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# **STATE OF MONTANA**

## **DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION**

Invitation to Purchase State Land at Public Oral Auction and General Terms and Conditions
For Cabin/Home Site Sale #\_\_\_\_\_\_

| The Montana Department of Natural Resources and Conser offers a parcel of land in County Information and bid packages are available on the DNRC was   | (the "cab  | in/home si  | te") for sale   | at public oral auctio   |                       |
|---|--|---|---|---|-----------------------|
| For more information, please contact Emily Cooper at (406) local DNRC Land Office for more information.   | 444-416  | 5 or by em  | ail at <u>ecoo</u> p  | oer@mt.gov, or the  |                       |
| CABIN/HOME SITE DESCRIPTION   |  |   |   |   |                       |
| (Legal Description)   | Sec.   | Twp   | Rge   | County  |                       |
| APPRAISED VALUE / MINIMUM BID  The minimum bid of each property has been established by purchase of land only. The minimum bid will be used as the conditions provided herein.  The minimum bid is \$   |  |   |   |   |                       |
| ADDITIONAL PURCHASE OF IMPROVEMENTS   |  | ,000  |   |   |                       |
| The improvements and any other personal property (improvlessee or other 3 <sup>rd</sup> party. The successful bidder (Buyer) shawhich is the appraised value of the improvements, in addition determined by the highest bid at the auction, in accordance   | all be requ<br>on to the p                                     | uired to pay<br>ourchase p  | y the sum or  | of \$,  | or                    |
| PROCESSING COSTS AND CLOSING COSTS  Buyer shall also pay approximately \$ for all properties are not limited to, the cost of the appraisal attributable to the water rights transfer fees, and the indirect costs administration differ from this estimate, either credit or debit will be reflecte shall pay one-half (½) of the Closing Agent's closing and escapent's c | e improve<br>ve fee. T<br>d on the<br>crow fees<br>ay all othe | ments, leg<br>This cost is<br>settlement<br>s. Buyer sl<br>er closing o | al advertise<br>an estimat<br>statement<br>hall pay on-<br>costs relate | ements of the sale,<br>te only. If actual cos<br>at closing. The Stat<br>e-half (½) of the Clos<br>d to the sale, includi | ts<br>e<br>sing<br>ng |
| SITE INSPECTION & OPEN HOUSES  The cabin/home site will be sold "AS IS", meaning it will be sold "AS IS", meaning it will be so cabin/home site without any recourse against the State for it or not. Interested parties are strongly encouraged to do an improvements prior to submitting an Offer to Purchase. The and all improvements will be open to viewing by the general between the hours of a between the hours of and  | ts condition<br>on-site in<br>ere will be<br>public.           | ons or faultspection of two open The open I                             | ts, whether<br>f the cabin<br>houses wh<br>nouses are                   | the faults are appard<br>home site and<br>the cabin/home s<br>scheduled on  | ent<br>site           |
| ACCESS RESERVATIONS The State shall convey the cabin/home site with whatever are any and all easements or rights of way to other public or state, and any existing easements or rights of way purchase  | te trust la  | and, formei   | public or s   | tate trust land, publi  |                       |

Invitation to Purchase Sate Land at Oral Public Auction and

General Terms and Conditions of Sale for Cabin/Home Site Sale #\_\_\_\_

#### **PUBLIC RECORDS INSPECTION**

The cabin/home site will be sold subject to all existing easements, encumbrances, zoning ordinances and applicable building codes. It is recommended that interested parties inspect all public records pertaining to this cabin/home site prior to submitting an Offer to Purchase.

### **RESERVATION OF MINERAL RIGHTS**

All mineral and access rights described in MCA §77-2-304 shall be reserved from sale.

