Request for Surplus Proceeds - Instructions

If you believe you are entitled to surplus proceeds as a result of a tax foreclosure sale, complete this form and mail or otherwise deliver it, along with the required attachments and documentation outlined below, to the following address:

Crook County,
Attn: Surplus Proceeds
300 NE Court St.
Prineville, OR 97754

Surplus Proceeds shall only be distributed to the Prior Owner of the property. "**Prior Owner**" means the Record Owner, or their heirs, assigns, or successors as demonstrated through court order and/or other legal document(s). "Record Owner" means the individual(s) and/or entity(ies) identified as the owner in tax records at the time of foreclosure. The burden of demonstrating entitlement to surplus proceeds is on the Prior Owner.

Where there is more than one Prior Owner, any single Prior Owner may submit a single claim form on behalf of all Prior Owners, if such claim identifies all other Prior Owners, includes proof of notice to all other Prior Owners, and includes either their approval of or court order as to distribution apportionment. For each additional Prior Owner an Additional Prior Owner Attachment must be included along with documentation of their entitlement to claim surplus proceeds.

A Prior Owner submitting this request must:

1. Attach a copy of the property deed or other record showing prior ownership. Only one copy is required if Prior Owner consists of multiple parties.
2. Attach a copy of the front and back of current photo identification (e.g., driver's license). Provide proof of current mailing address if different from current photo identification.
3. If applicable, attach a copy of any court order or legal document establishing Prior Owner status for all Prior Owners.
4. If you are claiming surplus proceeds on behalf of another person, please provide documentation of legal authority to do so, such as a power of attorney, conservator, guardian, etc.
5. If you are claiming property as an heir to a deceased person, provide documentation such as a death certificate or obituary. If the probate is open, include original court-certified copies of Letters of Administration or Affidavit Claiming Successor. If the probate is closed, include an original court certified copy of the Final Decree of Distribution listing the heirs. Note: Crook County requires probate on claims for surplus funds valued at $5,000 or more.
6. Sign the completed form in the presence of a notary public.

REQUEST FOR SURPLUS PROCEEDS OF A TAX FORECLOSURE SALE

Section 1. Property Information

Property ID: _____ **Map/Tax Lot:** _____

Property Address: _____

Prior Owner (identify all parties): _____

_____

_____

Section 2. Prior Owner Information

☐ **More than one Prior Owner – see Additional Prior Owner Attachment(s)**

Full Legal Name: _____ **Date of Birth:** _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Status: ☐ **Record Owner** **OR** ☐ **Heir, Assign, or Successor (documentation attached)**

Section 3. Surplus Proceeds Distribution

☐ All proceeds should be distributed to the Prior Owner as a whole (one check issued to Prior Owner)

OR

☐ Proceeds should be distributed to the Prior Owner parties as follows:

Name	Address	% of Proceeds

Section 4.

I declare under penalty of perjury and/or mail fraud:

- That I have reviewed this all sections of this Request for Surplus Proceeds.
- That to the best of my knowledge I am entitled to the excess funds described herein and agree to indemnify Crook County and hold it harmless for and from all claims, loss, costs, damages,

and expenses that Crook County may sustain by turning these funds over to me, or of its refusal to pay this claim or any part of it to any person(s).

- That I have identified any and all other Prior Owners, provided notice to them of this claim, and have either obtained their approval for the distribution described in Section 3 (as evidenced through the Additional Prior Owner Attachments) or have obtained and attached a court order for distribution.
- That all statements in this Request for Surplus Proceeds, any Additional Prior Owner Attachments, or other documents attached to this request are true and correct.

_____

Signature Date

State of _____)
) ss
County of _____)

This record was acknowledged before me on _____, 20___ by _____

_____.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

_____

NOTARY PUBLIC
My Commission Expires: _____

ADDITIONAL PRIOR OWNER ATTACHMENT

Full Legal Name: _____ **Date of Birth:** _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Status: ☐ **Record Owner** **OR** ☐ **Heir, Assign, or Successor (documentation attached)**

☐ Notice of claim for surplus proceeds was provided to this Prior Owner (attach proof of notice):

On (date): _____ By (person/entity providing notice): _____

Method of Notice: _____

Distribution of Surplus Proceeds

☐ A court order regarding allocation of surplus proceeds is attached.

OR

☐ The Prior Owner identified above agrees to receive the following allocation of proceeds (identified Prior Owner must sign below in the presence of a notary):

____% of surplus proceeds OR $_____ lump sum from surplus proceeds

I, _____ (Prior Owner identified above) declare under penalty of perjury and/or mail fraud:

- That I have reviewed this all sections of the Request for Surplus Proceeds.
- That to the best of my knowledge I am entitled to the excess funds described herein and agree to indemnify Crook County and hold it harmless for and from all claims, loss, costs, damages, and expenses that Crook County may sustain by turning these funds over to me, or of its refusal to pay this claim or any part of it to any person(s).
- That I agree to the Distribution of Proceeds indicated herein.

_____

Signature Date

State of _____)
) ss
County of _____)

This record was acknowledged before me on _____, 20_____

by _____.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

_____

NOTARY PUBLIC

My Commission Expires: _____