

## **SPENCER-VAN ETTEN CENTRAL SCHOOL DISTRICT BIDS FOR SALE OF REAL PROPERTY**

**PLEASE TAKE NOTICE** that the Board of Education of the Spencer-Van Etten Central School District will accept sealed bids for the sale of one parcel of real property. The parcel is located on Dean Creek Road in the Town of Spencer, Tax map number 79.00-1-2.

A complete bid package, including instructions to bidders, is included below or available by requesting a copy from the office of the Superintendent of Schools 16 Dartts Crossroad, Spencer, NY 14883.

The bids must be received by the school district no later than 2PM on December 8, 2020 at which time the bids will be opened and read. The public may see and hear the bid opening on the District website at the web address above.

It is anticipated that the Board of Education will award the contract(s) to purchase the realty at the Board of Education meeting scheduled for December 10, 2020.

### **INVITATION FOR SEALED BIDS**

**Sealed Bid Auction for the purchase of the real property described in the Schedule portion of this Invitation for Sealed Bid opening will occur publicly at the date, time and place as follows:**

**Date/Time:** December 8, 2020 Bids must be received in the Business Office no later than 2:00pm. Bid opening begins promptly at 2:00pm.

**Location:** Spencer-Van Etten Central School District  
16 Dartts Crossroad  
Spencer, NY 14883

**This Invitation for Sealed Bids is subject to, and all bids submitted must be in compliance with the terms of this Invitation for Sealed Bids.**

#### **General Information:**

**Bid Deposit:** \$1,000 deposit required for the Sale Item in the form of a cashier's or certified check made payable to *Spencer-Van Etten Central School District*. A Bid

Deposit is required for the Sale Item bid. No offer will be accepted without a Bid Deposit in the form and amount indicated above.

**Terms:** All cash: *As-is/Where-is*. Bid Deposit is due at time of bid submission. No offer will be accepted without a Bid Deposit. Balance of purchase price is due upon closing. The high bid will be considered a continuing offer for a period of 90 calendar days. The high bidder must be prepared to close within 30 days following notification of the Spencer-Van Etten Central School District's bid acceptance.

**Inspection:** The property may be inspected by appointment.

**Proceeds:** The proceeds from this sale shall be paid to the Spencer-Van Etten Central School District and shall be paid by the High Bidder.

**Mailing:** The deposit and the bid should be placed in a sealed envelope and mailed to the location address above.

## SCHEDULE

### I. The Offering:

The parcel is located on Dean Creek Road in the Town of Spencer, Tax map number 79.00-1-2.

### II. Utilities:

The properties are raw land. Utility connection will be the responsibility of the successful bidder.

### III. Inspection for Health and Building Codes:

The Spencer-Van Etten Central School District will not conduct or fund the following services: (1) land survey, (2) title insurance, (3) domestic water quality test or (4) appraisal. If purchaser desires these services, they are to be acquired at the purchaser's expense.

The land is offered for sale without warranty of any kind whether express or implied, including any warranty of habitability or fitness for a particular purpose, and is sold subject to any easements, covenants or restrictions of record, or which a survey which may reveal.

## SPECIAL TERMS OF SALE

### 1. **Bid Deposit - Terms.**

Bids to purchase must be on a cash basis only. **NO CREDIT TERMS ARE AVAILABLE.** We have no information on the availability of private financing or on the suitability of this property for financing. A bid deposit of \$1,000 is required. Only cashier's checks or certified checks will be accepted. **A BID DEPOSIT MUST ACCOMPANY EACH AND EVERY BID.**

The Pay to the Order of should be made out to: *Spencer-Van Etten Central School District*. The full balance of the purchase price is payable upon closing. The bidder offers and agrees that their bid is a continuing bid for a period of Ninety (90) calendar days after the date of auction to purchase the described property for the bid price entered into the Offer to Purchase received from the bidder by the Spencer-Van Etten Central School District. The bidder shall be prepared to close within 30 days following the Spencer-Van Etten Central School District's bid acceptance.

**2. Bid Price.**

The Spencer-Van Etten Central School District seeks to obtain fair market value for the property and reserves the right to reject any and all bids. An appraisal report is not available.

**3. The Bid.**

Bidders shall submit a writing stating the amount of the bid, the bidder's name, address, and telephone number. If the bidder is a partnership or corporation the writing shall state the name and address of the corporation and the name of the officer or shareholder acting on behalf of the entity in this transaction. The bid must be signed and acknowledged before a notary public by the bidder, if the bidder is a natural person, or by the officer or shareholder acting on behalf of a corporation or partnership.

