

IN THE BOARD OF REVISION/COURT OF COMMON PLEAS

\_\_\_\_\_ COUNTY, OHIO

_____ )	
Cuyahoga County Treasurer )	
Plaintiff )	CASE NO. BR/CCP _____
vs. )	Parcel No. _____
_____ )	
, et al. )	<b>Order to Sheriff:</b>
Defendants )	<b>Order of:</b>
)	_____ <b>Direct Transfer</b>
)	_____ R.C. 323.73(G)
)	_____ R.C.323.65(F); 323.78
)	
)	_____ <b>Sale or Transfer</b>
)	<b>for Want of Bidder</b>
)	
)	_____ <b>Sale</b>

Whereas the Board of Revision ("BOR")/Court of Common Pleas ("CCP") on the \_\_\_ day of \_\_\_\_\_, 200\_\_, made certain findings wherein a judgment of foreclosure was entered in favor of plaintiff, said judgment being attached and made a part hereof as Exhibit A (the "Decree"); that said findings and Decree included that the parcel(s) of land described therein were delinquent in taxes, assessments and penalties; that for said delinquency, Plaintiff has a good and first lien against said parcel(s) ordered foreclosed; and;

[Check only one box]

**(No Sale)**

1.) \_\_\_\_\_ that \_\_\_\_\_ ("Transferee") has petitioned to acquire said parcel pursuant to R.C. 323.65 through 323.79 whereby the Sheriff is hereby ordered, without appraisal or public auction to execute and to transfer directly, unless previously redeemed according to law, the parcel to said Transferee by Sheriff's Deed. This order is based upon the previous BOR/CCP finding that:

a.) \_\_\_ the Impositions as defined in R.C. 323.65 exceed the fair market value of said parcel(s) as prescribed in R.C. 323.73(G) thereby authorizing the Sheriff forthwith, to transfer directly without appraisal or public auction by Sheriff's deed the parcel to said Transferee; and further, pursuant to R.C. 323.73(G), the filing of this Order with the Clerk shall terminate any statutory or common law right of redemption;

or,

b.) \_\_\_ the BOR/CCP has ordered that the alternative redemption period applies to this parcel pursuant to R.C. 323.65(K) and 323.78 thereby authorizing the Sheriff, and he is hereby so ordered, to transfer directly without appraisal or public auction by Sheriff's deed the parcel to Transferee upon the expiration of forty-five (45) days from the journalization of the Decree; and further, pursuant to R.C. 323.65(K) and 323.78, upon the expiration of forty-five (45) days from the journalization of the Decree, any statutory or common law right of redemption shall be forever terminated and extinguished as against all parties.

The Sheriff need not prepare a deed(s), but is hereby authorized to execute and delivery the attached Exhibit B Sheriff's Deed.

The Clerk is hereby commanded to file and forthwith deliver to the Sheriff this Order; and the Sheriff is hereby commanded to proceed to carry said Order and Decree into execution, and to dispose of said parcel(s) by direct delivery of the deed to the Transferee after first confirming payment or settlement of all applicable costs in accordance with R.C. 323.74 and 323.75.

Writ of Possession against all party defendants ordered issued to the transferee of the parcel(s).



**(Sale/Alternative No-Bidder Transferee)**  
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2.) \_\_\_ therefore, the Sheriff is ordered, without appraisal to advertise and sell said parcel(s) at public sale as provided by law for the sale of real property on execution according to R.C. 323.65 to 323.79, 5721.19 and 5722.03, where applicable, for not less than the total amount of the findings of the BOR/CCP, which shall constitute the "Minimum Bid," and make due return to the Board for further proceedings under law. In case no bid is made, the Sheriff is ordered pursuant to R.C. 323.74(C), without appraisal or further public auction to execute and deliver forthwith the Sheriff's deed to the parcel directly to the

Transferee. Upon such sale at public sale, or transfer of the parcel directly to a Transferee (in the case of no bidder after exposure to public sale), the Sheriff is directed to utilize the deed form attached hereto and made a part hereof as Exhibit B.

The Clerk is hereby commanded to file and forthwith deliver to the Sheriff this Order; and the Sheriff is hereby commanded to proceed to carry said Order and Decree into execution and that the Sheriff dispose of said parcel as provided by law for either the sale, or conveyance without sale (pursuant to R.C. 323.74) of real property on execution according to R.C. 323.65 to 323.79 or R.C. 5721.19 and 5722.03, as the case may be; and that you apply the proceeds of any such sale for said parcel(s) according to the Decree of the BOR/CCP after first confirming payment or settlement of all applicable costs in accordance with R.C. 323.74 and 323.75.

Upon the filing of an Order of Confirmation of Sale, Transfer or Forfeiture after exposure of the parcel to public sale, the filing of such Order with the Clerk upon journalization shall forever terminate and extinguish any statutory or common law right of redemption.

Writ of Possession against all party defendants ordered issued to the transferee of the parcel(s).



**(Sale)**  
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3.) \_\_\_ therefore, the Sheriff is ordered, without appraisal to advertise and sell said parcel(s) at public sale as provided by law for the sale of real property on execution according to R.C. 323.65 to 323.79, 5721.19 and 5722.03, where applicable, for not less than the total amount of the findings of the Board of Revision, which shall constitute the "Minimum Bid," and make due return to the BOR/CCP for further proceedings under law.

The Clerk is hereby commanded to file and forthwith deliver to the Sheriff this Order; and the Sheriff is hereby commanded to proceed to carry said Order and Decree into execution, and that the Sheriff dispose of said parcel as provided by law for either the sale, or conveyance without sale (pursuant to R.C. 323.74) of real property on execution according to R.C. 323.65 to 323.79 or R.C. 5721.19 and 5722.03, as the case may be; and that you apply the proceeds of any such sale for said parcel(s) according to the Decree of the BOR/CCP after first confirming payment or settlement of all applicable costs in accordance with R.C. 323.74 and 323.75.

Upon the filing of an Order of Confirmation of Sale, Transfer or Forfeiture after exposure of the parcel to public sale, the filing of such Order with the Clerk upon journalization shall, except as may otherwise be provided in R.C. 5723.01 et seq., forever terminate and extinguish any statutory or common law right of redemption.

Writ of Possession against all party defendants ordered issued to the transferee of the parcel(s).

**IT IS SO ORDERED:**

**OR**

**IT IS SO ORDERED**

\_\_\_\_\_  
County Treasurer  
Date: \_\_\_\_\_

\_\_\_\_\_  
JUDGE  
Date: \_\_\_\_\_

County Auditor  
Date: \_\_\_\_\_

County Commissioner  
Date: \_\_\_\_\_