

DEPARTMENT OF NATURAL RESOURCES

REAL ESTATE DIVISION

(By authority of Act No. 155 of the Public Acts of 1937, being S211.351 et seq. of the Michigan Compiled Laws)

STATE LAND OFFICE BOARD

AUCTION SALE OF STATE-OWNED LANDS

R 211.1 Date of sale.

Rule 1. Beginning _____

Date The sale will be officially opened _____, at 9 a.m., Date Michigan standard time, and continue from day to day until all parcels have been offered.

History: 1979 AC.

R 211.2 Time of sale.

Rule 2. Nine a.m. to 12 noon and 1 p.m. to 4 p.m., daily, excepting Saturdays, Sundays, and legal holidays.

History: 1979 AC.

R 211.3 Place of sale.

Rule 3. The sale will be conducted at the county seats of the respective counties in the offices of the county treasurers, or such other place designated by the board. Should the county treasurer's office prove unsuitable, the sale may be adjourned to such other place as may be selected. Notice of the place of adjournment will be posted in and near the county treasurer's office.

History: 1979 AC.

R 211.4 Properties offered.

Rule 4. All parcels of land to which the state received title pursuant to the tax sale of May, 1938, and all tax sales subsequent thereto, and not previously offered for sale, and excepting those parcels withheld from sale by the state land office board in accordance with the provisions of the above act.

History: 1979 AC.

R 211.5 List of properties for sale.

Rule 5. Lists of the properties to be offered for sale in each county may be obtained from the respective county treasurers or at the offices of the board. A charge will be made for said lists.

History: 1979 AC.

R 211.6 The auction sale.

Rule 6. The sale will be conducted as a public auction. No bids will be received in advance or by mail. Each bidder must be present at the sale or have an authorized agent bid for him. Each parcel will be

offered separately and sold to the high bidder, subject to the provisions of the above act and these rules. The auctioneer shall have the right to disregard nuisance and nominal bids.

History: 1979 AC.

R 211.7 Order of sale.

Rule 7. The parcels will be offered in the order in which they appear in the printed sale lists for each county.

History: 1979 AC.

R 211.8 High bidder must identify himself.

Rule 8. (1) If no bid is received when a parcel is offered, that parcel will not be reoffered at this sale except as provided in the following subrule:

(2) No highest bid will be recognized unless the high bidder immediately identifies himself by signing a memorandum of sale and making a good faith deposit as required by the board or its representative. In the event such high bidder fails or refuses to do so, then the parcel on which he bid will be immediately reoffered by the auctioneer.

History: 1979 AC.

R 211.9 Calendar of sale.

Rule 9. A calendar will be made and posted at the place of sale. This calendar will show as nearly as possible which parcels are to be offered on each day; and insofar as possible it will be posted a week in advance of the offering.

History: 1979 AC.

R 211.10 Minimum sale price.

Rule 10. The minimum price which may be accepted on any parcel is 25% of the assessed value thereof, as of the year preceding that year in which title was vested in the state.

History: 1979 AC.

R 211.11 Terms of sale.

Rule 11. (1) Payments must be in cash, which shall include certified check, bank draft or money order made payable to the order of the state land office board.

(2) Any bidder other than an "owner" or "municipality" as defined in the above act must pay cash for all purchases.

(3) A "municipality" must pay in cash that portion of the bid price due the other taxing units.

(4) An "owner" may pay cash for any purchase.

(5) An "owner" must pay cash for all purchases of \$25.00 or less.

(6) An "owner" may buy on land contract if the purchase price is over \$25.00, with a down payment of 10% or more of the purchase price, but not less than \$25.00, and the balance shall be payable in successive monthly installments of \$1.12 or more per hundred dollars of said balance, which installments shall include interest at the rate of 4% per annum, but no monthly payment shall be for less than \$10.00; contract to be paid in full within 10 years from the date of purchase. A standard form of land contract adopted by the state land office board shall be used.

History: 1979 AC.

R 211.12 Procedure for high bidder.

