

**SUMMARY: A RESOLUTION OF INTENT TO SELL REAL PROPERTY AT PUBLIC AUCTION.**

**RESOLUTION NO.** \_\_\_\_\_

**RESOLUTION**

**WHEREAS**, Humboldt County, a political subdivision of the State of Nevada (hereafter referred to as “County”), owns certain property generally described as follows:

1. Parcel located at northwest corner of Godchaux Road and Winchester Drive, Paradise Estates, Paradise, Nevada (APN 3938-02-200-020);
2. Parcel located at northwest corner of Godchaux Road and Browning Road, Paradise Estates, Humboldt County, Nevada (APN 3938-12-200-005);
3. Parcel containing a portion of North ½ of Section 9, T37N, R41E, M.D.B & M. North of Golconda in Eden Valley, east of Osgood Mountains, Humboldt County, Nevada (APN 3741-09-200-001);
4. Parcel located at northwest corner of Third Street & Guernsey Avenue, approximately 100 feet east of Morrison Avenue, Golconda, Nevada (APN 3640-32-227-002);
5. Parcel located at 140 feet west of Melrose Avenue on the east side of Cleveland Avenue, Golconda, Nevada (APN 3640-32-251-009);
6. Parcel located at 6960 Airport Road, Winnemucca, Nevada (APN 3537-09-476-005);
7. Parcel located at 617 Monroe Street, Winnemucca, Nevada (APN 3638-30-428-004);
8. Parcel located at 3269 Frontier Street, Winnemucca Nevada (APN 3638-28-255-002); and

These parcels are more particularly described in the Exhibits attached hereto and incorporated herein by this reference; and

**WHEREAS**, these properties are not needed for County purposes and selling the property is in the County's best interest; and

**WHEREAS**, the County desires to sell the properties individually pursuant to NRS 244.281 and 244.282 allowing for real property owned by a county to be sold at public auction; and

**WHEREAS**, these properties have been appraised by two (2) disinterested competent appraisers chosen as required by NRS 244.2795, and the County considers the findings and determinations set forth in said appraisals to be accurate and reasonable; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HUMBOLDT COUNTY, NEVADA, THAT:**

1. It is in the best interest of the County to sell the properties, at auction, as provided in NRS 244.282, and the Board of County Commissioners (hereafter referred to as the "Board") declares the properties as surplus to the County's needs.

2. The sale of the properties is for purposes other than to establish, align, realign, change, vacate or otherwise adjust any street, alley, avenue, or other thoroughfare, or portion thereof of flood control facility within the County.

3. The properties will be sold individually at public auction to the highest bidder at 10:00 a.m. on Monday, December 12, 2016, in the Commission Meeting Room at the Humboldt County Courthouse, 50 West Fifth Street, Winnemucca, Nevada, during the regular Commission meeting, at which time and place all sealed bids will be opened, examined and declared and oral bids will be taken under the following terms and conditions.

a. Any sealed bids must be made on the County's bid form available at the County Administrator's Office, located on the

2<sup>nd</sup> floor of the Humboldt County Courthouse, 50 West Fifth Street, Room 205, Winnemucca, Nevada.

- b. The bid forms must be filled out completely and signed. A bid form may only be used to make a bid for a single property. If a bidder desires to make bids on multiple properties, multiple bid forms must be filled out completely with a separate deposit for each bid.
- c. THE MINIMUM ACCEPTABLE BID FOR EACH PROPERTY, WHICH REPRESENTS THE HIGHEST OF THE TWO (2) APPRAISALS FOR EACH PROPERTY, IS AS FOLLOWS:
  - 1) Parcel located at northwest corner of Godchaux Road and Winchester Drive, Paradise Estates, Paradise, Nevada (APN 3938-02-200-020) – Minimum Bid of \$3,000.
  - 2) Parcel located at northwest corner of Godchaux Road and Browning Road, Paradise Estates, Humboldt County, Nevada (APN 3938-12-200-005) – Minimum Bid of \$20,000.
  - 3) Parcel containing a portion of North ½ of Section 9, T37N, R41E, M.D.B & M. North of Golconda in Eden Valley, east of Osgood Mountains, Humboldt County, Nevada (APN 3741-09-200-001) – Minimum Bid of \$17,000.
  - 4) Parcel located at northwest corner of Third Street & Guernsey Avenue, approximately 100 feet east of Morrison Avenue, Golconda, Nevada (APN 3640-32-227-002) – Minimum Bid of \$13,000.
  - 5) Parcel located at 140 feet west of Melrose Avenue on the east side of Cleveland Avenue, Golconda, Nevada (APN 3640-32-251-009) – Minimum Bid of \$5,000.
  - 6) Parcel located at 6960 Airport Road, Winnemucca, Nevada (APN 3537-09-476-005) – Minimum Bid of \$9,000.

