

AFFIDAVIT AND BOND FOR LOST TAX SALE CERTIFICATE

AFFIDAVIT

STATE OF OKLAHOMA)
) SS:
COUNTY OF _____)

I, the undersigned, on my oath, depose and say, that I am the lawful and sole owner of individual tax sale certificate No. _____ issued on the _____ day of _____, 20_____, by _____ the then County Treasurer of _____ County, State of Oklahoma, which tax sale certificate conveyed to _____ the lien for delinquent taxes of the year or years _____ by issue and endorsement, together with interest and costs since accrued, altogether in the total sum of \$ _____ on the following described real estate to-wit: _____

Which certificate was by me lawfully acquired and, if acquired by assignment, said assignment was duly acknowledged and such assignment entered of record by the County Treasurer of said county on the tax sale record in his office and has never been transferred nor assigned by me, to any other person, firm, or corporation; that said tax sale certificate has become lost or destroyed and is no longer available for presentation to the County Treasurer of said county for one of the purposes specified under 68 Okl.St. Ann. § 3116 and which are set out in detail in the attached indemnity bond. In either event, whether for cancellation of the certificate and satisfaction of the taxes, the surrender of the certificate for the redemption money in the hands of the County Treasurer, or to obtain a certificate tax deed, the County Treasurer is hereby requested to accept this affidavit and indemnity bond in lieu of the original tax sale certificate and to have the records relating thereto so show. It is for the specific purpose shown in the indemnity bond that I make this affidavit and bond, and that each and every one of the foregoing statements is true and correct.

(Signed) _____

Subscribed and sworn to me before this _____ day of _____, 20_____.
SEAL

My Commission expires _____ Notary Public

ACCEPTANCE AND APPROVAL OF BOND BY COUNTY TREASURER

I have ascertained that the tax sale record in my office discloses the above affiant to be the record owner of the tax sale certificate named, no subsequent transfers or assignment having been entered on said record; and that the amount of the indemnity bond is found to be in compliance with the statute in view of the purpose for which it is offered, as disclosed in the attached bond. Furthermore, the sureties to the bond being personally known by me to be adequate, or having ascertained by verification that they are proper and sufficient I have approved said sureties and accepted said bond this _____ day of _____, 20_____

SEAL _____ County Treasurer

NOTE: If Indemnity Bond is executed by a Surety Company authorized to transact business in Oklahoma, attach same to the above affidavit; if by personal sureties use the form of bond on the reverse hereof. Indemnity Bond executed by a Surety Company must be substantially in the same form. 12 Okl.St. Ann. § 61 provides:

"A ministerial officer whose duty it is to take security, in any undertaking provided for by this code or by other statutes shall require the person offered as surety to make an affidavit of his qualifications, which affidavit may be made before such officer, and shall be endorsed upon or attached to the undertaking. The taking of such an affidavit shall not exempt the officer from any liability to which he might otherwise be subject for taking insufficient security."

12 Okl.St. Ann. § 62 provides:

"The surety in every undertaking provided for by this code or other statutes, unless a surety company, must be a resident of this State and worth double the sum to be secured, over and above all exemptions, debt and liabilities. Where there are two or more sureties in the same undertaking they must, in the aggregate have the qualifications prescribed in this section."

INDEMNITY BOND

We, _____ as principal, and _____

_____ as co-sureties, do by this act hold ourselves firmly bound to

_____ County Treasurer of _____ County, State

of Oklahoma, and to his, successors in office and to said county in the penal sum of _____

_____ Dollars (\$_____). Said sum

being in the amount required in accordance with one or the Provisions of 68 Okl.St. Ann. § 3116 herein enumerate as follows, to-wit:

- 1 Surrender of certificate for cancellation and satisfaction of tax payments. Indemnity required – face of certificate and endorsements plus all interest and costs to date.
- 2 Surrender of certificate for payment of redemption money. Indemnity required - double the amount of money held by the County Treasurer for said certificate.
- 3 To obtain a certificate tax deed Indemnity required--a sum equal to the value of the property conveyed.

Item No. _____ above being applicable in the instant case and said indemnity bond being given in the required amount to indemnify and secure said _____, County Treasurer, his successors in office and said county against any subsequent presentation of the original certificate by other parties claiming legal ownership to certificate; and against any fault in title, in or relating to said certificate as alleged in the within and foregoing affidavit.

Now, therefore, if the above bounden _____, their heirs executors, and administrators, shall well and truly indemnify and save harmless the said _____ County Treasurer, his successors in office and said county from and against the said tax sale certificate for whatever purpose same may be subsequently presented, for the full duration of time within which statute, such certificate may lawfully be presented and privilege claimed, and all damages, costs, charges, and expenses, and from all suit whether groundless or otherwise, by reason of said tax sale certificate, and shall deliver up the same if and when found, to be canceled, then this obligation is to be void: otherwise to remain in full force and effect.

Witness our hands and seals at _____, Oklahoma, this _____ day of _____, 20_____

_____ Principal
 _____ Co-Surety
 _____ Co-Surety

QUALIFICATION OF SURETIES

STATE OF OKLAHOMA)
) ss:
COUNTY OF _____)

I, _____, one of the sureties of the foregoing undertaking, on my oath do solemnly swear (or affirm) that I am a resident of _____ County, State of Oklahoma; and that I am the owner of property in this State, worth over and above all debts, liabilities, and exemptions, the sum of \$ _____

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 20_____

SEAL _____ County Clerk or Notary Public

STATE OF OKLAHOMA)
) ss:
COUNTY OF _____)

I, _____, one of the sureties of the foregoing undertaking on my oath do solemnly swear (or affirm) that I am a resident of _____ County, State of Oklahoma; and that I am the owner of property in this State, worth over and above all debts. liabilities, and exemptions, the sum of \$ _____

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 20 _____

SEAL _____ County Clerk or Notary Public