

**SPECIFICATION FOR IN REM NO. 54
RECORD SEARCH REPORTS**

1. **PROPOSALS.** Bidders are advised to examine carefully the specification before submitting any proposal. Proposals shall be submitted in writing, on or before **March 20, 2020.**

Each bidder shall state in the proposal his/her full name and place of residence; if a partnership; the full names of all partners; the names of all persons interested with the bidder in making the proposal, that it is in all respects fair and made without collusion or fraud and that no officer of the City of Buffalo is directly or indirectly interested in said bid. Each bidder shall sign said proposal with his/her full name and in his/her own handwriting and, if a partnership, each partner must sign; if a corporation the corporate name shall be signed by a duly authorized officer thereof. Each bidder shall state his/her experience in the preparation of Record Search reports. The City of Buffalo **RESERVES THE RIGHT TO REJECT OR ACCEPT ANY AND ALL BIDS.**

2. **SEARCH SUBMITTAL.** Title companies shall provide the City with a signed, certified, typed report for each parcel in substantially the sample form named InremSampleReport (Written).pdf. In addition, the Title Companies must also submit data found in their written report online via the City of Buffalo's website. Selected Title Companies will be assigned a username and password to login and access the City of Buffalo's online Inrem Search forms, which allow viewing of designated parcels and submittal of search results by following the online instructions.

3. **SEARCH PERIOD.** Required is a search for the period starting with the date of the deed into the last record owner and ending with a date that is no earlier than twenty (20) days prior to the delivery of the search report. If the last owner's deed is less than ten (10) years old, the search period must be extended back to the time of the recording of the deed into the last owner's grantor or back to a prior deed that is ten (10) years old. All deeds in the search period must be set forth on the search. **The deed history must always commence with a good/valid deed**, for which a valuable consideration was given to ensure the transfer of a marketable title. **The Deed must have the full legal description of the property searched. No Referee's Deed from prior Erie County or City of Buffalo, In Rem Foreclosure.**

4. **INTERESTS REPORTED.** Required are **the names, addresses and zip codes** as shown in the record, of each owner and **each non-discharged and unsatisfied mortgagee**, (including mortgagees for estates) judgment creditor, tax collector or other lien holder, lessee or other person or entity having an interest in the property by reason of an instrument that is recorded or filed during the period of the search. This includes conservators. Names and complete addresses of persons having an interest in the real property as disclosed by your search of the Erie County Surrogate's records are also required in your report. For Bankruptcy, only notify the debtor. **Do not notify the Bankruptcy Trustee.** Enter NAG. For Erie County and City Tax Liens, do not **notify** anyone including **Xspand and/or the ETCC and MBBA/JER.** Put NAG for address. **On all N.Y.S. Department of Taxation and Finance** liens that recite the address at **77 Broadway, Suite 112 Buffalo, New York 14203**, the address to input/enter is: **New York State Dept. of Taxation and Finance, Office of Counsel, ATTENTION: David P. Demeter, W.A. Harriman State Campus, Bldg. 9, Rm. 100, Albany,**

New York 12227.

5. **ADDRESSES.** It is mandatory that the City be provided with the exact **names** and **complete addresses, including zip codes (as shown in the recorded or filed documents)** of the person or other entities appearing to have any interest in the subject property. This requirement includes the names and complete addresses shown in any applicable Surrogate's Court file. However, if no address is given for a State or Federal agency, for which data is entered after NYS: FTL: or USA: flag, or for any other Governmental agency, (e.g., Erie County), the title company shall obtain and insert the proper mailing address.

6. **NO CROSS-REFERENCES.** There shall be no cross-reference to material found in another search report. Each report must fully set forth all interests whether or not previously reported for another parcel.

7. **BANKRUPTCY.** Only **open** bankruptcy proceedings shall be reported. No payment shall be made for search reports containing reference to bankruptcy proceedings which have already been closed at the time of the filing of our foreclosure list for **In Rem No. 54**. Include the full name of the bankrupt or debtor, address, case number, chapter and date of filing. Also, **Schedule-B-I of the bankruptcy petition must be searched**, and any real property listed therein must be reported. **Moreover, if the assessed owner's address is not an address within the Western District of New York, the indices of that district's Bankruptcy Court must be searched and reported.**

8. **ASSUMED MORTGAGES.** We require the name and complete address of any owner of an **undischarged mortgage** mentioned in any deed recorded within the search

period.

9. **JUDGMENT SEARCHES.** Judgment searches shall be for ten (10) years last past against names shown to have had a record interest in the premises during the search period. Both the debtor and creditor must be shown, with complete addresses for both. The amount of the judgment or warrant and the date filed must also be shown. Tax lien and financing statement numbers must be supplied.

10. **SERIAL NUMBER.** It is required that the property be identified on the search with reference to our In Rem number and serial number, plus the name of the assessed owner of the property as it appears on the filed In Rem list. Copies of the said In Rem list will be supplied. (See the first page of the annexed sample title report.)

11. **STATEMENTS FOR FEES.** Statements for fees must be itemized with reference to the In Rem number, serial number, and property address.

12. **IDENTICAL SEARCH REPORTS.** Only half of the quoted fee will be paid for a second, third, etc., search ordered from you at the same time where the second, third, etc., parcel is in the same deed as identified for the first report and the information reported for the second, third, etc., report is a duplication of the first report.

13. **UNITED STATES TAX LIEN.** Where the search reveals a United States tax lien, the report must include the tax lien number(s) date(s) of filing, place of filing and amount. (See item 5.)

14. **LEGAL DESCRIPTION.** A full legal description of the parcel must also be attached. (No short or Referee's Deed description from prior Erie County or City of Buffalo Foreclosure will be accepted). Said description may be a photocopy of the deed to the

record owner.

15. CONTACT WITH OWNERS-OF-RECORD. No company awarded title search reports shall directly or indirectly contact debtors in arrears for the purpose of aiding in, or redeeming their property.