

RESOLUTION: RESOLUTION TO SEEK OFFERS/BIDS FOR TOWNSHIP REAL ESTATE

WHEREAS the Gerrish Township owns the following described vacant real property located in Gerrish Township, Roscommon County, Michigan, to wit:

Lot 1-Block 2 and West Five (5) Feet of [Vacated] Oak Avenue
Whittington Park, according to the recorded plat thereof

WHEREAS the above described real property is not taxed and provides no revenue to the township;

WHEREAS, while the township also owns other real property which is not taxed, usually the township-owned real property provides a benefit to the citizens of the township in some other manner;

WHEREAS the above described real property which is proposed to be sold provides little benefit to the citizens of the township as a whole due to its small size and location;

WHEREAS, if the township is able to sell the above described real property the proceeds may be utilized to improve other township-owned property which will benefit the citizens of the township as a whole;

WHEREAS, after the above described property is sold it will then be added to the tax base and provide additional revenue in the future;

NOW THEREFORE, be it RESOLVED that the township will seek offers from the general public through a sealed bid process to consider the sale of the property for cash generally consistent with the bid policy established by the township and as provided in the Specifications and Bid Sheet attached hereto. The minimum bid will be \$63,999.00. The Bid Sheet must be utilized and must include a good faith deposit, which will be deposited in the township checking account if a Bid is accepted. The township will advise the successful bidder in writing. Any good faith deposit will be applied towards the purchase price at closing. The township will provide the successful bidder with a Quit Claim Deed at closing upon payment in full of the purchase price. All deposits associated with any Bid which is not accepted will be returned after the sale is closed. Title Insurance will not be provided by the township but may be sought by the prospective purchaser at their own cost; however, if title insurance is to be obtained, the bid shall reflect the same. A copy of any commitment obtained shall be provided to the township within fifteen (15) days after the successful bidder is notified their bid has been accepted. If the title commitment reflects a title issue, bidder shall have the option to proceed subject to any exceptions and the attendant obligation to clear any defects or withdraw their bid within ten (10) additional days after receipt of said Commitment, in which case any deposit will be returned. Otherwise, Closing shall take place and property must be paid for within Thirty (30) DAYS after notification of winning bid, or the right to purchase the property and the deposit will be forfeited. The township may then proceed to consider the remaining bids utilizing the same process.

**GERRISH TOWNSHIP'S
PROPERTY BID FORM**

ONE ENVELOPE PER BID. ENVELOPES MUST BE SEALED AND IDENTIFY THE PROPERTY ON THE FRONT OR THE BID WILL BE THROWN OUT.

Pursuant to a Resolution by the Gerrish Township Board, Gerrish Township is accepting sealed bids without contingencies for the sale of vacant property described as Gerrish Township, Roscommon County, Michigan, to wit:

Lot 1-Block 2 and West Five (5) Feet of [Vacated] Oak Avenue
Whittington Park, according to the recorded plat thereof

Bids must be returned without contingencies to the Clerk's Office, 2297 E. Higgins Lake Drive, Roscommon, MI 48653 no later than 10 AM on FRIDAY, APRIL 26, 2013 and must include a deposit towards the purchase price. Any deposit on a bid which is not accepted will be returned.

Bids shall be publicly opened by a minimum of two (2) members of the Board at a special meeting held on Thursday, May 2, 2013 at 9AM.

Gerrish Township reserves the right to reject any and all bids and to accept any bid deemed to be in the best interest of the Township based on merit, including bids that are not for the highest amount.

Property will be sold pursuant to a Quit Claim Deed. Title Insurance is recommended to be considered by any prospective purchaser, but will not be provided by the township. If Title Insurance is to be obtained, the intent to do so must be reflected in the bid and bidder is responsible for arranging and paying for any such insurance within fifteen (15) days after notification of winning bid. If a title insurance commitment is obtained a copy shall be provided to the township. If the commitment reflects a title issue, bidder shall have the option to proceed subject to any exceptions and the attendant obligation to clear any defects or withdraw their bid within ten (10) additional days after receipt of said Commitment. Property must be paid for within Thirty (30) DAYS after notification of winning bid, or the right to purchase the property will be forfeited.

IT IS THE BIDDER'S RESPONSABILITY TO VERIFY THE CONDITION, TITLE AND LOCATION OF THE BOUNDARIES OF THE PROPERTY.

I acknowledge receipt of the Township Resolution and Bid Specifications and agree to be bound by the terms and conditions therein

Name: _____ ID: MI License Number: _____

Full Address: _____

Phone Number: _____ Bid Price: \$ _____

Good Faith Deposit: \$ _____ Title Insurance Obtained? Yes No

Signature: _____ Date: _____

Acceptance of Bid Notification:

You are notified at a meeting held on: _____, Gerrish Township, awchich the Gerrish Township Board has agreed to accept the above bid.

