

# Idaho County Sheriff

## Checklist for Sheriff Sale (Foreclosure)

\_\_\_\_\_ **Letter of Instruction MUST be directed to the Sheriff of Idaho County and MUST be signed by Attorney** – no secretaries or legal assistants.

- MUST include the names and address of all defendants.

\_\_\_\_\_ **MUST have the 'Original' Writ of Execution**

**(This will be recorded pursuant to IC 8-506(1))** Need a separate check written to Idaho County Recorder. They cannot make change so if you are uncertain of the cost, please call the Recorder's office at 208-983-2751)

- The Writ **MUST** be directed to the Sheriff of Idaho County

\_\_\_\_\_ **Notice of Levy –**

Must have the following:

- The same case title/heading/number as the Writ.
- Contain a legal description of real property to be seized and sold.
- We will notarize **(this will be recorded pursuant to IC 8-506(1))**
- Should contain information pertaining to the length for redemption (IC 302-(3) or this may be on the Notice of Sheriff Sale

\_\_\_\_\_ **Order of Sale**

**(this will be recorded pursuant to IC 8-506(1))**

\_\_\_\_\_ **Judgment** (if applicable) **(this will be recorded pursuant to IC 8-506(1))**

\_\_\_\_\_ **Notice of Sheriff's Sale-** paper copy **and MUST** also be emailed to [civil@idahocounty.org](mailto:civil@idahocounty.org) in a Word document format- NO PDF files (we email this to the newspaper for publication) MUST contain the following:

- Have same case title/heading/number as above.
- Give the date, time, and location of the sale (this will be blank, and we will fill in)
- Contain a full legal description of property and per code IC 60-113 it must also have a street address or other information which would be of assistance to the public.
- Have the name and phone number of a person, firm or business office from whom the information concerning the property may be obtained.
- Specify the money or currency required (IC 11-302(3))

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\_\_\_\_\_ **Certificate of Sale** -supplied by attorney.

MUST contain the following: (IC 11-310)

- Full legal description of the real property sold.
- The amount bid for each distinct parcel or lot (blank)

**Certificate of Sale (continued)**

- The whole amount bid (blank)
- Whether the property is subject to redemption
- What kind of money or currency is required for redemption  
(Must be the same as the kind listed in the judgment)
  - There will be a \$5.00 fee for executing the certificate of sale, exclusive of the filing and recording of same

\_\_\_\_ **Sheriff's Return on Sale** – supplied by attorney.

Should include:

- Full legal description
- Date, time, and location of the sale
- Information on posting (that the Notice of Sale was posted and published pursuant to Code.)
- Name of the purchaser (this will be blank and filled in at time of sale)
- Amount of bid, as well as all costs, fees, and commissions (this will be blank and filled in at time of sale)
- Whether or not the judgment was satisfied or unsatisfied

\_\_\_\_ **Sheriff's Deed – supplied by attorney if credit bid wins.**

Should include:

- The names of the Plaintiff and the Defendant
- The full legal description of the property sold.
- The date, time, and location of the sale
- The name of the purchaser (blank)
- The amount bid (blank)
- Whether or not redemption was effected
- Notarized signature of Sheriff (after redemption time has expired)

**The Sheriff's Deed, once issued by the Sheriff, is recorded with the county recorder, fee is \$15.00. These recording fees will be paid for by the purchaser, as well as a \$10.00 fee for executing the deed.**

\_\_\_\_ **Advanced Sheriff's Fees**

A minimum deposit of **\$900** is required to get the process of sale started. This will be credited towards a credit bid or refunded in the event of a cash bidder. Total fees are not required in advance; however, they are expected at the time of sale in the event of a credit bid.

A separate check written out to the Idaho County Recorder for exact recording fees.

\_\_\_\_ **Attorney is required to supply Large manila envelopes that are addressed to all parties needing notified.**

**Any photocopies/postage, etc. that we supply will be taken from the deposit fees.**