



WASHINGTON STATE DEPT OF
**NATURAL
RESOURCES**

PUBLIC AUCTION REAL PROPERTY FOR SALE

REAL PROPERTY SALE PAMPHLET NO. 55

Date: November 17, 2016
Time: 1:00PM
Location: TRAC Center – Atrium Room
6600 Burden Boulevard
Pasco, WA 99301

Directions: Located in the NE Quadrant of I-182 and Road 68 in Pasco
(behind Holiday Inn Express)

The following State-owned real property is to be sold at public auction on the date, time, and place specified in the attached Real Property Sale Notice:

County	Land Sale No.	Appraised Value & Minimum Acceptable Bid	Acreage	Parcel Number
Franklin	02-092580	\$1,239,000.00	37.86	Lot 1
Franklin	02-092581	\$2,132,000.00	102.72	Lot 2
Franklin	02-092582	\$680,000.00	21.47	Lot 3
Franklin	02-092583	\$708,000.00	38.09	Lot 4
Franklin	02-092584	\$792,000.00	30.05	Lot 5



WASHINGTON STATE DEPT OF
**NATURAL
RESOURCES**

REAL PROPERTY SALE NOTICE

FRANKLIN COUNTY

Notice is hereby given that at the time and place listed below the following described property, owned by the State of Washington and managed by the Department of Natural Resources (“State”), will be offered for sale at public auction to the highest bidder.

Parcel Descriptions:

1. Lot 1 Assessor’s Tax Parcel #117-510-033

This undeveloped property, with partial frontage on Road 84, is zoned Medium-Density Residential (R-3), with a permitted density of 7-14 dwelling units per acre. This parcel is 37.86 acres.

Minimum Bid: \$1,239,000.00 Earnest Money: 5% of Purchase Price

2. Lot 2 Assessor’s Tax Parcel #117-510-034

This undeveloped property is zoned Low-Density Residential (R-1), with a permitted density of 6 dwelling units per acre. This parcel is 102.72 acres.

Minimum Bid: \$2,132,000.00 Earnest Money: 5% of Purchase Price

3. Lot 3 Assessor’s Tax Parcel #117-510-035

This undeveloped property, with frontage on Road 84, is zoned Low-Density Residential (R-1), with a permitted density of 6 dwelling units per acre. This parcel is 21.47 acres.

Minimum Bid: \$680,000.00 Earnest Money: 5% of Purchase Price

4. Lot 4 Assessor’s Tax Parcel #117-510-036

This interior, undeveloped property, with frontage on Road 84, is zoned Low-Density Residential (R-1), with a permitted density of 6 dwelling units per acre. This parcel is 38.09 acres.

Minimum Bid: \$708,000.00 Earnest Money: 5% of Purchase Price

5. Lot 5 Assessor’s Tax Parcel #117-510-037

This undeveloped property is zoned Suburban-Density Residential (R-S-1), with a permitted density of 4 dwelling units per acre. This parcel is 30.05 acres.

Minimum Bid: \$792,000.00 Earnest Money: 5% of Purchase Price

Bid Deposits, Purchase Price & Earnest Money

Terms are cash only. Bid Deposits allow for the right to participate in the bidding process. The bid deposit amount is \$34,000.00 and is to be made **self-payable and may be made in cash or by certified check, cashier’s check, or postal money order**. The bid deposit shall be submitted at the place of auction **prior to the start of the auction** (before 1:00PM) on November 17, 2016. Deposits will be returned to the unsuccessful bidders at the conclusion of auction.

A 5% buyer’s premium (auctioneer’s commission) and other charges applicable to this sale are added to the high bid and together shall be the Purchase Price. Earnest Money is 5% of Purchase Price. Balance of Earnest Money is due at the close of auction and shall be made payable to Chicago Title. It may be made by cash or check.

Reserved Rights

State will reserve all mineral rights.

State will reserve all water rights.

