

SEALED BID SALE OF EXCESS LAND

By the Wisconsin Department of Transportation

Due to the lack of response for Sealed Bids on this parcel, The Department of Transportation will now consider any and all offers to purchase this parcel of land.

Parcel 48 contains \pm 4.362 acres and is located in the northeast quadrant of US 151 and River Rd in the Town of Fond du Lac. The parcel is described in the attached Sealed Bid Packet. The terms and conditions still apply to the sale. The minimum bid price will be \$200,000. The "Sealed Bid" requirements have been omitted.

If you have any questions please contact:

Kristin Schrader
Real Estate Specialist
Wisconsin Department of Transportation
944 Vanderperren Way
Green Bay, WI 54304
(920) 492-7704

WISCONSIN
DEPARTMENT OF TRANSPORTATION
NORTHEAST REGION

SALE
OF
EXCESS LAND

Bidders Bulletin
(Contains Official Bid Forms)

LOCATION OF SITE:
Northwest quadrant of USH 151 and River Rd. in the Town of Fond du Lac, WI
Tax key number is T09-15-17-29-99-999-00
Fond du Lac COUNTY

Project F017-3(8)
Parcels 48

Wisconsin Department of Transportation
Northeast Region, Real Estate Section
944 Vanderperren Way
Green Bay, Wisconsin 54304
Phone: (920) 492-7704

GENERAL INFORMATION APPLYING TO ALL EXCESS LAND SALES

The Department of Transportation urges you to visit and inspect the excess land you are interested in before you bid. All lands will be conveyed on an "as is" basis. Ignorance of any condition of the site will not allow you to withdraw or adjust a bid after it is opened.

It shall be the responsibility of the prospective buyer to secure firsthand information about the local real estate tax rate, utility services, zoning ordinances and building codes. With that information, you will be in a position to accurately determine the utility of the land and to prepare a bid reflective of that utility.

GENERAL INFORMATION ABOUT PROPERTY OFFERED FOR SALE

1. Location: Northwest quadrant of USH 151 and River Rd. in the Town of Fond du Lac, WI
2. Area of Site: 4.362 acres more or less
3. Legal Description: see page 12
4. Present Zoning: The parcel was a former weigh station serving USH 151 and is now zoned as A-1 (Exclusive Agricultural) the Town of Fond du Lac has indicated to the Department of Transportation that the rezoning of the parcel will be required for development. Potential bidders are urged to secure firsthand knowledge from the Town of Fond du Lac regarding zoning requirements, restrictions, and conditions pertaining to the development of the parcel. the Department of Transportation cannot guarantee the issuance of any conditional use permits or building permits by the Town of Fond du Lac.
5. Deed Restrictions: see page 12 .

GENERAL TERMS OF SALE

1. Bid Opening

Bidders are welcome to attend the bid opening but attendance is not mandatory.

2. Award of Bid

After payment of the full bid price, the Department of Transportation will award title to the property to the bidder whose bid conforms to the terms and conditions stated in this bulletin and which recites the highest acceptable dollar value over the stated minimum bid. In the event that two or more high bids are received that are equal in all respects, the selection will be made by a lottery limited to the tied bidders.

3. Modification or Withdrawal of Bids

The Department of Transportation will not entertain claims from bidders for withdrawal or modification of bids after the bid opening because of ignorance of the condition of the property offered for sale or misinterpretation of the terms and conditions of the sale.

4. Notice of Acceptance or Rejection of Bids

You will be notified by mail of acceptance or rejection of your bid within twenty (20) business days after the day of bid opening.

5. Contract for Sale

The high bid, when accepted by the Department of Transportation, shall constitute an agreement for sale between the successful bidder and the state. Such agreement shall constitute the whole contract to be succeeded only by the formal conveyance instrument unless modified in writing and signed by both parties. Neither oral statements nor representations made by or for or on behalf of either party shall become part of such contract; nor shall the contract or any interest therein be transferred or assigned by the successful bidder without written consent of the Department of Transportation. Any assignment transaction without such consent shall negate the sale. (See Item 7 below.)

6. Grounds for Rejection of Bids

The Department of Transportation expressly reserves the right to reject any or all bids when deemed as irregular or when such bid is in an amount less than the published minimum bid based upon the State's appraised fair market value. Bids containing any qualifying or contingent clauses not mentioned in this bulletin may be declared irregular and rejected. Minor irregularities in the bid form such as misspelled words, may be waived and the bid accepted.

7. Default and Forfeiture of Bid Deposit

Any default by the successful bidder in the performance of the contract of sale created by mutual acceptance shall forfeit the bid deposit and the State shall take such action as it deems necessary and appropriate to enforce and/or conclude the sale including legal redress, awarding title to the next highest acceptable bidder or re-advertising the site for sale.

8. Transfer of Title

Transfer of title to the property to the successful bidder will be by a Quit Claim Deed. The deed will be executed by the Department of Transportation on behalf of the State of Wisconsin and will recite approval of the Governor as required by Section 84.09(5), Wisconsin Statutes. The conveyance will include the deed restrictions as shown and included herein.

