

# Sheriff's Real Estate Sales

Information Bulletin



**John A. Kemler  
Mercer County Sheriff**

**1<sup>st</sup> Floor - Room 150  
175 South Broad St.  
Trenton, New Jersey  
08650**

<http://www.mercercounty.org/sheriff/index.htm>

**OFFICE OF THE SHERIFF  
MERCER COUNTY CIVIL COURTHOUSE  
175 SO. BROAD STREET ROOM #150  
P.O. BOX 8060  
TRENTON, NJ 08650-0068**

To speed your inquiry on a specific piece of property, it is helpful if you refer to the property by the sheriff's file number, docket number or the property address which appears in the legal advertisement.

Visit our website at

<http://www.mercercounty.org/sheriff/index.htm>

If you have any further questions, you may contact the Sheriff's Office at (609) 989-6782, 989-6349 or 989-6783 between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

A Message from.....

**John A. Kemler**

**Mercer County Sheriff**

The Mercer County Sheriff's Office is responsible for conducting the sale of Real Estate Property following the completion of Foreclosure proceedings. This information presented is provided for defendants as well as those interested in bidding on properties and describes the conditions and manner of sales.

# SHERIFF'S REAL ESTATE SALES

The Sheriff's Sales are held on Wednesday at 2:00 p.m. at the CIVIL COURTS BUILDING  
175 So. Broad Street, Trenton, New Jersey

All Foreclosures are sold subject to Special Sheriff's Conditions and are as follows:

ALL MONIES DUE ON SHERIFF' SALES MUST BE PAID WITH CASH OR, CERTIFIED FUNDS. TO DETERMINE WHAT FUNDS YOU MAY NEED AS A DEPOSIT, YOU MUST ASCERTAIN WHAT YOUR HIGHEST BID WILL BE AND THEN HAVE THE FUNDS AVAILABLE IMMEDIATELY AT THE SALE FOR THE 20% DEPOSIT OF YOUR WINNING BID. ALL CHECKS SHOULD BE MADE OUT TO YOURSELF AND IF YOU ARE THE SUCCESSFUL BIDDER, YOU WOULD THEN ENDORSE THE CHECK(S) OVER TO THE SHERIFF OF MERCER COUNTY.

1. The highest bidder shall be the purchaser and sign his/her name to the conditions of sale.
2. The purchaser must pay 20% of the purchase price in cash, certified check, or bank check with balance due in thirty days.
3. If the purchaser fails to comply with any of the conditions of this sale, the property will be sold a second time, the former purchaser being held responsible for all losses and expenses, and deposit to be retained by the Sheriff to be disbursed by court order.
4. Sold subject to restriction of record, which are unknown to me and unpaid taxes or assessments and such state of facts, an accurate survey would disclose.
5. A deed to be delivered to the purchaser within 30 days from the date of sale, with lawful interest calculated on the balance due, from the 11<sup>th</sup> day after sale, until the balance is paid.
6. Immediately upon the conclusion of the sale, should the successful bidder fail to sign the conditions of sale and pay the 20% deposit as required herein, the Sheriff shall immediately resell the property without further public advertisement.

All Sheriff's Sales are sold subject to a first mortgage if any, and any municipal, state or federal liens, if any.

The attorney representing the plaintiff will have his own announcements of sale. He will read these announcements prior to his sale.

We strongly urge anyone who is not familiar with Sheriff Sales procedures to seek legal advice and to have a title search run on the property BEFORE you bid on any property. The search will reveal if there are any outstanding liens, which you would assume if you were the highest bidder.

Sheriff Sales are voice bid auction sales (no sealed bids). The attorney for the plaintiff will start the bidding at \$100. The bidding will continue until the highest bid is reached, and the highest bidder will be the purchaser. The plaintiff's attorney normally does not allow the bid to go for less than the Judgment amount due his client. He will bid until he has reached his Upset

Price. Upset Price is the total of the Judgment due, interest, attorney's cost, Sheriff's fees, advertising costs and commissions. The attorney will stop bidding once he reaches his Upset Price. The highest bidder will be the successful bidder.

The Sheriff's Office does not have a list of the properties to be sold for general distribution. Persons interested in following up on these properties must make their own lists by checking the legal advertisements in the newspapers. The Sheriff's Sales are advertised every Tuesday prior to sale in The Trenton Times and The Trentonian. The advertisement runs for four (4) weeks.

The Plaintiff's attorney may adjourn the sale as many times as is necessary for any reason or time period.

In addition to the newspaper advertising, notices of sale are also posted for public viewing at the Sheriff's Office (first floor, Civil Courts Building, 175 S. Broad Street, Trenton, New Jersey).

Under N.J.S.A. 2A:17-36, the Sheriff has the discretionary right to make only two (2) adjournments of the sale, not exceeding two weeks maximum for each. The defendant or his attorney requesting the adjournment requires a just cause in writing and a \$28 fee per adjournment payable by cash or money order to the Sheriff of Mercer County before granting the adjournment. Note: The defendant is required to show ID or his/her attorney must provide us with written authorization to request an adjournment on his/her behalf.

Phone inquires regarding all sales are limited to four (4) properties. If you plan to attend a Sheriff Sale, all notices for properties having been adjourned, placed in bankruptcy, or canceled are posted outside our office 30 minutes prior to going to sale.

If the property is placed in bankruptcy, our office can't proceed with a sale until we receive further orders from the plaintiff's attorney. The file is held in abeyance until the bankruptcy is dismissed or if there is a default on the defendant's part.

Our office will post a notice of sale on the property during the week of the first advertising. Our office

does not enter the premises being sold for any reason. Until the sale is final, the defendant (owner) has all his rights and privileges of privacy to his property. If you wish to approach the owner to see the property before the sale, be advised you are on your own.

The owners of the property may, at any time prior to the sale, try to save their home and/or property in several ways. They may try to reinstate the delinquent amount owed, pay the judgment in full, obtain another loan, etc. They may also try to sell the property in order to pay the judgment and at the same time profit from any proceeds. The defendants have a ten-day redemption period after the sale during which time they may redeem the property or object to the sale through the courts. The bidder, in this case, would receive his 20% deposit back.

The Sheriff's Sale Deed will be prepared and ready in approximately 30 days after the sale. The balance due on the sale must be paid no later than 30 days after the sale date in accordance with the conditions of sale. Lawful interest will be charged on the balance due from the 11th day after the sale until the remaining balance is paid.

It is the sole responsibility of the purchaser to record the deed and pay the fees in the County Clerk's Office. It is also the sole responsibility of the purchaser to notify the owner that they have purchased the property and now hold the deed to the property.

If the defendant does not voluntarily leave the property, the purchaser must apply to the court for a Writ of Possession. Our office will serve the Writ upon the defendants, which will advise them to vacate the premises within a particular period of time. If the defendant has not vacated by the stated date, the attorney for the purchaser must contact us to set a date to have a moving van sent to the property and have the defendants' personal belongings removed and stored in a place of safe keeping. The costs of the moving and storage are the responsibility of the purchaser.