For information about water availability for the sale parcels contact Rick White, City of Pasco Community and Economic Development Director, 509-545-3441 or whiter@pasco-wa.gov.

Taxes

State property is not subject to real property taxation. Subsequent to the sale, each parcel purchased may be subject to a proration of the current year's taxes.

Property Information

Information about the parcel offered for sale has been obtained from sources considered reliable, but State makes no warranties with respect to its accuracy. The terms of the sale are also posted in the Olympia and Southeast Region (Ellensburg) offices of the Department of Natural Resources and in the Franklin County Auditor's office in the State of Washington.

For further information, including a copy of the Memorandum of Auction of Real Estate, please visit the DNR website at www.dnr.wa.gov (search Pasco Auction) or contact: Michelle Burbidge at (360) 902-1599, michelle.burbidge@dnr.wa.gov or Julia Pendleton at (360) 902-1734, julia.pendleton@dnr.wa.gov. Reference Pasco 16 Public Auction.

GENERAL PROCEDURES FOR PUBLIC AUCTION OF STATE LAND

Each person wishing to bid must deposit with the auctioneer, prior to the time set for the auction (*before 1:00 PM on November 17, 2016*), a bid deposit in the amount specified in the Real Property Sale Notice. Bidders wishing to submit bids as agents for purchasers must also furnish, at this time, a power of attorney or other appropriate proof of authority to act on behalf of Purchaser.

- The bid deposit allows for the right to participate in the bidding process. The bid deposit must be in the form of cash or certified check, cashier's check, or U.S. postal money order and made self-payable.
- No state-owned real property can be sold for less than its appraised value, which is equal to the minimum bid at the opening of auction.
- Bidding is limited to those who have made the required bid deposit, and to those acting as agents who have also submitted appropriate proof of authority to so act.
- All bidding shall be done orally.
- The successful bidder's bid deposit will be retained on the day of the auction, put towards the Earnest Money deposit, and will be applied to the Purchase Price upon sale confirmation.
- The Earnest Money deposit will be 5% of the Purchase Price. The Purchase Price is the high bid plus a 5% buyer's premium (auctioneer's commission) and other charges applicable to the sale.
- Property is not sold "subject to purchaser obtaining financing." Purchasers must obtain their own financing.
- Sale will be awarded to the highest bidder, subject to confirmation by State under RCW 79.11.175.
- Unsuccessful bidders will have their bid deposits returned at the conclusion of auction.
- The successful bidder will be required to execute a Report of Auction of State Trust Lands and, if applicable, an Assignment and Assumption Agreement at the time of award of the sale.
- The balance of the Purchase Price and all other associated costs, if necessary, shall be due to Chicago Title & Escrow, Kennewick, as prescribed in the Memorandum of Auction of Real Estate.

All sales are governed by the terms and conditions contained in this Real Property Sale Pamphlet and the Memorandum of Auction of Real Estate. Purchasers become legally obligated to complete their purchases in accordance with these terms upon being awarded the sale by the auctioneer, subject only to confirmation pursuant to RCW 79.11.175.

If the Purchaser fails, without legal excuse, to complete the purchase of the Property, Earnest Money deposit equal to five percent (5%) of the Purchase Price shall be forfeited to State as the exclusive remedy available to State for such failure.

Closing shall be on or before the closing date set forth in the Memorandum of Auction of Real Estate. The State will issue a quitclaim deed from the Governor's office upon confirmation that the entire Purchase Price has been paid to the State Treasurer's office.

State reserves the right to cancel the proposed public auction of any parcel of State-owned property at any time prior to the commencement of the auction.

GENERAL TERMS AND CONDITIONS OF SALE

Property, Conveyance and Title Insurance

In the event of a conflict between the terms set forth herein and the Memorandum of Auction, the Memorandum of Auction shall control.