9. Final Payment to Seller and Delivery of Deed

The successful bidder shall on a mutually agreeable date, not later than (10) days after notification that all required approvals have been secured, tender to the Department of Transportation the balance of the purchase price. Upon receipt of that payment, the Department of Transportation will deliver a copy of the Quit Claim Deed naming the successful bidder as grantee.

10. Northeast Region Deed Recording

Northeast Region will send the original Quit Claim Deed to the Register of Deeds office for recording. Upon our receipt of the recorded deed, it will be forwarded on to the successful bidder.

11. Title Evidence

The buyer will assume the responsibility and expense for procuring any abstracts or title insurance, which may be required. The Department of Transportation may furnish any plats, surveys, abstracts or policies of title insurance it has at the time of sale.

12. Certified Surveys

All responsibility and expense for preparation of surveys that may be required for sale of the site are the buyer's responsibility.

13. Special Assessments

The buyer will assume the payment of any unpaid deferred charges or special assessments for public improvements levied against the parcel at the time of sale. Amounts of these outstanding charges will be disclosed in the bulletin, if known. In this case, no special assessments have been levied against this property according to our records.

14. Real Estate Taxes

The buyer will be liable for all general real estate taxes levied against the parcel after title is transferred.

INSTRUCTIONS TO BIDDERS

1. Special Bid Forms

You *must* submit your bid on one copy of the special Bid Form provided in duplicate with this bulletin and furnish all information called for. If your bid is submitted on other forms or it fails to furnish all information required, it may be rejected at the sole option of the Department of Transportation. Your bid should be filled out legibly with all erasures, strikeouts, and corrections initialed by the person signing it and it must be manually signed by you or your agent in ink. You should retain the duplicate copy of the bid form.

2. Special Bid Envelope

Place the bid form in the special envelope accompanying this proposal. Place your name and address in the upper left-hand corner of this envelope. No responsibility will be implied to any employee of the Department of Transportation for the premature opening of or failure to open a bid, which is not properly addressed and placed in the special envelope attached to this bulletin.

3. Bids Executed by Agents of Bidder

A bid executed by an attorney or agent on behalf of the bidder shall be accompanied by an authenticated copy of Power of Attorney or other written evidence of the authority to act on behalf of the bidder.

4. Deposit Must Accompany Bid

The bid submitted must be accompanied by a bid deposit in the form of a money order, certified check, or cashier's check payable to the WIS Department of Transportation in the amount of 20% of the bid. Failure to provide such bid deposit shall require rejection of the bid. Upon acceptance of a bid, the appropriate bid deposit of the successful bidder shall be applied toward payment of the bidder's obligation to the State. Bid deposits of unsuccessful bidders will be returned to bidders via U.S. mail without interest, as promptly as possible after the bid opening. *No personal checks or cash will be accepted. Bids containing those items will be summarily rejected.*

5. Minimum Bid is Required

The acceptable minimum bid for this parcel is listed at the end of this bulletin. No bids less than that amount will be accepted. Title to the property will be awarded to the party making the highest acceptable bid in acceptable form equal to or over the above-stated minimum figure. The minimum acceptable bid is based on the appraised fair market value.

6. Bid Must be Delivered by Deadline

~~Bids *must* be in the hands of Northeast Region, Department of Transportation Real Estate Section, 944 Vanderperren Way, Green Bay, WI 54304 *before 1:00 PM on* . There are no exceptions to this deadline. Bids, whether hand delivered or mailed, that are received after the above stated deadline will not be opened and will be returned to the bidder.~~

Minimum Bid Information

Minimum Bids		
Parcels	Size	Minimum Bid
48	4.362 acres more or less	\$200, 000.

Important Notices

All sales of excess real estate for which the minimum required bid or the actual highest bid is \$3,000.00 or above must be approved by the Governor of the State of Wisconsin before the sale can close.

If you obtained this bid package from the WisDOT Website you did not get the maps and envelope that are mentioned in this package. You can locate the parcels with a Fond du Lac County Plat Book. You can use your own envelope and clearly mark on the outside “Sealed Bid, Project F07-3(8), Parcel 48”.

You may also call 920-492-7704 to have the maps and envelope sent to you.

Department of Transportation
Northeast Region

OFFICIAL BID FORM FOR PURCHASE OF STATE-OWNED EXCESS LAND

Project ID F07-3(8) Parcels 48
Fond du Lac County, Wisconsin

I, the undersigned, do hereby submit the following bid for land owned by the State of Wisconsin on the above project, subject to the terms and conditions in the bulletin.

This bid is accompanied by a deposit in the amount of 20% of the bid. This is payable either by money order, certified check or cashier's check, made payable to The Wisconsin Dept. of Transportation. I understand that my check will be returned if my bid is not accepted.

I understand that all bids are predicated on the following conditions:

1. ~~Bids will be received until 1:00 PM, at which time all bids will be opened. Late bids will be disqualified.~~
2. The successful bidder will have not more than 10 days after notification that all required approvals for the sale have been obtained, to pay the balance of his/her bid.
3. The successful bidder will receive a Quit Claim Deed from the State of Wisconsin.

