times herein mentioned, authorized to purchase at such sales all lands or lots offered thereat, necessary to protect all taxes due and owing, and to prevent their loss to the taxing authorities involved from inadequate bids; and,

"WHEREAS, _____, Collector of _____ County, Missouri, did on the _____ day of _____, 19____, offer for sale for taxes for the third time, the lands hereinafter described, and at said sale no person having bid therefor a sum equal to the delinquent taxes thereon, interest, penalty and the costs provided by law, _____, the undersigned trustee for the uses and purposes herein set forth and by virtue of the authority vested in him, did bid and purchase the lands hereinafter described at a price not in excess of a sum equal to the delinquent taxes thereon, interest, penalty and costs provided by law, and the same were stricken off and sold to the said trustee for the use and benefit of the following funds entitled to the payment of the taxes for which the real estate hereinafter described was sold as follows:

| FUNDS | AMOUNT |
|-------|--------|
| _____ | _____ |
| _____ | _____ |

All of which proceedings are shown by deed from the Collector of said county to _____, trustee, dated the _____ day of _____, 19____, and recorded in the office of the Recorder of Deeds of _____ County, Missouri, in deed record number _____, at page number _____; and,

"WHEREAS, the said party of the first part has been offered the sum of _____ Dollars (\$ _____) by the said _____, part__ of the second part, for the lands hereinafter described; and,

"WHEREAS, the county court, by order of record dated the _____ day of _____, 19____, has ordered the undersigned to sell the hereinafter described lands to the said part__ of the second part at that price and sum, and to execute and deliver a deed therefor.

"NOW, THIS INDENTURE, WITNESSETH, That the said party of the first part, under and acting by virtue and in pursuance of the powers in him vested as hereinbefore stated, in consideration of the sum of _____ Dollars (\$ _____) to him in hand paid by the said _____, part__ of the second part, the receipt of which is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto the said part__ of the second part, the piece or parcel of land situated in the County of _____, State of Missouri, and described as follows:

"TO HAVE AND TO HOLD the above described premises together with all and singular the hereditaments and appurtenances thereto belonging or in anywise appertaining unto the said part _____ of the second part, _____ heirs and assigns forever.

"IN TESTIMONY WHEREOF, the said party of the first part has hereunto set his hand this _____ day of _____, 19____.

Trustee.

STATE OF MISSOURI, _____ COUNTY, SS.

"Before me, the undersigned, _____ in and for said County, this day, personally came the above named _____, trustee, described in the foregoing instrument, and acknowledged that he executed the same for the uses and purposes therein mentioned.

"IN WITNESS WHEREOF, I have hereunto set my hand and seal, this _____ day of _____, 19____.

Notary Public
_____ County, Missouri."

Respectfully submitted,

APPROVED:

TYRE W. BURTON
Assistant Attorney General

W. J. BURKE
(Acting) Attorney General

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