

TITLE 4: ECONOMIC RESOURCES
DIVISION 1: REVENUE AND TAXATION

§ 1878. Legal Effect of Certificate of Sale of Personal Property and Deed of Real Property.

(a) *Certificate of Sale of Property Other than Real Property.* In all cases of sale pursuant to section 1875 of this Division of property (other than real property), the certificate of such sale:

(1) As Evidence. Shall be prima facie evidence of the right of the officer to make such sale, and conclusive evidence of the regularity of his proceedings in making the sale; and

(2) As Conveyances. Shall transfer to the purchaser all right, title, and interest of the party delinquent in and to the property sold; and

(3) As Authority for Transfer of Corporate Stock. If such property consists of stocks, shall be notice, when received, to any corporation, company, or association of such transfer and shall be authority to such corporation, company, or association to record the transfer on its books and records in the same manner as if the stocks were transferred or assigned by the party holding the same, in lieu of any original or prior certificate, which shall be void, whether canceled or not; and

(4) As Receipts. If the subject of sale is securities or other evidences of debt, shall be a good and valid receipt to the person holding the same, as against any person holding or claiming to hold possession of such securities or other evidences of debt; and

(5) As Authority for Transfer of Title to Motor Vehicle. If such property consists of a motor vehicle, shall be notice, when received, to any public official charged with the registration of title to motor vehicles, of such transfer and shall be authority to such official to record the transfer on his books and records in the same manner as if the certificate of title to such motor vehicle were transferred or assigned by the party holding the same, in lieu of any original or prior certificate, which shall be void, whether canceled or not.

(b) Deed of Real Property. In the case of the sale of real property pursuant to section 1875 of this Division:

(1) Deed As Evidence. The deed of sale given pursuant to section 1877 of this Division shall be prima facie evidence of the facts therein stated; and

(2) Deed As Conveyance of Title. If the proceedings of the Secretary as set forth have been substantially in accordance with the provisions of Commonwealth law, such deed shall be considered and operate as a conveyance of all the right, title, and interest the delinquent party had in and to the real property thus sold at the time the lien of the Commonwealth attached thereto.

(c) *Effect of Junior Encumbrances*. A certificate of sale of personal property given or a deed to real property executed pursuant to section 1877 of this Division shall discharge such property from all liens, encumbrances, and titles over which the lien of the Commonwealth with respect to which the levy was made had priority.

Source: PL 14-35, § 4 (1877), modified.

Commission Comment: In the subsections above, the Commission changed the section numbers originally referenced in PL 14-35 to the proper renumbered section numbers pursuant to its authority by 1 CMC § 3806(c).