In the event of any default by the successful bidder in the performance of the contract of sale created by acceptance of bid, the bid deposit shall be forfeited and the State may take such action as it deems necessary and appropriate to enforce the contract.

I further understand that the State of Wisconsin reserves the right to reject any or all bids and to set a minimum price on this parcel.

Should I be the successful bidder, I request that my name or names of the following be entered on the Quit Claim Deed as follows: (Include name of spouse, if applicable)

(Grantee) (please type or print)

(Grantee)

(Grantee) (please type or print)

(Grantee)

Enter a dollar amount for the parcel on which you wish to bid.	
Parcel	Your Bid
48	dollars (\$))

Signed _____
(Name of Bidder)

Print _____
(Name of Bidder)

Address _____

City _____ State _____ Zip _____

Telephone _____
(Area Code +)

Date: _____

ALL BLANKS MUST BE FILLED OUT

Place in envelope marked "Sealed Bid, Project ID F07-3(8), Parcel 48".

Department of Transportation
Northeast Region

OFFICIAL BID FORM FOR PURCHASE OF STATE-OWNED EXCESS LAND

Project ID F07-3(8) Parcels 48
Fond du Lac County, Wisconsin

I, the undersigned, do hereby submit the following bid for land owned by the State of Wisconsin on the above project, subject to the terms and conditions in the bulletin.

This bid is accompanied by a deposit in the amount of 20% of the bid. This is payable either by money order, certified check or cashier's check, made payable to The Wisconsin Dept. of Transportation. I understand that my check will be returned if my bid is not accepted.

I understand that all bids are predicated on the following conditions:

1. Bids will be received until 1:00 PM, at which time all bids will be opened. Late bids will be disqualified.
2. The successful bidder will have not more than 10 days after notification that all required approvals for the sale have been obtained, to pay the balance of his/her bid.
3. The successful bidder will receive a Quit Claim Deed from the State of Wisconsin.

In the event of any default by the successful bidder in the performance of the contract of sale created by acceptance of bid, the bid deposit shall be forfeited and the State may take such action as it deems necessary and appropriate to enforce the contract.

I further understand that the State of Wisconsin reserves the right to reject any or all bids and to set a minimum price on this parcel.

Should I be the successful bidder, I request that my name or names of the following be entered on the Quit Claim Deed as follows: (Include name of spouse, if applicable)

(Grantee) (please type or print)

(Grantee)

(Grantee) (please type or print)

(Grantee)

Enter a dollar amount for the parcel on which you wish to bid.	
Parcel	Your Bid
48	dollars (\$))

Signed _____
(Name of Bidder)

Print _____
(Name of Bidder)

Address _____

City _____ State _____ Zip _____

Telephone _____
(Area Code +)

Date: _____

ALL BLANKS MUST BE FILLED OUT

Place in envelope marked "Sealed Bid, Project ID F07-3(8), Parcel 48".

LEGAL DESCRIPTION

That part of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 29, Township 15 North, Range 17 East, in the Town of Fond du Lac, Fond du Lac County, State of Wisconsin, described as follows:

Commence at the Northwest corner of the Northeast $\frac{1}{4}$ of said section; thence South $89^{\circ} 08' 38''$ East, along the North line of the Northeast $\frac{1}{4}$ 728.74 feet to a point in the centerline of USH 151; thence South $43^{\circ} 13' 38''$ West, 831.90 feet along the centerline and the tangent to the centerline of USH 151; thence South $46^{\circ} 46' 22''$ East, 65.00 feet to the point of beginning of this description; thence South $43^{\circ} 13' 38''$ West, 300.07 feet to the West line of the Northeast $\frac{1}{4}$; thence South $30^{\circ} 18' 07''$ West, 245.90 feet to a point of curve; thence Southeasterly and to the right 284.98 feet, along a curve whose radius is 651.09 feet and whose chord bears South $30^{\circ} 25' 18''$ East, 282.71 feet, to a point in the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ which is 18.71 feet South $89^{\circ} 28' 13''$ East of the West line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; thence South $89^{\circ} 28' 13''$ East, 101.29 along the South line of Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; thence North $31^{\circ} 42' 11''$ East, 561.96 feet; thence North $46^{\circ} 46' 22''$ West, 288.45 feet to the point of beginning.

The parcel contains **4.362 acres**, more or less.

There shall be no vehicular ingress or egress between the above-described lands and the roadway currently designated as USH 151. Access to River Road shall be in the South 100.00 feet of the above-described lands.

All drainage or drainage facilities must be maintained.

No advertising signs or billboards of any type shall be located, erected or maintained on the above described lands, except such signs or billboards as may be authorized pursuant to actions under Section 84.30, Wisconsin Statutes and Chapter Trans. 201, Wisconsin Administrative Code.

All public and private utilities located upon or under the above-described lands, whether by permit or easement, shall have the continued right of occupancy and the continued right of ingress and egress for personnel and equipment for the purpose of maintaining or improving their transmission and/or distribution facilities located wholly or partially within the above-described lands as of the date of this instrument.

These covenants, burdens, and restrictions shall run with the land and forever bind the grantee, its successors and assigns.

