

**Kootenai County Sheriff's Office  
Requirements for Real Property Sales**

**Before the Sale please provide:**

1. Letter of Instruction **must include:**
  - a. Physical address of property or map with detailed instructions of how to get to property to post it as required by law.
  - b. Whether there are any liens against the property, together with the names and mailing addresses of any interested parties. The Sheriff is required by Code to notify all interested parties of the sale to make it a valid sale and it is your responsibility to provide this information.
  - c. Whether there are any disclaimers from said lien holders.
  - d. Defendant(s) last known mailing address to notify them of attachment and sale.
2. Advanced fees to be sent:
  - a. **\$1,500.00 deposit** effective October 1, 2016, for Sheriff's fees and publishing to conduct sale, make check payable to Kootenai County Sheriff. Due to the lengthy real property descriptions we have been receiving we felt this change was necessary to cover the publication fees and sheriff's fees required for the sale.
  - b. **\$10.00 for the first page and \$3.00 per each additional page for EACH** of the documents to be recorded with the Kootenai County Recorder. Make check payable to Kootenai County Recorder for the exact amount. As of July 1, 2010 I.C. § 31-3205 was amended to the above fee schedule for recording documents.
  - c. Original Writ, Notice of Levy, and Order for Sale (if on foreclosure) will need to be recorded by the Sheriff at the Recorder's office. Please send copy of judgment with recording notice on it.
3. Original Writ of Execution (directed to Kootenai County Sheriff).
  - a. **Property description must be included within the Writ.**
  - b. Writ **MUST** list total amount due and owing either the amount on the judgment (we will calculate the interest from the date of the judgment to the date of sale) or itemizing the total figures starting from the judgment and listing prejudgment interest (if awarded), post judgment interest and costs to equal the total amount now due and owing.
4. Notice of Levy **must include:**
  - a. Court Case # and same heading as Judgment and Writ.
  - b. Legal description of property.
  - c. Levy will be signed by a Deputy Sheriff.
  - d. Body of document to have language stating we are levying on the property.

e. Please include the following Notary:

State of Idaho )  
County of Kootenai )

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, \_\_\_\_\_,  
a Notary Public in and for the State of Idaho, personally appeared  
\_\_\_\_\_, known or identified me to be the person whose  
name is subscribed to the within instrument as Deputy Sheriff of Kootenai  
County, State of Idaho, and acknowledged to me that he/she executed the  
same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day  
and year in this certificate first above written.

\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
RESIDING AT KOOTENAI COUNTY  
COMMISSION EXPIRES: \_\_\_\_\_

5. Notice of Sale of Real Property **must include:**
- a. Court Case # and same heading as Judgment and Writ.
  - b. Legal Description of property (may include physical address).
  - c. Date/time/place of sale on it (KCSO will contact you to schedule). Leave blank spaces for the time, day and month. All Sheriff's sales of real property are held at Kootenai County Sheriff's Office Lobby, 5500 N Government Way, Coeur d'Alene, ID. Please type this information on notice of sale. **Please try to have this information on the first page of the Notice of Sale so that it is visible when posted.**
  - d. Information regarding Redemption time (I.C. §11-402).
  - e. The following statement:  
The Sheriff will give possession, but does not guarantee clear title nor continued possessory right to the purchaser.
  - f. Please include under title heading Notice of Sheriff's Sale of Real Property on first page:  
Date of Sale: \_\_\_\_\_  
Time of Sale: \_\_\_\_\_  
Place of Sale: Kootenai County Sheriff's Office Lobby,  
5500 N Government Way, Coeur d'Alene, ID.
  - g. Notice of Sale to be signed by Deputy Sheriff.
6. Order for Sale (only required with a foreclosure) **must include:**
- a. Court Case # and same heading as Judgment and Writ.
  - b. Legal description of property.
  - c. Issued from same Court as Writ MUST be a certified copy to be recorded.

- d. Orders Sheriff to sell the property.
  - e. Must be signed by judge.
7. Judgment
- a. Either a copy of the recorded judgment or
  - b. MUST be a certified copy of the judgment from District Court to be recorded.

**After the Sale please provide:**

8. Certificate of Sale (I.C. §11-310) **must include:**
- a. Legal description of property (including physical address if known).
  - b. Total bid price. If credit bid, it must state this.
  - c. Case number and title.
  - d. Must indicate if property is subject to Redemption and if so, what period of time applies (I.C. §11-402).
  - e. Indicate date, time and location of property sold.
  - f. Indicate who purchased property (including physical and mailing address).
  - g. Notary statement leaving blank for person notarizing and “Benton E. Wolfinger, Sheriff” appeared before me...

State of Idaho )  
 County of Kootenai )

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public in and for the State of Idaho, personally appeared Benton E. Wolfinger, known to me to be the person whose name is subscribed to within the instrument as Kootenai County Sheriff, and acknowledged to me that he executed the same as Kootenai County Sheriff.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

\_\_\_\_\_  
 NOTARY PUBLIC FOR IDAHO  
 RESIDING AT KOOTENAI COUNTY  
 COMMISSION EXPIRES: \_\_\_\_\_

- h. Certificate will be returned to sender for recording

**After Redemption Period Expires please provide:**

9. Sheriff’s Deed (\$50.00 for Sheriff’s Deed effective October 1, 2016) **must include:**
- a. Names of plaintiff(s), defendant(s) and purchaser (including physical and mailing address).
  - b. Legal description of the property sold (including physical address if known).
  - c. Amount paid for the property. Including if a cash or credit bid.
  - d. Date, time and place of the sale.
  - e. Case number and title.

- f. Include Redemption time.
- g. Was Redemption effected?
- h. Will be signed and dated by Sheriff and notarized.
- i. Notary statement leaving blank for person notarizing and “Benton E. Wolfinger, Sheriff” appeared before me...

State of Idaho            )  
 County of Kootenai    )

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public in and for the State of Idaho, personally appeared Benton E. Wolfinger, known to me to be the person whose name is subscribed to within the instrument as Kootenai County Sheriff, and acknowledged to me that he executed the same as Kootenai County Sheriff.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

\_\_\_\_\_  
 NOTARY PUBLIC FOR IDAHO  
 RESIDING AT KOOTENAI COUNTY  
 COMMISSION EXPIRES: \_\_\_\_\_

- j. Deed will be returned to sender for recording or a check MUST be sent made out to the recorder for the exact charge of \$15.00, unless the document is over thirty (30) pages then the flat fee does not apply and the charge is \$10.00 for first page and \$3.00 for each additional page.