



Land Title Association of Mississippi – Webinar

**Tax Sales in Mississippi:
From Notice to Policy – Avoiding Landmines**

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Welcome and Overview

- Mapping Tax Sale Lifecycle
- Notices and Due Process
- Redemption Period
- Post-sale Deeds, Clerk Practices, Recurring Pitfalls
- Quiet Title Actions and Curative Pathways
- Underwriting and Commitment Drafting
- Hypotheticals and Application
- Q&A

Mississippi Tax Sale Lifecycle

What should the abstract show you?

- Assessment/Delinquency
- Sale
- Notices
- Redemption
- Tax Deed/Confirmation
- Common Abstract Flags

Notices and Due Process

Two Main Questions:

(1) Was adequate notice given?

(2) Can you prove it from the record?

- Who must be noticed?
- Timing and method
- Acceptable proof
- High-risk defects
- Lower-risk defects and curable items

Redemption Period

Mississippi has a two-year redemption window from the date of the sale.

- Valid Redemption
- Partial Redemption
- Excess Proceeds
- Transactions During the Gap
- Commitment Language

Post-sale deeds, clerk practices and common recording pitfalls

Deed Verification/Recurring Pitfalls

- Proper Execution
- Legal Description
- Grantee
- Recording Information

Practical Step – obtain a certified “clerk’s packet”

Quiet Title Actions and Curative Pathways

Spectrum of Curative Relief

- Affidavits and Corrections
- Confirmations and Ratifications
- Quiet Title

Underwriting and Commitment Drafting

Turn risk into language and closing conditions –

- Before Redemption Expires
- After Redemption Expires; Before Quiet Title
- After Quiet Title Judgment

Hypotheticals and Application

Scenario: A tax sale purchaser seeks title insurance eighteen months post-sale with incomplete proof of notice to a deed-of-trust beneficiary and a recent borrower name change.

Analysis: Chapter 43 notice to a recorded deed-of-trust beneficiary is required. If certified mail was returned and no additional steps were taken, due process calls for reasonable follow-up. Insurability is unlikely without judicial action.

Strategy: Draft a requirement to obtain a quiet title judgment that binds the lender and adjudicates compliance and redemption status. Carry an exception for claims arising from defective notice pending entry of the final judgment.

Hypotheticals and Application

Scenario: A lender refinance on property redeemed within the past year shows a defective tax deed description and an unresolved claim to excess proceeds.

Analysis: Valid redemption within two years restores title in the redeemer and revives certain pre-existing liens. A defective description must be corrected via corrective recording or judicial action. Excess proceeds may signal ongoing claims.

Strategy: Verify redemption, correct the legal description, reconcile revived liens and either resolve or take exception to any open excess-proceeds claims. Offer lenders targeted exceptions with a path to deletion upon resolution.



QUESTIONS?

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