**GENERAL TERMS OF SALE**

**1. TERMS - INVITATION FOR SEALED BIDS.**

The term *Invitation for Sealed Bids* as used herein refers to the foregoing Invitation for Sealed Bids, and its schedule; the Instructions to Bidders; the general terms of sale set forth herein; and the provisions of the Special Terms of Sale, and Bid Form all as may be modified and supplemented by any addenda that may be issued prior to the time fixed in the Invitation for Sealed Bids for the opening of bids or conduction of a public auction.

**2. DESCRIPTIONS IN INVITATION FOR SEALED BIDS.**

The description of the property set forth in the Invitation for Sealed Bids and any other Information provided therein with respect to said property are believed to be correct, but any error or omission, including, but not limited to, the omission of any information available to the Spencer-Van Etten Central School District, shall not constitute ground or reason for nonperformance of the contract of sale, or claim by purchaser for allowance, refund, or deduction from the purchase price.

**3. INSPECTION.**

Bidders are invited, urged, and cautioned to inspect the property to be sold prior to submitting a bid. The failure of any bidder to inspect, or to be fully informed as to the condition of all or any portion of the property offered, will not constitute grounds for any claim or demand for adjustment or withdrawal of a bid after the bid opening or auction.

**4. CONDITION OF PROPERTY.**

Each property offered for sale is raw land. There are no structures on either parcel.

**5. CONTINUING OFFERS.**

Each bid received shall be deemed to be a continuing offer after the date of bid opening for 90 calendar days, unless the bid is accepted or rejected by the Spencer-Van Etten Central School District before the expiration of the 90 calendar days. If the Spencer-Van Etten Central School District desires to accept any bid after the expiration of the 90 calendar days, the consent of the bidder shall be obtained prior to such expiration.

**6. POSSESSION.**

The successful bidder agrees to assume possession of the property as of the date of conveyance.

**7. REVOCATION OF BID AND DEFAULT.**

In the event of revocation of a bid after the opening of bids or conducting of an auction but prior to acceptance, or in the event of revocation of a bid after notice of acceptance, or in the event of any default by the successful bidder in the performance of the contract of sale created by such acceptance, or in the event of failure by the successful bidder to consummate the transaction, the deposit, together with any; payments subsequently made on account, may be forfeited at the option of the Spencer-Van Etten Central School District, in which event the bidder shall be relieved from further liability, or without forfeiting the said deposit and payments, the Spencer-Van Etten Central School District may avail itself of any legal or equitable rights which it may have under the bid or contract of sale.

**8. TITLE EVIDENCE.**

Any title evidence, desired by the successful bidder, will be procured by the successful bidder at the sole cost and expense of the successful bidder.

**9. TITLE.**

**If a bid for the purchase of the property; is accepted, the Seller's interest will be conveyed by a quit claim deed.**

**10. TENDER OF PAYMENT AND DELIVERY OF INSTRUMENT OF CONVEYANCE.**

The Spencer-Van Etten Central School District shall set a sale closing date, said date to be not later than 30 calendar days after acceptance of the bid. On the closing date, the successful bidder shall tender to the Spencer-Van Etten Central School District the balance of the purchase price. Only cashier's check, certified check, or money order will be accepted and must be payable to the Spencer-Van Etten Central School District. Upon such tender being made by the successful bidder, the Seller, after recordation, shall deliver to the successful bidder the instrument, or instruments, of conveyance. The Spencer-Van Etten Central School District reserves the right to extend the closing date for a reasonable amount of time for purposes of preparing necessary conveyance documents.

**11. COST OF RECORDING.**

The successful bidder shall pay all taxes and fees imposed on this transaction and shall be obtained at bidder's own expense. All instruments of conveyance and security documents shall be placed on record in the manner prescribed by law, statutes at the successful bidder's expense.

**12. CONTRACT.**

The Invitation for Sealed Bids, and the bid when accepted by the Spencer-Van Etten Central School District, shall constitute an agreement for sale between the successful bidder and the Spencer-Van Etten Central School District. Such agreement shall constitute the whole contract to be succeeded only by the formal instruments of transfer, unless modified in writing and signed by both parties. No oral statements or representations made by, or for, or on behalf of either party shall be a part of such contract. Nor shall the contract, or any interest therein, be transferred or assigned by the successful bidder without consent of the Spencer-Van Etten Central School District, and any assignment transaction without such consent shall be void.