

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 249

HOUSE BILL 2294

AN ACT

AMENDING SECTIONS 42-18115, 42-18204 AND 42-18258, ARIZONA REVISED STATUTES;
RELATING TO TAX LIEN FORECLOSURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 42-18115, Arizona Revised Statutes, is amended to
3 read:

4 42-18115. Easements and liens not extinguished by sale

5 A. The sale of a real property tax lien does not extinguish any
6 easement on or appurtenant to the property.

7 B. THE SALE OF A REAL PROPERTY TAX LIEN DOES NOT EXTINGUISH ANY LIEN
8 FOR AN ASSESSMENT LEVIED PURSUANT TO TITLE 48, CHAPTER 4, 6 OR 14, OR SECTION
9 9-276.

10 Sec. 2. Section 42-18204, Arizona Revised Statutes, is amended to
11 read:

12 42-18204. Judgment foreclosing right to redeem; effect

13 A. In an action to foreclose the right to redeem, if the court finds
14 that the sale is valid, and that the tax lien has not been redeemed, the
15 court shall enter judgment:

16 1. Foreclosing the right of the defendant to redeem.

17 2. Directing the county treasurer to expeditiously execute and deliver
18 to the party in whose favor judgment is entered, including the state, a deed
19 conveying the property described in the certificate of purchase.

20 B. After entering judgment the parties whose rights to redeem the tax
21 lien are thereby foreclosed have no further legal or equitable right, title
22 or interest in the property subject to the right of appeal and stay of
23 execution as in other civil actions.

24 C. The foreclosure of the right to redeem does not extinguish any
25 easement on or appurtenant to the property.

26 D. THE FORECLOSURE OF THE RIGHT TO REDEEM DOES NOT EXTINGUISH ANY LIEN
27 FOR AN ASSESSMENT LEVIED PURSUANT TO TITLE 48, CHAPTER 4, 6 OR 14, OR SECTION
28 9-276.

29 Sec. 3. Section 42-18258, Arizona Revised Statutes, is amended to
30 read:

31 42-18258. Issuance of treasurer's deed; form

32 A. If the property is not redeemed before the date stated in the
33 notice, on receiving a fee of ten dollars the treasurer shall expeditiously
34 execute and deliver to the applicant a treasurer's deed conveying to the
35 applicant or to the applicant's assigns the real property that was sold at
36 the tax sale. On the delivery of the deed the rights of all persons to
37 redeem, whether or not named in the notice, terminate.

38 B. The treasurer's deed may be in the following form:

39 Treasurer's deed

40 On (Date) , I, treasurer of county,
41 Arizona, published notice according to law in , a
42 newspaper of general circulation in county, Arizona,
43 that:

44 1. applied for a treasurer's deed to the real
45 property described below; and

Passed the House March 19, 2001,

Passed the Senate April 11, 2001,

by the following vote: 40 Ayes,

by the following vote: 28 Ayes,

14 Nays, 6 Not Voting

2 Nays, 0 Not Voting

Jake Flake
Speaker of the House
Pro Tempore

Ronald Hunt
President of the Senate

Norman L. Moore
Chief Clerk of the House

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

H.B. 2294

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

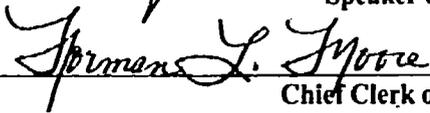
_____ April 19, 2001,

by the following vote: _____ 45 Ayes,

_____ 11 Nays, _____ 4 Not Voting



Speaker of the House



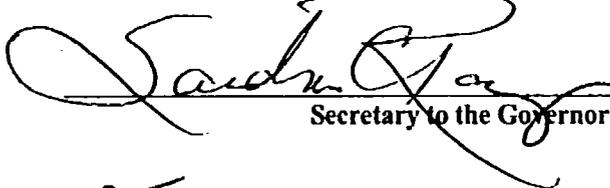
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ 19 day of April, 2001,

at _____ 10:58 o'clock A M.

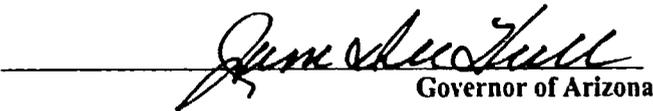


Secretary to the Governor

Approved this _____ 25 day of

_____ April, 2001,

at _____ 9:55 o'clock _____ A M.



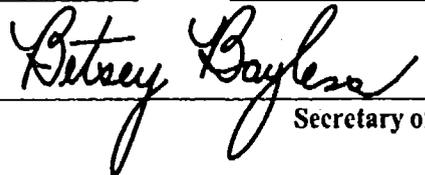
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.



Secretary of State

H.B. 2294