Rule 12. (1) Immediately following the announcement of the highest bid by the auctioneer, the high bidder must present himself before the proper clerk of the sale, execute a memorandum of sale upon the form provided by the board, which form includes an application for a time payment plan for "owners" and affidavit of ownership, and make required deposit. One copy of this memorandum must be retained by the bidder.

(2) The high bidder must not later than the close of the next following business day, Saturdays excepted, present his copy of the memorandum of sale to the clerk to identify himself. If such bidder is not an "owner" or a "municipality," he must then pay the full bid price in cash. If he is an "owner," he must either pay the full bid price in cash, or, if he is entitled to a time payment plan, pay the required down payment to purchase on land contract. If such bidder is a "municipality," it must pay in cash that portion of the bid price due the other taxing units.

(3) If a high bidder fails or refuses to complete his bid as provided above, he may, at the option of the board or its representative, be barred from making further bids at the sale and be subject to such penalties as provided by law.

History: 1979 AC.

R 211.13 Procedure for "owner" who was not the high bidder.

Rule 13. (1) Any time within 30 days from the date of the sale of the parcel concerned, an "owner" may claim the property by meeting the highest bid. To do so, he must appear at the place of the sale or other designated place and make a proper application to purchase the property, sign an affidavit of interest and make the required payment. He may pay cash or apply for a land contract on the terms stated above. The 30-day period shall not include the day of the sale, but shall include Sundays and holidays.

(2) An "owner" may meet the highest bid any time within 30 days after the high bidder signs the memorandum of sale, whether or not such high bidder takes up his bid before the close of the following business day. If such high bidder does not make the required payment, an "owner" may still meet the highest bid any time within 30 days from the date of the sale.

History: 1979 AC.

R 211.14 Requirements of a municipality bidding or meeting a highest bid.

Rule 14. A municipality bidding at the sale or meeting a highest bid must, not later than 10 days prior to its bid or meeting bid, file with the board or its representative a certified copy of the action of its governing body authorizing the purchase and also prove satisfactory to the board that such lands are needed for public use.

History: 1979 AC.

R 211.15 Procedure of a "municipality" that was not the high bidder.

Rule 15. If an "owner" does not exercise his right to meet the highest bid within the 30-day period allowed him, then a "municipality" as defined in said act may meet the highest bid any time within the following 15 days. It must make application to the board and pay the pro rata share of the purchase price due the other "municipalities." "Municipalities" may make application severally or in combination. The 15-day period shall not include the last day of the 30-day period, but shall include Sundays and holidays.

History: 1979 AC.

R 211.16 Arbitration of priority rights.

Rule 16. Where each of 2 or more "owners" or "municipalities" claims the priority right to purchase a parcel the board shall have the right to require such further proof from the parties of their interest and financial investment in said parcel as it may deem necessary. The board may appoint a committee in each county to investigate and determine the priority rights of such owners.

History: 1979 AC.

R 211.17 "Owner" buying 2 or more parcels; release clauses.

Rule 17. An "owner" buying 2 or more parcels situated in the same subdivision and in the same taxing unit may, at the discretion of the board, purchase as many of such parcels as he wishes on 1 land contract; provided, however, an "owner" buying 2 or more parcels in the city of Detroit may at the discretion of the board purchase as many of such parcels as he wishes on 1 land contract, provided said parcels are purchased during not more than 5 consecutive sales days. The down payment and the monthly payments will be calculated on the total purchase price of the several parcels. Any parcel may be released upon payment of 90% of the purchase price of such parcel, which sum shall be applied upon the principal balance of the contract.

History: 1979 AC.

R 211.18 Closing of the sale; 45-day waiting period.

Rule 18. (1) No deed or contract will be issued until after the expiration of the 45-day period during which an "owner" or "municipality" may offer to meet the highest bid.

(2) After the 45-day period, the successful bidder, if he is entitled to a deed, will be notified to surrender his certificate of purchase and accept delivery of such deed.

