



STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

June 21, 1985

(501) 371-2007

STEVE CLARK
ATTORNEY GENERAL
OFFICIAL NO. 85-152

Honorable Ben Allen
Arkansas State Senator
State Capitol
Little Rock, Arkansas 72201

Dear Senator Allen:

This is in response to your opinion request dated the 29th day of May, 1985. In your letter, you state that minor constituents of yours own a beneficial interest in Van Buren County property. The land in question was sold at a Van Buren County tax sale on November 25, 1981 and was not redeemed within two years from that date. You ask whether your minor constituents are entitled to redeem the land, after two years from the date of the tax sale. In addition, you ask whether the redemption procedure is the same for a minor, redeeming after two years, as for an adult who redeems within the two year period following the tax sale.

It is my opinion that any, or all, of the minor constituents can redeem the property, at any time, within two years from and after the expiration of their minority. Ark. Stat. Ann. §84-1201 provides in part as follows:

All lands, town or city lots or part thereof, which may hereafter be sold for taxes at delinquent sale, under the laws of this State, may be redeemed at any time within two (2) years from and after the sale thereof; and all lands, city or town lots, belonging to insane persons, minors or persons in confinement, and which have been or may hereafter be sold for taxes, may be redeemed within two (2) years from and after the expiration of such disability. (Emphasis supplied)

Many cases confirm the right of a minor to redeem during his minority or for two years afterward. See Carroll v. Johnson, 41 Ark. 59 (1883) and George v. Hefley, 182 Ark. 678, 32 SW 2d 445 (1930). Thus, it is clear that minors may redeem land in which they have an ownership interest within two years after their minority.

The method of redemption is stated in Ark. Stat. Ann. §84-1205. Since the method of redemption stated therein makes no distinction between a redemption by an adult or a minor, the method would be the same for both. Thus, the clerk of the County Court should treat the redemption request by the minor as any other request submitted to him.

If you have any further questions, please get in touch.

Yours truly


STEVE CLARK
Attorney General

SC:RP:lm