Date: _____ Supervisor Signature: _____

BID SPECIFICATIONS

For the sale of vacant property described as Gerrish Township, Roscommon County, Michigan, to wit: Lot

1- Block 2 and West Five (5) Feet of [Vacated] Oak Avenue
Whittington Park, according to the recorded plat thereof

PROPERTY OFFERED - The property being offered has been approved for sale without contingencies at a public meeting of the Gerrish Township Board. This property is subject to any state, county or local zoning or building ordinances, court rulings or other regulations. The Township of Gerrish does not guarantee the usability of this land for any purpose. It is the responsibility of prospective purchasers to do their own research as to the use of the land for their intended purpose and to make a personal inspection of the property to determine if it will be suitable for the purposes for which it is being purchased. The Township of Gerrish makes no representations or claims as to fitness for purpose, ingress/egress, conditions, covenants, nor restrictions. The property is vacant.

The property offered may be subject to flooding. Any new construction or reconstruction should be elevated above the 100-year flood plain. Any filling, dredging or other permanent construction below the ordinary high-water mark of the water body involved maybe subject to the provisions of 1972 Public Act 346. Any earth change on the property may be subject to the provisions of 1972 Public Act 347. These properties may also be subject to the Goemaere-Anderson Wetland Protection Act, 1979, Public Act 203.

MINIMUM BID PRICE — The minimum bid price as set by the Gerrish Township Board is \$63,999.00; all bids must be accompanied by a Good Faith Deposit, which will be applied towards the purchase price if the bid is accepted. Gerrish Township reserves the right to reject any and all bids and to accept any bid deemed to be in the best interest of the Township based on merit, including bids that are not for the highest amount.

BIDDING - Any person may bid on the properties offered. The bidder is legally and financially responsible for any bid whether representing one's self or acting as an agent.

TERMS OF SALE- The full purchase price must be paid by close of business (4:30p.m.) on the 30th day following notification to the successful bidder. The purchase price will consist of the bid price plus \$14.00 for recording of the deed. The township will only accept certified funds or a cashier's check as payment for the property. All monies paid and all properties bid upon will be forfeited if the purchaser fails to consummate any part of any purchase on any day of the auction. Bidders who fail to consummate a purchase within the close of business following the final bid, will be banned from bidding at all future County land auctions.

The township reserves the right to cancel the sale at any time.

PURCHASE CERTIFICATES- The Successful bidder will be issued an Acceptance of Bid send by regular mail to the address reflected on the bid.

TITLE BEING CONVEYED- A Quit-Claim Deed will be issued conveying only such title as received by the township through prior court proceedings. Title insurance companies may or may not issue title insurance on properties purchased at this sale. Title Insurance is recommended to be considered by any prospective purchaser, but will not be provided by the township and the Township makes no representation as to the availability of title insurance. If Title Insurance is to be obtained, the intent to do so must be reflected in the bid and bidder is responsible for arranging and paying for any such insurance within fifteen (15) days after notification of winning bid. If a title insurance commitment is obtained a copy shall be provided to the township. If the commitment reflects a title issue, bidder shall have the option to proceed subject to any exceptions and the attendant obligation to clear any defects or withdraw their bid within ten (10) additional days after receipt of said Commitment. Property must be paid for within Thirty (30) DAYS after notification of winning bid, or the right to purchase the property will be forfeited. The purchaser may incur legal costs for quiet title action to satisfy the requirements for title insurance companies in order to obtain title insurance. Purchasers are responsible for obtaining and processing of transfer affidavits.

POSSESSION OF PROPERTY- Possession of the property bid upon shall not be delivered until closing. No activities should be conducted on the site.

CONDITIONS- The purchaser accepts the premises in its present "as is" condition, and releases the Township of Gerrish and its officers, employees and agents from all liability whatsoever arising from any condition of the premises, whether now known or subsequently discovered, including but not limited to all claims based on environmental contamination of the premises. A person who acquires property that is contaminated (a "facility" pursuant to Section 20101(1)(1) of Natural Resources and Environmental Protection Act (NREPA}, 1994 P.A. 451, as amended) as a result of release(s) of hazardous substances(s) may become liable for all costs of cleaning up the property and any other properties impacted by the release(s). Liability may be imposed upon the person acquiring the property even in the absence of any personal responsibility for, or knowledge of, the release. Protection from such liability may be obtained by conducting a Baseline Environmental Assessment (BEA) as provided for under Section 201261(l)(c) of NREPA. However, the BEA must be conducted prior to or within 45 days of the earliest date of purchase or occupancy of the property. Persons who acquire contaminated property may have "due care" obligations under Section 20107a of NREPA even if they conduct a BEA and are not liable for the contamination.

Pursuant to Part 201 of the NREPA, the person(s) responsible for an activity causing a release at the property is obligated to pursue response activities at the property. Consequently, the non-labile purchaser may be required to provide access to a liable party to conduct response activities at the property in the future.

Section 20116 of the NREPA requires that a person who has knowledge that their property is contaminated provide a written notice to the purchaser or other person to whom the property is transferred which discloses the general nature and extent of the release. Additional disclosure obligations may also apply at the time the property, or an interest in the property, is transferred.

Accordingly, the township recommends that a person who is interested in acquiring the property contact an attorney for advice prior to the acquisition.

DEEDS- Deeds are executed, recorded and delivered to the successful purchasers within 30 days. If deeds are lost, misplaced or stole, replacement deeds are available through our office for a minimum fee of \$75.00, and other requirements.

All successful bidders will be responsible for obtaining and paying the **2011** summer and winter taxes.