- 7) Parcel located at 617 Monroe Street, Winnemucca, Nevada (APN 3638-30-428-004) – Minimum Bid of \$25,000.
  - 8) Parcel located at 3269 Frontier Street, Winnemucca Nevada (APN 3638-28-255-002) – Minimum Bid of \$55,000.
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- d. The properties are to be sold individually.
  - e. The properties are to be sold for cash.
  - f. Sealed written bids shall be submitted to the Humboldt County Clerk, Courthouse, 50 West Fifth Street, Room 207, Winnemucca, Nevada 89445, by not later than 5:00 p.m. on December 1, 2016. All bids must be signed and submitted in sealed envelopes clearly marked on the outside: “REAL PROPERTY AUCTION”. Bidders mailing their bids assume the risk of late delivery. Any bids received and time-stamped after the deadline will not be considered.
  - g. During the meeting on December 12, 2016, any sealed written bids will be opened, examined and declared by the Board before calling for oral bids. Any initial oral bid must exceed the highest written bid by at least five percent (5%), and subsequent bids must be in increments of One Thousand Dollars (\$1,000) or more above the previous highest oral bid.
  - h. All written and oral bids shall be accompanied by certified check or cashier’s check in the amount of ten percent (10%) of the bid for the land and drawn in favor of Humboldt County. This amount shall be forfeited as reasonable liquidated damages to the Humboldt County, should the successful bidder fail to enter into and/or complete the required escrow. In submitting a bid, all bidders irrevocably agree that the stated liquidated damages are reasonable and that it would

be impossible to determine the actual damages incurred by the Humboldt County. Successful bidder's deposit will be credited toward the purchase price. Unsuccessful bidder's deposits will be returned to the bidder at the conclusion of the auction.

- i. The Board reserves the right to determine which bids conform to all terms and conditions specified in this Resolution. The Board may reject any and all bids, either written or oral, and withdraw any or all of the properties from the auction. The final acceptance or rejection of any bid may be made at the same meeting or at any adjourned session of the same meeting held within ten (10) days. Unless the Board withdraws a property, the right to purchase a property will be granted to the highest bidder for that property.
- j. It is the bidders' responsibility to inspect the property and to determine the property's condition, value, current zoning district and master plan designation, access, matters affecting title, applicable development codes, and all other pertinent information about the property. The acreage stated for each parcel is approximate and Humboldt County in no way guarantees its accuracy. Before submitting any bid, bidder is to satisfy himself concerning the acreage if acreage is a critical element of the purchase decision. If the actual acreage is different than the approximate acreage stated, it shall in no way affect the enforceability of the bid that has been accepted by the Humboldt County.
- k. The County is selling the property in "as-is" condition and under the assumption that the successful bidder's purchase of the property is based upon the bidder's independent investigation. The County makes no representations or warranties regarding the property's physical condition or stability, the existence of hazardous materials on or under the surface of the property, the property's suitability for the bidders' purposes or for any other purpose, the property's value, current zoning district, master plan designation, or access, or matters affecting title, or applicable development codes.

- l. The property shall be conveyed by quitclaim deed subject to existing liens, encumbrances, covenants, conditions, restrictions, reservations, rights-of-way, and easements.
- m. The sale of the property shall be consummated through escrow at Western Title Company, Winnemucca, Nevada. All costs associated with the auction and sale of the property, including but not limited to any escrow fees, closing costs, title insurance premiums, real property transfer tax or other taxes, appraisal fees, publication costs, commissions and loan costs shall be paid by the successful bidder.
- n. The deadline for close of escrow is sixty (60) days after the Board's final acceptance of the highest bid. Time is of the essence. The successful bidder may request one (1) thirty (30) day extension of the deadline for close of escrow along with the deposit of an additional ten percent (10%) non-refundable deposit to be applied towards the purchase price upon closing. In the event the successful bidder fails to perform within sixty (60) days, or ninety (90) days if an extension has been granted, (i) the County may terminate the escrow and rebid the Property, (ii) the successful bidder forfeits its non-refundable deposit(s), and (iii) such failure shall be deemed by Western Title as instruction to immediately refund the deposit to the County without any further instruction or court order.
- o. Any individual who submits a sealed or written bid on behalf of an entity shall be deemed to have represented and warranted that such individual has the legal power, right and authority to bind the entity to purchase the property on the terms contained in this Resolution.
- p. All bidders shall be deemed to have represented and warranted that either they, or the entity or individual they

represent, have the funds necessary to pay the amount bid and all costs associated with the auction and sale of the property.

DATED this 17<sup>th</sup> day of October, 2016.

By: **BOARD OF COUNTY COMMISSIONERS  
HUMBOLDT COUNTY, NEVADA**

By: \_\_\_\_\_  
MARLENE BRISSENDEN, Chairman

ATTEST:

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TAMI RAE SPERO, Clerk