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|--|---|---|--|
| AUCTION DATE,  | TIME & LOCATION   |   |  |
| •  | , 2014 at   | a.m.  |  |
| •  | , 2014 at<br>County Courthouse,   | Avenue,   | , Montana.   |
| to Purchase by<br>The entire balance<br>of the closing co-<br>agreeable to the p<br>Land Commission<br>forfeited to DNRC | AUCTION  ual to Five Percent (5%) of the minimum, 2014. The Bid Degree of the purchase price, along with the sts must be paid in full on the Closing purchaser and DNRC. Closing must occurrent of the Buyer fails to pay all amound without any further action required by in fifteen (15) days of the auction date. | posit of the Buyer will be applied improvements cost, processing c g Date. DNRC will set a Closing cur within 30 days of final approvate due on the closing date, the er DNRC. All unsuccessful Bid Deposits due on the closing date. | I to the purchase price. osts and Buyer's share g Date that is mutually al by the State Board of otire Bid Deposit will be |
| funds drawn on a   | ne amount of \$ is requing Montana bank, made payable to the onal Check. Each Offer to Purchase a DNRC website.   | Department of Natural Resources   | & Conservation. <b>Do</b>  |
| comply with the S<br>employees may I<br>purchase the cal<br>lending institution  | be at least 18 years of age to participal standards of Conduct set forth in Title 2 be disqualified from participation in the pin/home site will be required to provious for at least the minimum bid amount proof of funds showing cash deposits equations.  | , Chapter 2, M.C.A. Pursuant to Ne auction. All Bidders who plan ide a prequalification letter from lus the value of the improvements   | M.C.A. §77-1-113 State<br>n to obtain financing to<br>a mortgage broker or<br>s. All other Bidders will                    |
| The "Offer to Pueither a prequalif Conservation, popostmarked or ha  | UBMIT BID DEPOSIT urchase and Bid Deposit Receipt" for ication letter or proof of funds, must be stmarked or hand delivered no later the and delivered after the deadline will not a and Bid Deposit Receipt forms will be equalified.  | be mailed to the Department of Inan <b>5:00 p.m. on</b> t be considered. Incomplete, unsi   | Natural Resources and, 2014. Bid deposits igned and or not dated   |
| AUCTION PARTION Only those individ   | CIPANTS  duals who submit a complete Offer to P   | urchase and Bid Deposit Receipt   | form along with the bid  |

deposit and a prequalification letter or proof of funds will be allowed to participate in the auction.

#### **SALE PROCEDURE**

On the day of the auction, DNRC staff will hold a public oral auction for the sale of the land. All qualified bidders must appear in person or be represented by a legal representative at the auction to present an oral bid. Only qualified bidders will be allowed to bid. Bids for less than the minimum bid will not be accepted. If there are multiple qualified bidders, the bidding will continue until no one wishes to offer a higher bid. If one of the qualified bidders is a current lessee, they will be allowed to match the highest bid until such time that there is no longer a higher bid, or the current lessee does not want to match the highest bid. The land will be sold at the highest bid. At the close of the auction, the highest bidder shall execute a Buy-Sell Agreement with DNRC for the purchase and sale of the cabin/home site, the form of which is included with this bid package and can be viewed on the DNRC website

#### **CLOSING**

DNRC will set a closing date that is mutually agreeable to both parties provided that such date shall be within thirty (30) days of final approval of the Board of Land Commissioners (typically within 60 days of the auction). DNRC will choose the closing agent. The balance of the purchase price for the cabin/home site, the cost of the improvements, the processing costs and Buyer's share of the closing costs, must be paid in full at the closing in the form of a cashier's check or other certified funds drawn on a Montana bank, and made payable to DNRC.

#### **REAL PROPERTY TAXES**

The State of Montana is exempt from paying real property taxes. The purchaser will be responsible for future real property taxes from the date of closing. Taxes and assessments due for the current year on the improvements, if any, shall be prorated between the improvements owner and Buyer as of the date of closing.

#### TITLE INSURANCE

DNRC does not warrant title to this property and will not provide any title insurance. Buyer may elect to order and purchase title insurance at Buyer's expense.

#### **CONVEYANCE**

Title to the cabin/home site shall be delivered by Patent, Grant Deed or Quit Claim Deed, to be determined by DNRC.

#### CONDITIONS

DNRC reserves the right to postpone or cancel this offering, in whole or in part, to change the minimum price of the parcel, or to withdraw parcel from this sale at any time prior to the sale, without notice. DNRC shall not be liable for any expenses incurred by any parties participating in this sale as a result of, but not limited to, a change in the minimum price, or withdrawal of the parcel from sale.