

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 688, Page 1, Section A, Line 2, by
2 inserting the following after all of said line:

3 "59.310. 1. The county recorder of deeds may refuse any document presented for recording
4 that does not meet the following requirements:

5 (1) The document shall consist of one or more individual pages printed only on one side and
6 not permanently bound nor in a continuous form. The document shall not have any attachment
7 stapled or otherwise affixed to any page except as necessary to comply with statutory requirements,
8 provided that a document may be stapled together for presentation for recording; a label that is
9 firmly attached with a bar code or return address may be accepted for recording;

10 (2) The size of print or type shall not be smaller than eight-point type and shall be in black
11 or dark ink. Should any document presented for recording contain type smaller than eight-point
12 type, such document shall be accompanied by an exact typewritten copy not smaller than eight-point
13 type to be recorded contemporaneously as additional pages of the document;

14 (3) The document must be of sufficient legibility to produce a clear and legible reproduction
15 thereof. Should any document not be of sufficient legibility to produce a clear and legible
16 reproduction, such document shall be accompanied by an exact typewritten copy not smaller than
17 eight-point type to be recorded contemporaneously as additional pages of the document;

18 (4) The document shall be on white ~~paper~~ or light-colored paper of not less than twenty-
19 pound weight without watermarks or other visible inclusions, except for plats and surveys, which
20 may be on materials such as Mylar or velum. All text within the document shall be of sufficient
21 color and clarity to ensure that when the text is reproduced from record, it shall be readable;

22 (5) All signatures on a document shall be in black or dark ink, such that such signatures
23 shall be of sufficient color and clarity to ensure that when the text is reproduced from record, it shall
24 be readable, and shall have the corresponding name typed, printed or stamped underneath said
25 signature. The typing or printing of any name or the applying of an embossed or inked stamp shall
26 not cover or otherwise materially interfere with any part of the document except where provided for
27 by law;

28 (6) The documents shall have a top margin of at least three inches of vertical space from left
29 to right, to be reserved for the recorder of deeds' certification and use. All other margins on the
30 document shall be a minimum of three-fourths of one inch on all sides. Nonessential information
31 such as form numbers, page numbers or customer notations may be placed in the margin. A
32 document may be recorded if a minor portion of a seal or incidental writing extends beyond the
33 margins. The recorder of deeds will not incur any liability for not showing any seal or information
34 that extends beyond the margins of the permanent archival record.

35 2. Every document containing any of the items listed in this subsection that is presented for
36 recording, except plats and surveys, shall have such information on the first page below the three-

Action Taken _____ Date _____

1 inch horizontal margin:

- 2 (1) The title of the document;
- 3 (2) The date of the document;
- 4 (3) All grantors' names and marital status;
- 5 (4) All grantees' names;
- 6 (5) Any statutory addresses;
- 7 (6) The legal description of the property; and
- 8 (7) Reference book and pages for statutory requirements, if applicable.

9
10 If there is not sufficient room on the first page for all of the information required by this subsection,
11 the page reference within the document where the information is set out shall be stated on the first
12 page.

13 3. From January 1, 2002, documents which do not meet the requirements set forth in this
14 section may be recorded for an additional fee of twenty-five dollars, which shall be deposited in the
15 recorders' fund established pursuant to subsection 1 of section 59.319.

16 4. Documents which are exempt from format requirements and which the recorder of deeds
17 may record include the following:

- 18 (1) Documents which were signed prior to January 1, 2002;
- 19 (2) Military separation papers;
- 20 (3) Documents executed outside the United States;
- 21 (4) Certified copies of documents, including birth and death certificates;
- 22 (5) Any document where one of the original parties is deceased or otherwise incapacitated;

23 and

- 24 (6) Judgments or other documents formatted to meet court requirements.

25 5. Any document rejected by a recorder of deeds shall be returned to the preparer or
26 presenter accompanied by an explanation of the reason it could not be recorded.