(3) If the successful bidder is entitled to a land contract, he will be notified by mail of the time and place to appear to sign and secure his copy of said contract. The purchaser may obtain a postponement of said time by arrangement with the representative of the board, but upon his failure to appear within 10 days of the time set in said notice or of such adjourned date, the certificate of purchase shall be void and the down payment in said land contract shall be forfeited as liquidated damages. The copy of the certificate of purchase held by such purchaser must be surrendered to the board before he can secure his copy of the land contract. If an "owner" entitled to a land contract fails to execute the same, and his certificate of purchase has become void as above provided, a deed will be issued or land contract entered into, as the case may be, with the bidder or "owner" meeting the highest bid who would have prevailed but for the rights of the defaulted purchaser, providing said highest bidder or one meeting the high bid, who is entitled to a refund, has not surrendered his certificate of purchase.

History: 1979 AC.

R 211.19 Return of deposits to unsuccessful bidders.

Rule 19. Upon receipt of a matching bid the high bidder will be notified and, provided the matching bidder is entitled to the preference to meet a high bid given to an owner or municipality, the said high bidder may obtain a refund of his deposit upon surrender of his certificate of purchase.

History: 1979 AC.

R 211.20 Possession of properties purchased.

Rule 20. No bidder or purchaser shall be entitled to possession of any properties until delivery of the deed or land contract.

History: 1979 AC.

R 211.21 Cancellation of sale.

Rule 21. The board reserves the right to refund a deposit and cancel a sale before deed or contract has been delivered.

History: 1979 AC.

R 211.22 Definition of "parcel."

Rule 22. A "parcel" as used herein shall be any description contained in the official sale book.

History: 1979 AC.

R 211.23 Lost certificate of purchase or memorandum of sale.

Rule 23. Duplicates may be issued upon furnishing such proof of loss and identification as may be required by the board. A fee of 25 cents shall be charged for such duplicates.

History: 1979 AC.

R 211.24 Forms.

Rule 24. The forms used in furtherance of the sale shall be the standard forms adopted by the board.

History: 1979 AC.

R 211.25 Authority of official representative in each county.

Rule 25. The official representatives of the board shall have full authority and power to conduct the sale in their respective counties in accordance with the provisions of said act and these rules, subject to the control, supervision, and direction of the board.

History: 1979 AC.

R 211.26 Pronouns.

Rule 26. Pronouns used herein in reference to bidders, owners, and purchasers shall be read as though in the masculine, neuter, feminine, plural, or singular as the case may be.

History: 1979 AC.

AUCTION SALE OF STATE-OWNED LANDS PREVIOUSLY OFFERED FOR SALE

R 211.101 Date of sale.

Rule 1. This sale will begin on such date as may be designated and announced for each county and will continue from day to day except Saturdays, Sundays, and holidays.

History: 1979 AC.

R 211.102 Time of sale.

Rule 2. 9 a.m. to 12 noon and 1 p.m. to 4 p.m., Michigan standard time, daily, excepting Saturdays, Sundays, and legal holidays.

History: 1979 AC.

R 211.103 Place of sale.

Rule 3. This sale will be opened at the offices of the county treasurers or at such other suitable place as the board may select.

History: 1979 AC.

R 211.104 Properties offered.

Rule 4. Parcels of land to which the state received title as a result of the tax sales and which were offered at public auction pursuant to section 7 of the above mentioned act and which were not sold or have not been subsequently deeded to municipalities or withheld from sale by the board.

History: 1979 AC.

R 211.105 List of properties for sale.

Rule 5. Lists of the properties to be offered for sale in each county may be obtained from the respective county treasurers, or at the office of the board, capitol building, Lansing. A charge will be made for said lists.

History: 1979 AC.

R 211.106 The auction sale.

Rule 6. The sale will be conducted as a public auction. No bids will be received in advance or by mail. Each bidder must be present at the sale or have an agent bid for him. Each parcel will be sold to the high bidder, subject to the provisions of the above act and these rules and regulations. The auctioneer shall have the right to disregard nuisance and nominal bids and to reject any bids for good cause.

History: 1979 AC.

R 211.107 Order of sale.

Rule 7. The parcels will be offered in the order in which they appear in the official sale's books for each county.

History: 1979 AC.

R 211.108 Properties to be reoffered.

Rule 8. (1) If no bid is received when a parcel is offered, that parcel may, at the option of the board, be reoffered at this sale.