- The property to be sold is described in the Real Property Sale Notice.
- All of State's interest as lessor or sublessor in any leases, rental, or occupancy agreements covering any portion of the property, and exclusive easements, rights of way, water rights, and other rights used in connection with the property will be conveyed unless the Real Property Sale Notice lists rights that will be reserved.
- Oils, gases, minerals, etc., as described in RCW 79.11.210, are reserved from sale.
- All property is sold subject to all assessments unpaid at time of sale.
- All property is sold "**AS IS, WHERE IS.**" Bidders are encouraged to examine the property offered for sale to ascertain for themselves the condition of the property, and the existence, if any, of encumbrances, encroachments, etc. State does not make, and specifically disclaims, any warranties, express or implied, including any warranty of merchantability or fitness for a particular purpose, about property offered for sale, including, but not limited to any improvements located thereon, and no employee or agent of State is authorized otherwise. The foregoing specifically disclaims warranties with respect to the existence or nonexistence of any pollutants, contaminants, or hazardous waste prohibited by law or claims based thereon arising out of the actual or threatened discharge, release, disposal, seepage, migration, or escape of such substances at, from, or into any State land offered for sale. Purchaser shall fully release State from any and all liability to the Purchaser arising out of or related to the condition of the property prior to closing. Purchaser shall indemnify, defend, and hold harmless State with respect to, but not limited to any claims, damages, liabilities, penalties (civil and criminal), and any other costs, including attorney's fees and costs imposed or related to any hazardous, toxic, dangerous, or harmful substances on the property, deposited or released after closing.
- State conveys title by quitclaim deed and shall arrange for the quitclaim deed to be executed by the Governor and recorded upon confirming that the State Treasurer has received the full Purchase Price and other payments required of the Purchaser.
- The State does not furnish title insurance.
- Closing shall occur at Chicago Title & Escrow in Kennewick, WA.
- Purchaser must also execute any other documents necessary to consummate sale as provided herein.
- Each Bidder agrees to execute a Limited License to Inspect Property in the form attached prior to entering the property for inspection purposes.

Confirmation

The State's obligation to consummate sales is subject to confirmation of sales by the Department of Natural Resources as described in RCW 79.11.175.

Purchase Price and Payment

The Purchase Price consists of the amount of the winning bid, which will be at or above the appraised fair market value, and other charges including any buyer's premium as per the Real Property Sales Notice applicable to this sale.

Full payment of the purchase price shall be made in the form and within the time specified in the Real Property Sale Notice.

Destruction or Condemnation

If on or before the date set for full payment of the purchase price, the property is either materially damaged, or condemnation proceedings are commenced with respect to the property, Purchaser shall have the right, at its sole election, by giving notice to State, either to terminate the purchase or to purchase the property. If Purchaser elects to terminate the purchase, the earnest money will be returned to Purchaser and all rights and obligations of Purchaser and State shall terminate. If Purchaser elects to purchase the property, insurance proceeds, if any, or condemnation awards payable by reason of the damage or condemnation shall be paid to Purchaser.

Notices

Any notices given by State to the successful bidder shall be in writing and shall be deemed given upon personal service or deposit in the United States first class mail, postage prepaid, addressed to the bidder at the last address furnished by him or her in writing.

Pro-rations

State property is not subject to real property taxation. After the sale, this property may be subject to a proration of the current year's taxes.

Real Estate Commissions

State shall pay seller's agent, Musser Bros Auction & Real Estate, the agreed upon commission out of the sale proceeds. Any real estate agent or broker acting on behalf of any purchaser shall be deemed to be the sole agent of the purchaser and purchaser shall pay any real estate commission payable in connection therewith.

Assignment

No purchaser of State land may assign its purchase rights without the prior written consent and acceptance by the State, which consent and acceptance the State can withhold in its sole and absolute discretion.

Possession

Purchaser of State land is entitled to possession on the closing date, subject to any existing leases and rights of persons in possession of the property, unless otherwise noted in the Real Property Sale Notice.

Miscellaneous

Venue for any disputes involving auction sales shall be in Thurston County.

The representations, warranties, and obligations of Purchaser that are intended to be operative on and after conveyance in order to be fully effective shall be so operative and shall be deemed not to have merged in the deed.