27 6. Recorders of deeds shall be allowed fees for their services as follows:

28 (1) For recording every deed or instrument: five dollars for the first page and three dollars
29 for each page thereafter except for plats and surveys;

30 (2) For copying or reproducing any recorded instrument, except surveys and plats: a fee not
31 to exceed two dollars for the first page and one dollar for each page thereafter;

32 (3) For every certificate and seal, except when recording an instrument: one dollar;

33 (4) For recording a plat or survey of a subdivision, outlets or condominiums: twenty-five
34 dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four inches in
35 width by eighteen inches in height. For recording a survey of one or more tracts: five dollars for
36 each sheet of drawings or calculations based on a size not to exceed twenty-four inches in width by
37 eighteen inches in height. Any plat or survey larger than eighteen inches by twenty-four inches
38 shall be counted as an additional sheet for each additional eighteen inches by twenty-four inches, or
39 fraction thereof, plus five dollars per page of other material;

40 (5) For copying a plat or survey of one or more tracts: a fee not to exceed five dollars for
41 each sheet of drawings and calculations not larger than twenty-four inches in width and eighteen
42 inches in height and one dollar for each page of other material;

43 (6) For a document which releases or assigns more than one item: five dollars for each item
44 beyond one released or assigned in addition to any other charges which may apply;

45 (7) For every certified copy of a marriage license or application for a marriage license: two
46 dollars;

47 (8) For duplicate copies of the records in a medium other than paper, the recorder of deeds
48 shall set a reasonable fee not to exceed the costs associated with document search and duplication;
49 and

(9) For all other use of equipment, personnel services and office facilities, the recorder of deeds may set a reasonable fee."; and

Further amend said bill, Page 3, Section 92.115, Line 35, by inserting the following after all of said section and line:

"92.720. 1. If any of the lands or town lots contained in the back tax book or list of delinquent lands or lots remain unredeemed on the first day of January, the collector may file suit in the circuit court against such lands or lots to enforce the lien of the state and city as herein provided in sections 92.700 to 92.920.

2. The collector shall note opposite such tract in the back tax book the fact that suit has been commenced.

3. The collector shall compile lists of all state, city, school and other tax bills collectible by him which are delinquent according to his records and he shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the city on any delinquent tax bill included in any list, the collector shall give the court docket number of each suit.

4. The sheriff may appoint the collector and the collector's deputies as deputy sheriffs, and when so appointed they may serve all process in matters pertaining to sections 92.700 to 92.920 with like effect as the sheriff himself might do.

5. No action for recovery of taxes against real estate shall be commenced, had or maintained, unless action therefor shall be commenced within five years after delinquency.

6. For any improved parcel identified by a city operating under sections 92.700 to 92.920 as vacant, the collector shall, no later than two years after delinquency, file suit in a circuit court against such parcel to enforce the lien of the state and the city as provided under sections 92.700 to 92.920. Failure of the collector to bring suit within the two-year period shall not constitute a defense or bar an action for the collection of taxes as otherwise provided under this section.

92.740. 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk and with the land reutilization authority a petition, which petition shall contain a caption, a copy of the list prepared by the collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of _____ Missouri,

In the Matter of

Foreclosure of Liens for Delinquent Land Taxes

By Action in Rem.

Collector of Revenue of _____, Missouri, Plaintiff

-vs-

Parcels of Land Encumbered with Delinquent Tax Liens, Defendants

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to be sold by the sheriff at public sale as provided by sections 92.700 to 92.920 and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under the provisions of sections 92.700 to 92.920.

4. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

5. For each petition filed, the collector shall make available to the public a list detailing each parcel included in the suit.

92.750. 1. Notwithstanding subsection 4 of this section, any person having any right, title,

1 or interest in, or lien upon, any parcel of real estate described in such petition may redeem such
 2 parcel of real estate by paying to the collector all of the sums mentioned therein, including principal,
 3 interest, penalties, attorney's fees and costs then due, at any time prior to the time of the foreclosure
 4 sale of such real estate by the sheriff.

5 2. In the event of failure to redeem prior to the time of the foreclosure sale by the sheriff,
 6 such person shall be barred and forever foreclosed of all his right, title and interest in and to the
 7 parcels of real estate described in such petition.

8 3. Upon redemption, as permitted by this section, the person redeeming shall be entitled to a
 9 certificate of redemption from the collector describing the property in the same manner as it is
 10 described in such petition, and the collector shall thereupon note on his records the word
 11 "redeemed" and the date of such payment opposite the description of such parcel of real estate.

12 4. For any improved nonhomestead parcel, any person having any right, title, or interest in,
 13 or lien upon, a parcel of real estate described in such petition may redeem the parcel of real estate at
 14 any time prior to the time of the foreclosure sale of the real estate by paying to the collector all of
 15 the sums due as of the date of redemption mentioned therein. The sums due may include, but not be
 16 limited to, principal; interest; penalties; attorney's fees; and any costs then due including, but not
 17 limited to, debts owed to the city, water, forestry, nuisance abatement, special tax bills, or vacant
 18 building assessments.