(2) No highest bid will be recognized unless the high bidder immediately identifies himself by signing a memorandum of sale and making the required deposit. In the event such high bidder fails or refuses to do so, then the parcel on which he bid will be immediately reoffered by the auctioneer.

History: 1979 AC.

R 211.109 Calendar of sale.

Rule 9. A calendar will be made and posted at the place of sale. This calendar will show as nearly as possible which parcels are to be offered on each day; and insofar as possible it will be posted a week in advance where the sale will last for that long a period.

History: 1979 AC.

R 211.110 Minimum sale price.

Rule 10. The minimum price which may be accepted on any parcel is the minimum bid price as fixed by the board.

History: 1979 AC.

R 211.111 Terms of sale.

Rule 11. (1) Payments must be in cash, which shall include certified check, bank draft, or money order made payable to the order of the state land office board.

(2) A buyer may pay cash for any purchase.

(3) A buyer must pay cash for all purchases of \$100.00 or less.

(4) A buyer may buy on land contract if the purchase price is over \$100.00, with a down payment of 20% or more of the purchase price, but not less than \$100.00 and the balance shall be payable in successive monthly installments of \$1.46 or more per hundred dollars of said balance, which installments shall include interest at the rate of 4% per annum, but no monthly payment shall be for less than \$10.00; contract to be paid in full within 7 years from the date of purchase. A standard form of land contract adopted by the state land office board shall be used.

History: 1944 AC; 1954 AC; 1979 AC.

R 211.112 Procedure for high bidder.

Rule 12. (1) Immediately following the announcement of the highest bid by the auctioneer, the high bidder must present himself before the proper clerk of the sale and execute a memorandum of sale upon the form provided by the board, which form includes an application for a time payment plan. One copy of this memorandum must be retained by the bidder.

(2) To take up his bid, the high bidder must at once present his copy of the memorandum of sale to the clerk to identify himself, and either pay the full bid price in cash, or, if he is entitled to a time payment plan, pay the required down payment to purchase on land contract.

(3) If a high bidder fails or refuses to complete his bid as provided above, he may, at the option of the board or its representative, be barred from making further bids at the sale and be subject to such penalties as provided by law.

(4) The board reserves the right to reject any or all bids at any time prior to delivery of deeds or contracts covering said bids.

History: 1979 AC.

R 211.113 Buying 2 or more parcels; release clauses.

Rule 13. Anyone buying 2 or more parcels situated in the same subdivision and in the same taxing unit may, at the discretion of the board, purchase as many of such parcels as he wishes on 1 land contract. The down payment and the monthly payments will be calculated on the total purchase price of the several parcels. Any parcel may be released upon payment of the original unpaid balance of the purchase price of such parcel, which sum shall be applied upon the principal balance of the contract.

History: 1979 AC.

R 211.114 Closing of the sale.

Rule 14. (1) Deeds and contracts will be issued as soon as possible.

(2) If the successful bidder is entitled to a land contract, he will be notified by mail of the time and place to appear to sign and secure his copy of said contract. The purchaser may obtain a postponement of said time by arrangement with the representative of the board, but upon his failure to appear within 10 days of the time set in said notice or of such adjourned date, the certificate of purchase shall be void and the down payment in said land contract shall be forfeited as liquidated damages.

(3) The copy of the certificate of purchase held by such purchaser must be surrendered to the board before he can secure his deed or his copy of the land contract.

History: 1979 AC.

R 211.115 Possession of properties purchased.

Rule 15. No bidder or purchaser shall be entitled to possession of any properties until the delivery of the deed or land contract.

History: 1979 AC.

R 211.116 Definition of "parcel."

Rule 16. A "parcel" as used herein shall be any description contained in the official sale book and offered at this sale.

History: 11979 AC.

R 211.117 Lost certificate of purchase or memorandum of sale.

Rule 17. Duplicates may be issued upon furnishing such proof of loss and identification and payment of such fee as may be required by the board.

History: 1979 AC.

R 211.118 Forms.

Rule 18. The forms used in furtherance of the sale shall be the standard forms adopted by the board.

History: 1979 AC.

R 211.119 Authority of official representative in each county.