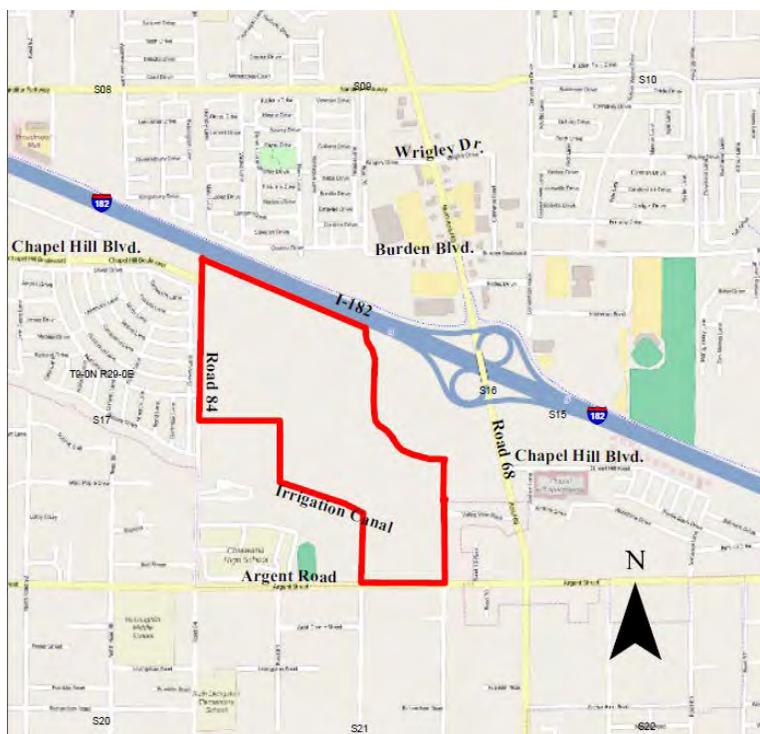
This Real Property Sale Pamphlet is issued pursuant to RCW 79.11.130. Bidders may request a copy of the Memorandum of Auction of Real Estate, which contains the complete terms applicable to this sale.



WASHINGTON STATE DEPT OF
**NATURAL
RESOURCES**

Public Auction
State Trust Parcels in Franklin County

Date: November 17, 2016
Time: 1:00PM
TRAC Center – Atrium Room
6600 Burden Boulevard
Pasco, WA 99301



LIMITED LICENSE TO INSPECT PROPERTY

In consideration for the State granting _____ [name of bidder] (“Bidder”) the legal authority to enter the property legally described in the Real Property Sale Notice for the _____ property in Franklin County hereto (Property) for the purpose of inspecting the Property prior to the auction of the same, the undersigned as principle, or as agent for the principle with full lawful authority to execute this license, agrees to defend, protect, save, and hold harmless the State, its officers, agents, and employees from any and all claims, liens or costs, damages, fees and expenses (including but not limited to attorney's and paralegal's fees, costs and expenses, including costs and fees incurred on appeal and in bankruptcy, as well as consultant's fees and costs) suffered due to the actions of the Bidder and actions of the Bidder's agents or employees in exercising such rights of entry or inspections under this License. The Bidder will be responsible for the payment of any fines or penalties charged against the State or the Bidder, or for any employees or equipment while under the Bidder’s control, employment, or direction. This license limits the inspection rights to visual inspection only; there will not be any invasive testing methods used without additional written authority from the State.