19 92.760. 1. The collector shall also cause to be prepared and mailed in an envelope with
 20 postage prepaid, within thirty days after the filing of such petition, a brief notice of the filing of the
 21 suit, to the persons named in the petition as ~~[being the owners]~~ having an interest in the parcel,
 22 according to the records of the assessor or otherwise known to the collector, for the respective
 23 parcels of real estate described in the petition. The notices shall be sent to the addresses ~~[of such~~
 24 ~~persons upon the records of the assessor]~~ best calculated to apprise the parties of the proceedings as
 25 provided, and, in the event that any name or address does not appear on the records of the assessor,
 26 with respect to any parcel of real estate, the collector shall so state in an affidavit, giving the serial
 27 number of each parcel of real estate affected. Such affidavit shall be filed in the suit with the circuit
 28 clerk not later than sixty days after the date of the first publication of the notice of foreclosure. The
 29 failure of the collector to mail the notice as provided in this section shall invalidate any proceedings
 30 brought pursuant to the provisions of sections 92.700 to 92.920. The failure of the collector to file
 31 the affidavit as provided in this section shall not affect the validity of any proceedings brought
 32 pursuant to the provisions of sections 92.700 to 92.920.

33 2. Such notice shall be substantially as follows:

34 To the person to whom this notice is addressed:

35 According to the records in the assessor's office, you are the record owner as to one
 36 or more parcels of real estate described in a certain petition bearing cause No.

37 _____ (fill in number of case) filed in the Circuit Court of _____, Missouri, at

38 _____ (fill in city), on _____, 20_____, wherein a foreclosure of the lien of

39 various delinquent tax bills is sought and a court order asked for the purpose of
 40 selling such real estate at a public sale for payment of all delinquent tax bills,

41 together with interest, penalties, attorney's fees and costs. Publication of notice of
 42 such foreclosure was commenced on the _____ day of _____, 20_____, in

43 _____ (here insert name of city), Missouri.

44 THE COLLECTOR OF THE CITY OF _____ (Insert name of city) HAS FILED A
 45 LAWSUIT AGAINST YOUR PROPERTY. THE LAWSUIT SAYS THAT YOU
 46 ARE BEHIND ON YOUR PROPERTY TAXES. YOU COULD LOSE YOUR
 47 PROPERTY IF YOU DON'T DO ANYTHING ABOUT THIS.

48 YOU HAVE A RIGHT TO ENTER INTO AN AGREEMENT WITH THE
 49 COLLECTOR TO BRING YOUR TAXES UP TO DATE. YOU MAY CONTACT

THE COLLECTOR BY CALLING _____ (Insert telephone number of collector).
 IF YOU DO NOT UNDERSTAND THIS NOTICE, OR YOU DO NOT KNOW
 WHAT TO DO, YOU MAY CALL THIS OFFICE FOR FURTHER
 EXPLANATION OR SEE A LAWYER RIGHT AWAY.

Unless all delinquent taxes be paid upon the parcels of real estate described in such
 petition and such real estate redeemed prior to the time of the foreclosure sale of such
 real estate by the sheriff, the owner or any person claiming any right, title or interest
 in or to, or lien upon, any such parcels of real estate shall be forever barred and
 foreclosed of all right, title and interest and equity of redemption in and to such
 parcels of real estate; except that any such persons shall have the right to file an
 answer in said suit on or before the _____ day of _____, 20_____, in the office of
 the Circuit Clerk and a copy thereof to the Collector, setting forth in detail the nature
 and amount of the interest and any defense or objection to the foreclosure. Dated

Collector of Revenue

_____, Missouri

(Name of City)

Address _____

92.765. Affidavits of publication of notice of foreclosure, and of posting, mailing, or other
 acts required by the provisions of sections 92.700 to 92.920 shall be filed in the office of the circuit
 clerk prior to the trial, and when so filed shall constitute part of the evidentiary documents in the
 foreclosure suit. Such affidavits shall be prima facie evidence of the performance of acts therein
 described, and may be so used in the trial of the suit, unless challenged by verified answer duly filed
 in the suit. The collector shall file with the court an affidavit of compliance with the notice
requirements of sections 92.700 to 92.920 prior to any sheriff's sale. The affidavit shall include the
identities of all parties to whom notice was attempted and the means of such attempts. In the case of
mailed notice returned undeliverable, the collector's affidavit shall certify that additional notice was
attempted and the means of such attempts. The expense of compliance with this section shall be
taxed and collected as other costs in the suit.

92.775. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill shall be
 prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated
 by the tax bill and that the tax is unpaid. Any person alleging any jurisdictional defect or invalidity
 in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of
 invalidity, and must, upon trial, affirmatively establish such defense.

