Print Form

17-01

CHEROKEE NATION TAX COMMISSION
ABANDONED VEHICLE INSTRUCTIONS TO TAXPAYER

Outline of procedure when a vehicle is to be sold to satisfy a mechanic's lien pursuant to the provisions of Section 204 of LA 01-01, 7-06.

Property must be in the seller's possession at least thirty (30) days prior to starting the Abandoned Vehicle sale process.

Notice to storage lien filers: **All property stored, parked or left in garage or other storage facility must be reported to CNTC after 30 days.**

OWNERSHIP DETERMINATION

Record ownership and the existence of any lien holders must be determined in order that they may be notified of the impending sale.

- If the property has a Cherokee Nation tag/registration number, contact the Cherokee Nation Tax Commission Motor Vehicle Division for ownership/lien holder information.
- If the property has an Oklahoma tag/registration, contact the Oklahoma Tax Commission Motor Vehicle Division for ownership/lien holder information.
- If the property is from another state or tribe contact the Motor Vehicle Division for that state or for ownership/lien holder information.
- Letters from other states MVD providing that information are acceptable. (Teletype printouts from law enforcement agencies are not acceptable).

NOTICE OF SALE (FORM 18-01)

The **Notice of Sale** must be completed in its entirety, list all parties (who are each to be notified by certified mail), a complete vehicle description, storage / possession date, services rendered, total amount due, and time / date / location of the sale. The sale may not be held less than ten (10) days following the mailing of the Notices. Refer to the following example of determining the earliest sale date.

Date Notices Mailed	January 1
Day 1	January 2
Day 10	January 11
Earliest Sale Date	January 12

A copy of the **Notice of Sale** must be posted in three public places within the county in which the property is to be sold. A copy of the **Notice of Sale** must also be mailed by certified mail, with a return receipt requested, to each interested party as outlined below:

- Party who brought property to you.
- Record owner as reflected in the files of Motor Vehicle of the Cherokee Nation Tax Commission, or files of the state where property is registered.
- Any assigned owner, as reflected in the files of the Cherokee Nation Tax Commission.
- All lien holders and lien debtors of record.

The **white** certified mail receipt must have the name and address indicating where the **Notice of Sale** was sent. **It must be postmarked by the post office.** This postmark date will be used to establish the date mailed in verifying the required ten-day period elapsed between the mailing date and the property sale date.

Revised September2013

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PROOF OF POSTING AND MAILING (FORM CN 19-01)

The **Proof of Posting and Mailing** is to be completed in its entirety, listing a complete vehicle description, the location where the Notice of Sale was posted and all interested parties that were notified by certified mail.

RETURN OF SALE (ASSIGNMENT OF OWNERSHIP) FORM CN 20-01)

The **Return of Sale** is to be completed upon sale of the property, recording the date of sale, purchase price, the new owner (buyer), and the odometer disclosure information. (Note: Odometer disclosure is required only if the vehicle is ten years old or newer).

FOLLOWING THE PUBLIC SALE OF THE PROPERTY

Following the sale of the property, the following **properly completed and notarized original documents (photocopies are unacceptable)** must be submitted to the Cherokee Nation Tax Commission Motor Vehicle Division:

1. **Notice of Sale (Form 18-01)**
2. **Proof of Post and Mailing (Form 19-01)**
3. **White postmarked certified mailing receipt(s)**
4. **Return of Sale (Form 20-01)**
5. **Printout(s) of the vehicle record from the applicable Motor Vehicle Division**
6. **Copy of Cherokee Nation Citizenship Card**

Note: Seller / DBA, where required on forms, is the person / company filing.
To avoid penalties, all documents must be submitted within thirty (30) days following the sale.

Mail to: **Cherokee Nation Tax Commission**
Motor Vehicle Division
P.O. Box 948
Tahlequah, OK 74465

Following review of the documents by Motor Vehicle Division, the paperwork will be returned to the person / company conducting the sale with either approval instructions, or a denial and explanation.

SUBMISSION OF THE COMPLETED PAPERWORK TO THE CHEROKEE NATION TAX COMMISSION DOES NOT GUARANTEE APPROVAL OF OWNERSHIP TRANSFER.

VEHICLES ACQUIRED THROUGH THE PROCESS MAY BE SUBJECT TO ALL DELIQUENT FEES AND TAXES DUE TO THE CHEROKEE NATION TAX COMMISSION.

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CHEROKEE NATION TAX COMMISSION
MOTOR VEHICLE DIVISION
NOTICE OF SALE

Notice of sale is hereby given to all parties with an interest in the described property (attach additional sheets, if necessary):
If you no longer have a legal or financial interest in the described property, please disregard this notice.