Rule 19. The official representatives of the board shall have full authority and power to conduct the sale in the representative counties in accordance with the provisions of said act and these rules, subject to the control, supervision, and direction of the board.

History: 1979 AC.

R 211.120 Pronouns.

Rule 20. Pronouns used herein in reference to bidders, owners, and purchasers shall be read as though in the masculine, neuter, feminine, plural, or singular as the case may be.

History: 1979 AC.

R 211.121 Amendments.

Rule 21. These rules may be amended at any time without notice by action of the state land office board.

History: 1979 AC.

PRIVATE SALE OF STATE-OWNED LANDS

R 211.201 Place of sale.

Rule 1. The sale shall be conducted by the state land office board at its office in Lansing, Michigan, or by a duly authorized representative in the county in which said lands are located.

History: 1979 AC.

R 211.202 Office hours.

Rule 2. Eight a.m. to 5 p.m., daily, excepting Saturdays, Sundays, and legal holidays, or at any other designated time.

History: 1979 AC.

R 211.203 Properties to be offered at private sale.

Rule 3. (1) All properties that have been offered at public auction under the provisions of section 7 of said Act No. 155 and not sold or otherwise disposed of or withheld by the board will be offered for sale.

(2) Lists and minimum sale prices of properties to be sold at private sale are available to the general public at offices of the board or county treasurers. Said lists will be revised and supplemented from time to time.

History: 1979 AC.

R 211.204 Procedure of sale.

Rule 4. Any person desiring to purchase any listed property shall make application therefor upon the form of "offer to purchase" available at the office of the board, and submit the same properly completed and executed in triplicate to the board, or to its authorized representative, either in person or by mail accompanied by the required cash deposit. Such offer shall be in an amount not less than the appraised value of the property as established by the state land office board.

History: 1979 AC.

R 211.205 Terms of sale.

Rule 5. All payments must be in cash or by certified check, bank draft, or money order payable to the state land office board. All sales of \$100.00 or less must be for cash. Any sale over \$100.00 may be for cash or on a land contract basis. If on land contract, the down payment shall be at least 20% of the purchase price but not less than \$100.00, and the balance shall be payable in successive monthly installments of \$1.46 or more per \$100.00 of said balance, which installments shall include interest at the rate of 4% per annum, but no monthly payment shall be for less than \$10.00; contract to be paid in full within 7 years from date of purchase.

History: 11979 AC.

R 211.206 Required cash deposit.

Rule 6. The "offer to purchase" shall be accompanied by the full purchase price on all offers of \$100.00 or less; if over \$100.00, the required deposit shall be at least 20% of the total offer but not less than \$100.00. The supervisory sales agent may at its option, accept with an "offer to purchase" vacant land, a deposit of 5% of the minimum sales price, but not less than \$25.00, together with the total amount of all raises; said deposit shall be accompanied by an agreement from the offerer to pay the required balance of the down payment or full purchase price within 60 days from the date of said offer. The deposit shall be forfeited upon the offerer's failure to pay the said required balance as above provided.

History: 1979 AC.

R 211.207 Offer subject to higher offer for 7 days.

Rule 7. Each offer will be held for a period of 7 days from the day the offer is received. If the 7th day falls on a legal holiday the offer will be held by the board until the close of the following business day. During said 7-day period, no further offer will be received unless such further offer is in an amount increased by \$25.00, or not less than 10% of the minimum sale price, whichever is the larger.

History: 1979 AC.

R 211.208 Offers irrevocable for 20 days.

Rule 8. Any offer to purchase shall be irrevocable for a period of 20 days after being made as herein required and thereafter may be revoked only by written notice of revocation given to the board before notice has been mailed to the offerer that a contract is ready for execution by the offerer, or deed is ready for delivery, as the case may be.

History: 1979 AC.

R 211.209 Closing of land contracts and delivery of deeds.

Rule 9. (1) All land contracts will be closed at the office of the state land office board, or at such other location as may be established by the board. Due notice of the closing date will be mailed to the purchaser at the designated address appearing in the "offer to purchase" unless purchaser has otherwise instructed the board in writing. If purchaser does not appear to sign land contract within 10 days from closing date, or make satisfactory arrangements for postponement, the sale may be voided at the option of the board and all rights of purchaser terminated, and the deposit shall be forfeited to the state as liquidated damages.