2. After the court has first determined the validity of the tax liens of all tax bills affecting
 parcels of real estate described in the petition, the priorities of the respective tax bills and the
 amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court
 shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the
 foreclosure sale. The petition shall be dismissed as to any parcel of real estate redeemed prior to the
 time fixed for the sheriff's foreclosure sale as provided in sections 92.700 to 92.920. If the parcel of
 real estate auctioned off at sheriff's foreclosure sale is sold for a sum sufficient to fully pay the
 principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's
 fees and costs, and for no more, and such sale is confirmed by the court, then all other proceedings
 as to such parcels of real estate shall be finally dismissed as to all parties and interests other than tax
 bill owners or holders; provided, however, that any parties seeking relief other than an interest in or
 lien upon the real estate may continue with said suit to a final adjudication of such other issues;
 provided, further, an appeal may be had as to any claim attacking the validity of the tax bill or bills
 or the priorities as to payment of proceeds of foreclosure sale. If the parcel of real estate auctioned

1 off at sheriff's foreclosure sale is sold for a sum greater than the total amount necessary to pay the
 2 principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's
 3 fees and costs, and such sale is confirmed by the court, and no appeal is taken by any person
 4 claiming any right, title or interest in or to or lien upon said parcel of real estate or by any person or
 5 taxing authority owning or holding or claiming any right, title or interest in or to any tax bills within
 6 the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to
 7 make distribution to the owners or holders of the respective tax bills included in the judgment of the
 8 amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be
 9 ordered by the court to be dismissed as to such persons or taxing authorities owning, holding or
 10 claiming any right, title or interest in any such tax bill or bills so paid, and the case shall proceed as
 11 to any parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by
 12 such tax bill or bills as to their respective claims to such surplus funds then remaining in the hands
 13 of the sheriff. The receipt of such surplus funds shall constitute a bar to any claim of right, title, or
 14 interest in or to, or lien upon, the parcel of real estate by the fund recipient.

15 3. Whenever an answer is filed to the petition, as herein provided, a severance of the action
 16 as to all parcels of real estate affected by such answer shall be granted, and the issues raised by the
 17 petition and such answer shall be tried separate and apart from the other issues in the suit, but the
 18 granting of such severance shall not delay the trial or other disposition of any other issue in the case.
 19 A separate appeal may be taken from any other issue in the case. A separate appeal may be taken
 20 from any action of the court affecting any right, title or interest in or to, or lien upon, such real
 21 estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but
 22 the proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial
 23 shall be conducted by the court without the aid of a jury and the suit shall be in equity. This action
 24 shall take precedence over and shall be triable before any other action in equity affecting the title to
 25 such real estate, upon motion of any interested party.

26 92.810. 1. After the judgment of foreclosure has been entered, or, after a motion for a new
 27 trial has been overruled, or, if an appeal be taken from such judgment and the judgment has been
 28 affirmed, after the sheriff shall have been notified by any party to the suit that such judgment has
 29 been affirmed on appeal and that the mandate of the appellate court is on file with the circuit clerk,
 30 there shall be a waiting period of six months before any advertisement of sheriff's sale shall be
 31 published.

32 2. If any such parcel of real estate be not redeemed, or if no written contract providing for
 33 redemption be made within six months after the date of the judgment of foreclosure, if no motion
 34 for rehearing be filed, and, if filed, within six months after such motion may have been overruled,
 35 or, if an appeal be taken from such judgment and the judgment be affirmed, within six months after
 36 the sheriff shall have been notified by any party to the suit that such judgment has been affirmed on
 37 appeal and that the mandate of the appellate court is on file with the circuit clerk, the sheriff shall,
 38 after giving the notice required by subsection 3 of this section, commence to advertise the real estate
 39 described in the judgment and shall fix the date of sale within thirty days after the date of the first
 40 publication of the notice of sheriff's sale as herein provided, and shall at such sale proceed to sell the
 41 real estate.

42 3. No later than one hundred and twenty days prior to the sheriff's sale, the collector shall
 43 obtain a title abstract or report on any unredeemed parcels. The title abstract or report shall be
 44 obtained from a licensed title company or attorney and subject to a public and competitive bidding
 45 process administered by the collector and conducted triennially. The title report shall include all
 46 conveyances, liens, and charges against the real estate and shall include the names and mailing
 47 addresses of any interested parties and lienholders. The charges of the abstract or report shall be
 48 taxed as costs and shall be paid as other costs in the case.