1) _____
Name of Record Owner

2) _____
Name of Interested Party

3) _____
Name of Interested Party

4) _____
Name of Interested Party

Property: _____ _____ _____
Year Make Model

_____ _____
Identification Number License Plate / Registration Decal Number / State

This sale shall be conducted to satisfy the lien on said property claimed by (lien claimant or legal agent of claimant);

Lien claimant: _____ DBA (if applicable);_____

Claimant's Physical Address: _____ Telephone Number: _____

Claimant's Mailing Address: _____
(CNTC will return submitted documents to this address)

DETAILS OF SERVICE(S) PROVIDED

Service Authorized By (if applicable): _____

Description and Date(s) of Work, Labor, Service Performed, including Material, and/or Storage or Space Rental arrangement (continue on reverse, if necessary):

_____

Date of Abandonment (if no other service rendered): _____(mm/dd/yy)

Storage or Possession from (mm/dd/yy): _____ to (mm/dd/yy):_____ at $ _____ per day.

Total of Repairs, Service, Storage and/or Rental: $_____

A public sale of the above described property is to be held on (mm/dd/yy): _____ at (time): _____ (AM/PM)

Sale Location: _____
List exact location of sale site, including street address and city. If rural route, include directions to site)

I hereby confirm and attest to the accuracy of the above described services provided on and for the described property.

Signature of Claimant: _____

Cherokee Nation, County of _____

Subscribed and sworn to before me this _____day of _____, _____

My Commission Expires _____ _____ Notary Public.

NOTICE: THE DESCRIBED PROPERTY MAY BE SUBJECT TO DELINQUENT TAXES, FEES AND PENALTIES DUE CHEROKEE NATION

CHEROKEE NATION TAX COMMISSION
MOTOR VEHICLE DIVISION
PROOF OF POSTING AND MAILING

I, (Lien Claimant) _____DBA (if applicable) _____

Do hereby affirm that copies of the attached Notice of Sale (Form 18-01) regarding the following property:

_____ _____ _____ _____
Year Make Model Identification Number

were posted at the following locations within the county of _____, in which the property sale was held;

1) _____
Street of Physical Address City/State/Zip Code

2) _____
Street of Physical Address City/State/Zip Code

3) _____
Street of Physical Address City/State/Zip Code

I further state that a copy of the attached Notice of Sale (Form 18-01) was sent by certified mail and 1st class U.S. mail (if applicable) to the following parties with interest in the above described property:
Record Owner:

_____
Name Address City/State/Zip Code

Other Interested Parties (attach additional sheets, if necessary):

_____
Name Address City/State/Zip Code

_____
Name Address City/State/Zip Code

_____
Name Address City/State/Zip Code

_____
Name Address City/State/Zip Code

_____
Name Address City/State/Zip Code

_____
Name Address City/State/Zip Code

Signature of Lien Claimant:_____

Cherokee Nation, County of _____

Subscribed and sworn to before me this _____day of _____, _____

My Commission Expires _____ _____ Notary Public.

CHEROKEE NATION TAX COMMISSION
MOTOR VEHICLE DIVISION
RETURN OF SALE
(ASSIGNMENT OF OWNERSHIP)

I, (Lien Claimant) _____DBA (if applicable) _____

Do hereby affirm that copies of the attached Notice of Sale (Form 18-01) regarding the following property:

_____	_____	_____	_____
Year	Make	Model	Identification Number

Was offered at public sale on (date) _____ and actually sold on (date) _____

As a result of that sale, ownership of this property is hereby assigned to:

Printed name of Buyer: _____

Buyers Complete Mailing Address: _____

Actual Purchase Price: _____ Sellers Signature: _____

ODOMETER DISCLOSURE STATEMENT

(Required only of motor vehicles, ten (10) years old or newer

I, (printed seller's name) _____ certify to the best of my knowledge that the ODOMETER READING reflected on the vehicle's odometer and listed below is the ACTUAL MILEAGE of the vehicle, UNLESS one (1) of the two (2) accompany statements

_____NO TENTHS

____ The odometer has exceeded it mechanical limits

____ The odometer reading is NOT the actual mileage – WARNING – Odometer Discrepancy

_____	_____
Buyer's Printed Name	Seller's Printed Name
_____	_____
Buyer's Signature	Seller's Signature

Applicant/Buyers Signature _____ Date: _____

Cherokee Nation, County of _____

Subscribed and sworn to before me this _____day of _____, _____

My Commission Expires _____ _____ Notary Public.

NOTICE

This document is not a certificate of title and cannot be utilized to transfer ownership to a third party.
No ownership change resulting from this possessory lien sale may be completed until all related documentation has been reviewed and approved by Cherokee Nation Tax Commission and all applicable taxes/fees remitted.
All required documentation regarding the possessory lien sale of the property must be received by the Cherokee Nation Tax Commission Motor Vehicle Division within 30 days of the sale date to avoid the assessment of delinquent penalties.