Bidder:

Name

Title

Date

Public Auction: Lot 2 of Segregation Survey recorded 07/13/2016, under Auditor's File No. 1847849
State Trust Parcel in Franklin County... Application No. 02-092581

MINIMUM BID: \$2,132,000.00 **BID DEPOSIT: \$34,000.00**

Parcel No.: 117510034

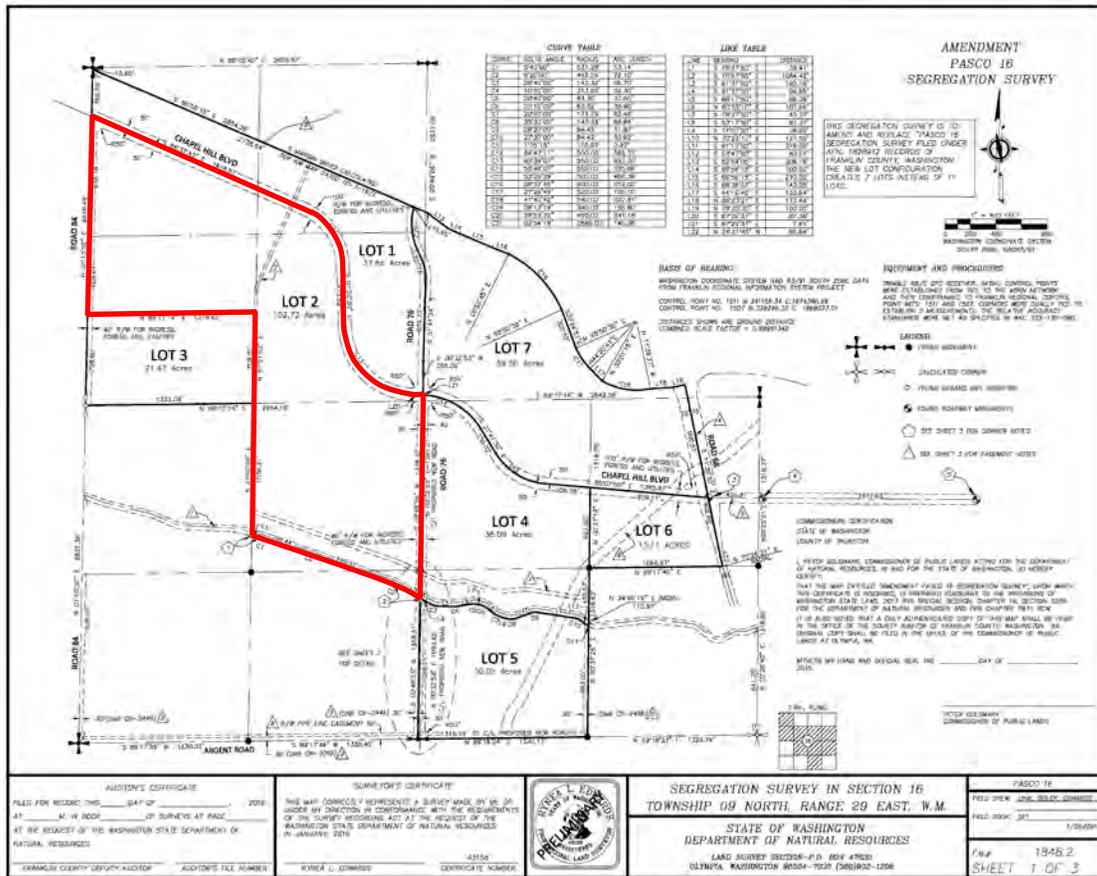
Legal Description: Lot 2 of Segregation Survey under Auditor's File No. 1847849

Location: SW quadrant of I-182 and Road 68; Adjacent to and east of Road 84

Size: 102.72 acres

Zoning: Low-Density Residential (R-1)

Surrounding Land Uses: Residential and Commercial



Public Auction: Lot 3 of Segregation Survey recorded 07/13/2016, under Auditor's File No. 1847849
State Trust Parcel in Franklin County... Application No. 02-092582