49 4. No later than twenty days prior to the sheriff's sale, the collector shall send notice of the

1 sale to the lienholders and interested parties, as disclosed upon the title abstract or report of the real
 2 estate for which tax bills thereon are delinquent. The notice shall state the date, time, and place of
 3 the sale. The notice shall state that the parcel may be redeemed prior to the sale as specified under
 4 section 92.750 or by entering into an agreement with the collector to pay the taxes included in the
 5 foreclosure suit under section 92.740. The notice required under this subsection shall be mailed in
 6 an envelope with postage prepaid. The cost of the mailing and notice as required by this subsection
 7 shall be included as costs in the case.

8 5. No later than [twenty] forty days prior to the sheriff's sale, the [sheriff] collector shall
 9 send notice of the sale to the owner or owners, as disclosed upon the records of the assessor, or
 10 otherwise known to the collector, of the real estate for which tax bills thereon are delinquent. [The
 11 search of the records of the assessor must be made not more than forty days prior to the sending of
 12 this notice.] The notices shall be sent to the addresses best calculated to apprise the parties of the
 13 proceedings. The notice shall provide the date, time and place of the sale. The notice shall also
 14 state that the property owner may avoid the sale by redeeming such parcel of real estate prior to the
 15 sale as specified in section 92.750 or by entering into an agreement with the collector to pay the
 16 taxes included in the foreclosure suit under section 92.740. The notice required by this subsection
 17 shall be mailed in an envelope with postage prepaid. The cost of [the title search,] mailing and
 18 notice as required by this subsection shall be included as costs [at the sale of the real estate.
 19 ———4.] in the case. The collector shall file with the court an affidavit of compliance with the
 20 notice requirements of sections 92.700 to 92.920 prior to any sheriff's sale. The affidavit shall
 21 include the identities of all parties to whom notice was attempted and the means thereof. If mailed
 22 notice returned undeliverable, the collector's affidavit shall certify that additional notice was
 23 attempted and the means thereof.

24 6. In addition to other notice requirements of the sale, no later than twenty days prior to the
 25 sheriff's sale, the sheriff shall enter upon the parcel subject to foreclosure of these tax liens and post
 26 a written informational notice in a conspicuous location thereon, attached to a structure, and
 27 intended to be visible by the nearest public right-of-way. The notice shall describe the property;
 28 state that the property is the subject of delinquent land tax collection proceedings brought under
 29 sections 92.700 to 92.920; state that the property may be sold for the payment of delinquent taxes at
 30 a sale; and state the date, time, and place of the sale. The notice shall also contain the serial number,
 31 phone number, and address of the collector and a prohibition against removal unless the parcel has
 32 been redeemed. The notice shall be no less than eight inches by ten inches and shall be laminated or
 33 otherwise sufficiently weatherproof to withstand normal exposure to rain, snow, and other
 34 conditions. The sheriff shall document compliance with this section by time-stamped photograph,
 35 make such documentation available upon request, and provide verification by affidavit of
 36 compliance with this section. The cost of the notice shall be included as costs in the case.

37 7. In addition to other notice requirements of sale, no later than twenty days prior to the
 38 sheriff's sale, the sheriff shall attempt in-person notice. The notice shall describe the property; state
 39 that the property is the subject of delinquent land tax collection proceedings brought under sections
 40 92.700 to 92.920; state that the property may be sold for the payment of delinquent taxes at a sale;
 41 and state the date, time, and place of the sale. The notice shall also contain the serial number, phone
 42 number, and address of the collector. In-person notice may be provided to any person found at the
 43 property. The sheriff shall note the date and time of attempted notice and the name, description, or
 44 other identifying information regarding the person to whom notice was given, if any. The sheriff
 45 shall document compliance with this section, make such documentation available upon request, and
 46 provide verification by affidavit of compliance with this section. The cost of in-person notice shall
 47 be included as costs in the case.

48 8. Notwithstanding the provisions of this section to the contrary, any residential property
 49 which has not been redeemed by the end of the waiting period required by this section which has

1 been determined to be of substandard quality or condition under the standards established by the
 2 residential renovation loan commission pursuant to sections 67.970 to 67.983 may, upon the request
 3 of the residential renovation loan commission, be transferred to the residential renovation loan
 4 commission for the purpose of renovation of the property. Any such property transferred pursuant
 5 to this subsection shall be renovated and sold by the residential renovation loan commission in the
 6 manner prescribed in sections 67.970 to 67.983. The residential renovation loan commission shall
 7 reimburse the land reutilization authority for all expenses directly incurred in relation to such
 8 property under sections 92.700 to 92.920 prior to the transfer.