(2) Deed or land contract, as the case may be, shall be issued in the exact name, or names, as designated in the "offer to purchase." The board reserves the right to reject any offer at any time prior to delivery of deed or land contract, and in the event of rejection by the board, it will return the deposit accompanying the offer.

History: 1979 AC.

R 211.210 Buying 2 or more parcels; release clause.

Rule 10. Anyone buying 2 or more parcels situated in the same subdivision and in the same taxing unit may, at the discretion of the board, purchase as many of such parcels as he wishes on 1 land contract. The down payment and the monthly payments will be calculated on the total purchase price of the several parcels. Any parcel may be released upon payment of the original unpaid balance of the purchase price after the down payment on such parcel, which sum shall be applied upon the principal unpaid balance of said contract, plus a service charge of \$1.00 for each such release.

History: 1979 AC.

R 211.211 Possession of properties purchased.

Rule 11. No purchaser shall be entitled to possession of any properties until the delivery of the deed or land contract.

History: 1979 AC.

R 211.212 Forms.

Rule 12. The form of land contract and deed given and all other forms used in completion of the sale shall be the standard forms adopted by the board.

History: 1979 AC.

R 211.213 Authority of authorized representative.

Rule 13. The authorized representative of the board shall have full authority and power to conduct the sale in accordance with the provisions of said act and these rules, subject to the control, supervision, and direction of the board.

History: 1979 AC.

R 211.214 Amendments.

Rule 14. These rules may be amended at any time without notice by action of the state land office board.

History: 1979 AC.

PRIVATE SALE OF STATE-OWNED LANDS BY EXCLUSIVE SUPERVISORY SALE AGENTS

R 211.301 Place of sale.

Rule 1. The sale shall be conducted by the exclusive supervisory sales agent of the state land office board for the county in which said lands are located.

History: 1979 AC.

R 211.302 Office hours.

Rule 2. Nine a.m. to 4 p.m., Monday through Friday; and 9 a.m. to 12 noon, Saturday.

History: 1979 AC.

R 211.303 Properties to be offered at private sale.

Rule 3. (1) All properties that have been offered at public auction under the provisions of section 7 of said Act No. 155 and not sold or otherwise disposed of or withheld by the board will be offered for sale.

(2) Lists and minimum sale prices of properties to be sold at private sale are available to all licensed real estate brokers and the general public at offices of the board or supervisory sales agent. Said lists will be revised and supplemented from time to time.

History: 1979 AC.

R 211.304 Procedure of sale.

Rule 4. Any person desiring to purchase any listed property shall make application therefor upon the form of "offer to purchase" available at the offices of the exclusive supervisory sales agent, and submit the same properly completed and executed in triplicate to said agency either in person or through a licensed real estate broker accompanied by the required cash deposit. Such offer shall be in an amount not less than the appraised value of the property as established by the state land office board.

History: 1979 AC.

R 211.305 Terms of sale.

Rule 5. All payments must be in cash or by certified check, bank draft, or money order payable to the exclusive supervisory sales agent. All sales of \$100.00 or less must be for cash. Any sale over \$100.00 may be for cash or on a land contract basis. If on land contract, the down payment shall be at least 20% of the purchase price but not less than \$100.00, and the balance shall be payable in successive monthly installments of \$1.46 or more per \$100.00 of said balance, which installments shall include interest at the rate of 4% per annum, but no monthly payment shall be for less than \$10.00; contract to be paid in full within 7 years from date of purchase.

History: 1979 AC.

R 211.306 Required cash deposit.

Rule 6. The "offer to purchase" shall be accompanied by the full purchase price on all offers of \$100.00 or less; if over \$100.00, the required deposit shall be at least 20% of the total offer but not less than \$100.00. The supervisory sales agent may, at its option, accept with an "offer to purchase" vacant land, a deposit of 5% of the minimum sales price, but not less than \$25.00, together with the total amount of all raises; said deposit shall be accompanied by an agreement from the offerer to pay the required balance of the down payment or full purchase price within 60 days from the date of said offer. The deposit shall be forfeited upon the offerer's failure to pay the said required balance as above provided.