MINIMUM BID: \$680,000.00 BID DEPOSIT: \$34,000.00

Parcel No.: 117510035

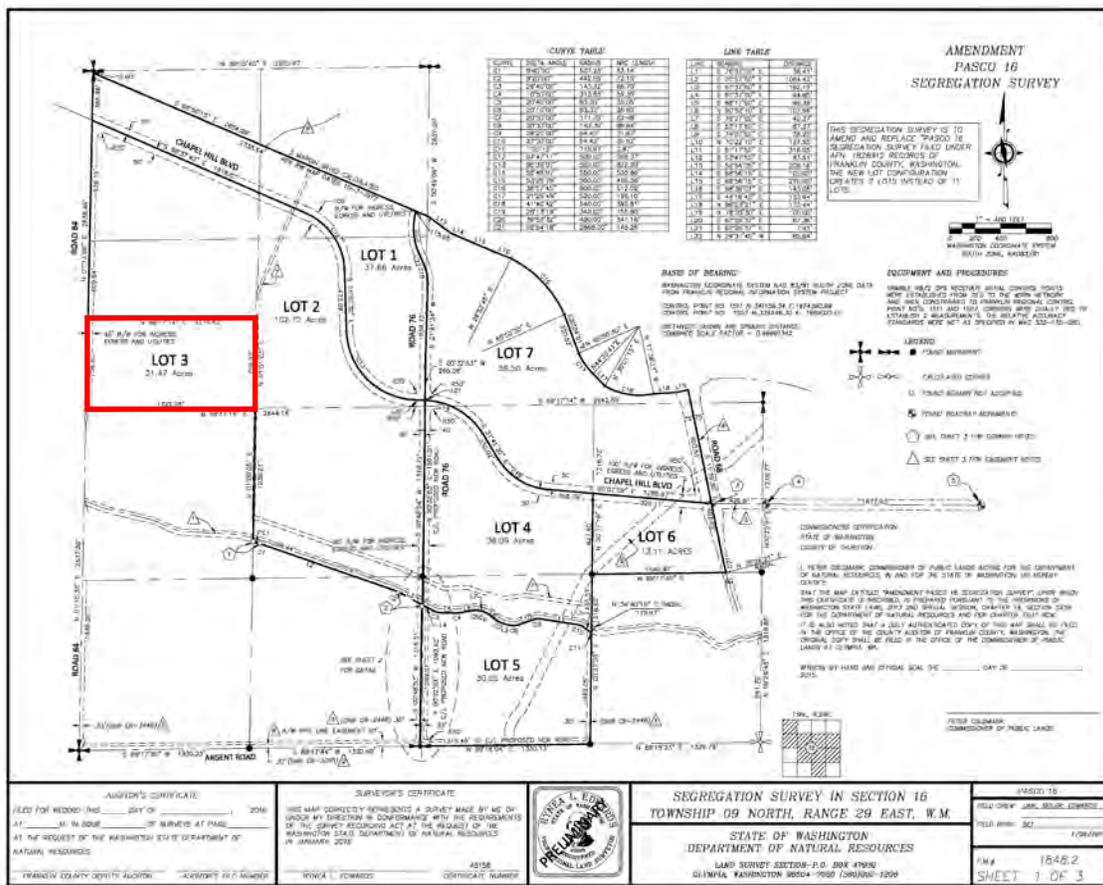
Legal Description: Lot 3 of Segregation Survey under Auditor's File No. 1847849

Location: SW quadrant of I-182 and Road 68; Adjacent to and east of Road 84

Size: 21.47 acres

Zoning: Low-Density Residential (R-1)

Surrounding Land Uses: Residential and Commercial



Public Auction: Lot 4 of Segregation Survey recorded 07/13/2016, under Auditor's File No. 1847849
State Trust Parcel in Franklin County... Application No. 02-092583