9 92.815. 1. During such waiting period and at any time prior to the time of foreclosure sale
 10 by the sheriff, any interested party may redeem any parcel of real estate as provided by sections
 11 92.700 to 92.920; except that during such time and at any time prior to the time of foreclosure sale
 12 by the sheriff, the collector shall enter into a written redemption contract with the owner of any real
 13 estate occupied as a homestead and who has not previously defaulted upon any such written
 14 redemption contract, provided that in no instance shall such installments exceed twelve in number or
 15 extend more than twenty-four months next after any agreement for such installment payments shall
 16 have been entered into; provided further, that upon good cause being shown by the owner of any
 17 parcel of real estate occupied as a homestead, or in the case of improved real estate with a total
 18 assessed valuation of not more than five thousand dollars, owned by an individual, the income from
 19 such property being a major factor in the total income of such individual, or by anyone on his
 20 behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit
 21 all of such installments to be paid within not longer than forty-eight months after any order or
 22 agreement as to installment payments shall have been made. The collector shall not enter into a
 23 redemption contract with respect to any improved parcel not occupied as a homestead.

24 2. So long as such installments be paid according to the terms of the contract, the six
 25 months' waiting period shall be extended, but if any installment be not paid when due, the extension
 26 of the waiting period shall be ended and the real estate shall immediately be advertised for sale or
 27 included in the next notice of sheriff's foreclosure sale. Notice shall also be sent to the redemption
 28 contract ~~[payor]~~ payer as specified in subsection 3 of section 92.810.

29 3. On an annual basis, the collector shall make publicly available the number of parcels
 30 under redemption contract under this section.

31 92.817. 1. The court shall stay the sale of any parcel to be sold under a tax foreclosure
 32 judgment obtained under this chapter that is the subject of an action filed under sections 447.620 to
 33 447.640 if the party that brought such action has, upon order of the court, paid to the circuit court
 34 the principal amount of all land taxes then due and owing under the tax foreclosure judgment,
 35 exclusive of penalties and interest, prior to the date of any proposed sale under execution.

36 2. Upon the granting by the court of temporary possession of any property under section
 37 447.632, the circuit court shall order all principal payments of land taxes paid to the circuit court be
 38 transferred to the collector. In addition, in any order granting a final judgment or deed under section
 39 447.625 or 447.640, the court shall also order the permanent extinguishment of penalties and
 40 interest arising from actions to collect delinquent land taxes due on the subject parcel against the
 41 grantee of such deed, and all successors in interest, excluding any defendant in such action.

42 3. If an owner of the tax parcel moves the court for restoration of possession under section
 43 447.638, the owner shall pay into the circuit court all land tax amounts currently due and owing on
 44 the property including, but not limited to, all statutory penalties, interest, attorney's fees, and court
 45 costs retroactive to the date of accrual. Upon an order granting the restoration of possession to an
 46 owner under section 447.638, the court shall order that the funds paid to the court under subsection
 47 2 of this section be returned to the payer and that the funds paid to the court under this section be
 48 paid out to the collector.

49 4. If the party that brought an action under sections 447.620 to 447.640 dismisses its action

1 prior to gaining temporary possession of the property, the party shall recover any amounts paid into
 2 the circuit court prior to that date for principal land taxes.

3 92.825. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's
 4 deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under
 5 execution except as otherwise provided in sections 92.700 to 92.920, and provided that such sale
 6 need not occur during the term of court or while the court is in session.

7 2. Such sale shall convey the whole interest of every person having or claiming any right,
 8 title or interest in or lien upon such real estate, whether such person has answered or not, subject to
 9 rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject only to
 10 the tax lien thereon, if any, of the United States of America.

11 3. The collector shall advance from current tax collections the sums necessary to pay for the
 12 publication of all advertisements required by the provisions of sections 92.700 to 92.920 and shall
 13 be allowed credit therefor in his accounts with the taxing authorities on a pro rata basis. He shall
 14 give credit in such accounts for all such advances recovered by him. Such expenses of publication
 15 shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate
 16 described in the judgment; provided, however, that none of the costs herein enumerated, including
 17 the costs of publication, shall constitute any lien upon the real estate after such sale.