History: 1979 AC.

R 211.307 Offer subject to higher offer for 7 days.

Rule 7. Each offer will be held for a period of 7 days from the day the offer is received. If the 7th day falls on a legal holiday, the offer will be held by the board until the close of the following business day. During said 7-day period, no further offer will be received unless such further offer is in an amount increased by \$25.00, or not less than 10% of the minimum sale price, whichever is the larger.

History: 1979 AC.

R 211.308 Offers irrevocable for 20 days.

Rule 8. Any offer to purchase shall be irrevocable for a period of 20 days after being made as herein required and thereafter may be revoked only by written notice of revocation given to the board before notice has been mailed to the offerer that a contract is ready for execution by the offerer, or deed is ready for delivery, as the case may be.

History: 1979 AC.

R 211.309 Closing of land contracts and delivery of deeds.

Rule 9. (1) All land contracts will be closed at the office of the state land office board, or at such other location as may be established by the board. Due notice of the closing date will be mailed to the purchaser at the designated address appearing in the "offer to purchase" unless purchaser has otherwise instructed the agency in writing. If purchaser does not appear to sign land contract within 10 days from closing date, or make satisfactory arrangements for postponement, the sale may be voided at the option of the board and all rights of purchaser terminated, and the deposit shall be forfeited to the state as liquidated damages.

(2) Deed or land contract, as the case may be, shall be issued in the exact name or names, as designated in the "offer to purchase." The board reserves the right to reject any offer at any time prior to delivery of deed or land contract, and in the event of rejection by the board, it will return the deposit accompanying the offer.

History: 1979 AC.

R 211.310 Buying 2 or more parcels; release clause.

Rule 10. Anyone buying 2 or more parcels situated in the same subdivision and in the same taxing unit may, at the discretion of the board, purchase as many of such parcels as he wishes on 1 land contract. The down payment and the monthly payments will be calculated on the total purchase price of the several parcels. Any parcel may be released upon payment of the original unpaid balance of the purchase price after the down payment on such parcel, which sum shall be applied upon the principal unpaid balance of said contract, plus a service charge of \$1.00 for each such release.

History: 1979 AC.

R 211.311 Sales made through licensed real estate brokers.

Rule 11. (1) Any duly licensed real estate broker submitting an "offer to purchase," as required herewith and with the required deposit, shall be entitled to a commission thereon in accordance with the real estate broker commission schedule established by the board, upon execution and delivery of land contract or deed, as the case may be. A broker will not be allowed a commission as to purchase by such broker, either directly or indirectly.

(2) Any broker may register in writing with the exclusive supervisory sales agent the name of prospects to whom he has personally shown property, giving the date of showing and description of property. Such broker may be allowed a commission on any sale of property appearing in said registration made upon an offer thereafter submitted to the agency by the prospect personally and not through another broker within 30 days from the date of registration.

(3) In the case of duplicate offers to purchase the same property, priority will be given the first received.

(4) All conflicting claims between 2 or more brokers and any questioned claim of any broker as to rights to commission may, at the discretion of the board, be referred to an arbitration committee appointed by the board, or its duly authorized agent, for settlement and the finding of such committee will be final and binding on the broker or brokers involved.

History: 1979 AC.

R 211.312 Possession of properties purchased.

Rule 12. No purchaser shall be entitled to possession of any properties until the delivery of the deed or land contract.

History: 11979 AC.

R 211.313 Forms.

Rule 13. The form of land contract and deed given, and all other forms used in completion of the sale, shall be the standard forms adopted by the board.

History: 1979 AC.

R 211.314 Authority of supervisory sales agent.

Rule 14. The supervisory sales agent of the board shall have full authority and power to conduct the sale in accordance with the provisions of said act and these rules, subject to the control, supervision, and direction of the board.

History: 1979 AC.

R 211.315 Amendments.

Rule 15. These rules may be amended at any time without notice by action of the state land office board.

History: 1979 AC.