MINIMUM BID: \$708,000.00

BID DEPOSIT: \$34,000.00

Parcel No.: 117510036

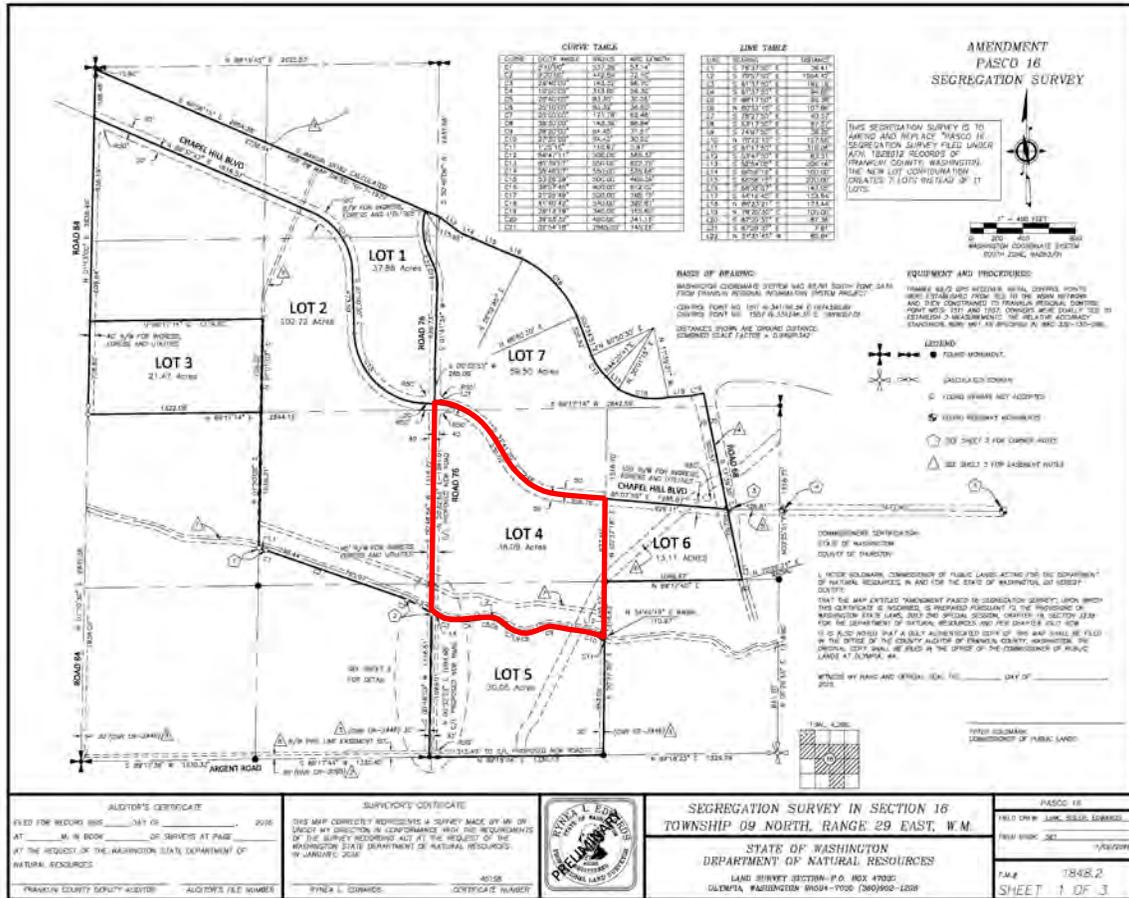
Legal Description: Lot 4 of Segregation Survey under Auditor's File No. 1847849

Location: SW quadrant of I-182 and Road 68; east of Road 84 and north of the Irrigation Canal

Size: 38.09 acres

Zoning: Low-Density Residential (R-1)

Surrounding Land Uses: Residential and Commercial



Public Auction: Lot 5 of Segregation Survey recorded 07/13/2016, under Auditor's File No. 1847849
State Trust Parcel in Franklin County... Application No. 02-092584

MINIMUM BID: \$792,000.00

BID DEPOSIT: \$34,000.00

Parcel No.: 117510037

Legal Description: Lot 5 of Segregation Survey under Auditor's File No. 1847849

Location: SW quadrant of I-182 and Road 68; east of Road 84 and south of the Irrigation Canal

Size: 30.05 acres

Zoning: Suburban-Density Residential (R-S-1)

Surrounding Land Uses: Residential and Commercial