18 4. No person shall be eligible to bid at the time of the sheriff's sale unless such person has,
 19 no later than ten days before the sale date, demonstrated to the satisfaction of the collector or sheriff
 20 that he or she is not the owner of any parcel of real estate in the city that is subject to delinquent
 21 property taxes, unpaid special tax bills, or vacant building fees. A prospective bidder shall be
 22 prohibited from participating in the delinquent land tax sale if they have previously bid at a sheriff's
 23 sale and failed to pay bid amounts, confirm the sale, or sign a sheriff's deed. The collector or sheriff
 24 may require prospective bidders to submit an affidavit attesting to the requirements of this section
 25 and is expressly authorized to permanently preclude any prospective bidder from participating in the
 26 sale for failure to comply with this section. Notwithstanding this provision, any taxing authority or
 27 land reutilization authority shall be eligible to bid at any sale conducted under this section without
 28 making such a demonstration. The purchaser at a sale conducted by the sheriff shall pay cash
 29 immediately at the end of bidding of each parcel on the day of the sale in an amount including all
 30 taxes due and owing and other costs ~~[as otherwise provided by law]~~.

31 92.840. 1. No later than six months after the sheriff sells any parcel of real estate, the court
 32 shall, upon its own motion or upon motion of any interested party, set the cause down for hearing to
 33 confirm or set aside the foreclosure sale of the real estate, even though such parcels are not all of the
 34 parcels of real estate described in the notice of sheriff's foreclosure sale. Notice of the hearing shall
 35 be sent by any interested party, or the court, moving to confirm the foreclosure sale~~[;]~~ to each person
 36 who ~~[received]~~ was sent notice of sale as specified in subsection 3 of section 92.810 and to any
 37 other party due process requires. At the time of such hearing, the sheriff shall make report of the
 38 sale, and the court shall hear evidence of the value of the property offered on behalf of any
 39 interested party to the suit, and shall immediately determine whether an adequate consideration has
 40 been paid for each such parcel. Any parcel deemed purchased by the land reutilization authority
 41 under section 92.830 shall not require any inquiry as to value. The court's judgment shall include a
 42 specific finding that adequate notice was provided to all necessary parties in compliance with due
 43 process and sections 92.700 to 92.920 and that recites the notice efforts of the collector, sheriff, and
 44 tax sale purchaser. Nothing in this section shall be interpreted to preclude a successful tax sale
 45 purchaser from asserting a claim to quiet title to the bid upon parcel under section 527.150.

46 2. For this purpose, the court shall have power to summon any city official or any private
 47 person to testify as to the reasonable value of the property, and if the court finds that adequate
 48 consideration has been paid, he shall confirm the sale and order the sheriff to issue a deed with
 49 restriction as provided herein to the purchaser subject to the application of an occupancy permit for

1 all parcels as provided in subsection 5 of this section. If the court finds that the consideration paid is
 2 inadequate, the purchaser may increase his bid to such amount as the court may deem to be
 3 adequate, whereupon the court may confirm the sale. If, however, the purchaser declines to increase
 4 his bid and make such additional payment, then the sale shall be disapproved, the lien of the
 5 judgment continued, and such parcel of real estate shall be again advertised and offered for sale by
 6 the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure
 7 sale.

8 3. If the sale is confirmed, the court shall order the proceeds of the sale applied in the
 9 following order:

10 (1) To the payment of the costs of the publication of the notice of foreclosure and of the
 11 sheriff's foreclosure sale;

12 (2) To the payment of all of the collector's and sheriff's costs including appraiser's fee and
 13 attorney's fees;

14 (3) To the payment of all tax bills adjudged to be due in the order of their priority, including
 15 principal, interest and penalties thereon. If, after such payment, there is any sum remaining of the
 16 proceeds of the sheriff's foreclosure sale, the court shall thereupon try and determine the other issues
 17 in the suit in accordance with section 92.775. If any answering parties have specially appealed as
 18 provided in section 92.845, the court shall retain the custody of such funds pending disposition of
 19 such appeal, and upon disposition of such appeal shall make such distribution. If there are not
 20 sufficient proceeds of the sale to pay all claims in any class described, the court shall order the same
 21 to be paid pro rata in accordance with the priorities.

22 4. If there are any funds remaining of the proceeds after the sheriff's sale and after the
 23 distribution of such funds as set out in this section and no person entitled to any such funds, whether
 24 or not a party to the suit, shall, within two years after such sale, appear and claim the funds, ~~[they]~~
 25 ten percent of the funds shall be distributed to the affordable housing trust fund, or an equivalent
 26 fund, of the city operating under sections 92.700 to 92.920 and used for purposes that promote the
 27 reduction and prevention of vacant properties, and the remainder of the funds shall be distributed to
 28 the appropriate taxing authorities.

29 5. Any city operating under the provisions of sections 92.700 to 9.920 may, by ordinance,
 30 elect to allocate a portion of its share of the proceeds of the sheriff's sale towards a fund for the
 31 purpose of defending against claims challenging the sufficiency of notice provisions under this
 32 section.

33 6. For the purpose of this section, the term "occupancy permit" shall mean the certificate of
 34 ~~[use and]~~ inspection or occupancy permit for residential or commercial structures as provided for in
 35 the revised municipal code of any city not within a county, which now has or may hereafter have a
 36 population in excess of three hundred thousand inhabitants.

37 ~~[6.]~~ 7. If there is a building or structure on the parcel, the purchaser shall apply for an
 38 occupancy permit from the city or appropriate governmental agency within ten days after the
 39 confirmation hearing. Any purchaser who is a public corporation acting in a governmental capacity
 40 shall not be required to acquire the occupancy permit. When a parcel, acquired at a sheriff sale,
 41 containing a building is sold from a public corporation acting in a governmental capacity, the
 42 subsequent purchaser shall be required to apply for the occupancy permit. Failure to apply for such
 43 occupancy permit within ten days after confirmation shall result in the sale and confirmation being
 44 immediately set aside by the motion of any interested party and that parcel shall again be advertised
 45 and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent
 46 sheriff foreclosure sale.

47 ~~[7.]~~ 8. The sheriff shall include a deed restriction in the sheriff's deed, issued after
 48 confirmation and after the application of an occupancy permit for any parcel containing a building
 49 or structure. The deed restriction shall state that the purchasers at the sheriff's sale who had the

property confirmed and who applied for an occupancy permit shall obtain an occupancy permit for the building or structure from the appropriate governmental agency prior to any subsequent transfer or sale of this property. This deed restriction shall ~~[exist as]~~ not be a lien against such real estate ~~[while the purchasers hold same in the amount of five thousand dollars]~~. The purchasers of the property at the sheriff sale who had the property confirmed and applied for the occupancy permit shall agree that in the event of their failure to obtain an occupancy permit prior to any subsequent transfer of the property, they shall pay to the sheriff the sum of five thousand dollars as fixed, liquidated and ascertained damages without proof of loss or damages. These damages shall not constitute a lien on property, and the sheriff shall have the discretionary power to file a lawsuit against such purchaser for collection of these liquidated damages. These liquidated damages shall be distributed on a prorated basis to the appropriate taxing authority after the sheriff deducts all costs, expenses and attorney fees for such lawsuits. The sheriff may employ attorneys as he deems necessary to collect liquidated damages.

9. If any sale is not confirmed within six months after the sale, any set-aside of the sale shall include a penalty of twenty-five percent of the bid amount over and above the opening bid amount, and such penalty shall be directed to the affordable housing trust fund or the equivalent fund, if any, of a city operating under sections 92.700 to 92.920.

10. Any interested party, other than the sheriff's sale purchaser, who moves the court to set aside a sheriff's sale after the issuance of a sheriff's deed made under the provisions of sections 92.700 to 92.920 shall be required to pay into the court the redemption amount otherwise necessary under section 92.750 prior to the court hearing any such motion to set aside. The court may hear any motion to confirm brought under the terms of this section should the redemption amount not be paid by the interested party moving the court to set aside the sale.

92.852. Any sheriff's deed given pursuant to the municipal land reutilization law shall be subject to a recording fee for the costs of recording the deed that shall be assessed and collected from the purchaser of the property at the same time the proceeds from the sale are collected. All such deeds shall be recorded at the office of the recorder of deeds within two months after the ~~[sheriff's deed is given]~~ court confirms the sale, if no proceeding to set aside the confirmation judgment is before the court.

92.855. Each sheriff's deed given pursuant to the provisions of the municipal land reutilization law shall be ~~[presumptive]~~ prima facie evidence that the suit and all proceedings therein and all proceedings prior thereto from and including assessment of the lands affected thereby and all notices required by law were regular and in accordance with all provisions of the law relating thereto. ~~[After two years from the date of the recording of such sheriff's deed, the presumption shall be conclusive, unless at the time that this section takes effect the two-year period since the recording of such sheriff's deed has expired, or less than six months of such period of two years remains unexpired, in which latter case the presumption shall become conclusive six months after September 28, 1971. No suit to set aside or to attack the validity of any such sheriff's deed shall be commenced or maintained unless the suit is filed prior to the time that the presumption becomes conclusive, as aforesaid.]~~

442.130. (1) All deeds or other conveyances of lands, or of any estate or interest therein, shall be subscribed by the party granting the same, or by his or her lawful agent, and shall be acknowledged or proved and certified in the manner herein prescribed.

(2) All written instruments conveying real estate or any interest in real estate shall state whether any natural person acting as grantor, mortgagor, or other party executing the instrument is married or unmarried."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.