



## **SURPLUS REAL PROPERTY BID FORM**

DATE: \_\_\_\_\_

City of Fayetteville, City Attorney's Office  
Attn: Real Estate Manager  
339 Alexander Street  
Fayetteville, NC 28301

To Whom It May Concern:

The undersigned, as Bidder, hereby declares this Bid is made in good faith, without any collusion or fraud. I, as Bidder, have read the provided Surplus Real Property Process and Guidelines and certify that all information provided on this form is true and this Bid complies with the Guidelines.

ADDRESS OF PROPERTY: \_\_\_\_\_

TAX PARCEL ID NUMBER: \_\_\_\_\_

TOTAL BID AMOUNT: \_\_\_\_\_

DEPOSIT AMOUNT: \$ \_\_\_\_\_

NAME OF BIDDER: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

EMAIL: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

**ATTACH DEPOSIT HERE**



## **SURPLUS REAL PROPERTY PROCESS AND GUIDELINES**

North Carolina General Statute §160A-269 dictates the procedure for sale of surplus property by municipalities through the upset bid process. Before a City-owned property can be declared surplus, all City departments and the Public Works Commission must be contacted to determine if there is a current or future need for the property's use. If no need is determined, the property will be presented to City Council at a regular council meeting to be declared surplus. The statute requires that the City must receive a fair price (market value) for surplus property. The market value will be determined by appraisal, or any other method of valuation deemed appropriate.

### **OVERVIEW OF THE PROCESS**

Once the City has received a Surplus Real Property Bid Form with an initial bid and bid deposit, that bid will be presented to City Council to accept and declare the property surplus through a Resolution outlining all the statutory requirements. Once that Resolution is passed, a notice will be published one (1) time in a newspaper of general circulation within the jurisdiction. This notice will outline the 10-day upset bid period and give instructions on how, when, and where to submit upset bids. If a qualifying upset bid is received within the correct timeframe, a new publication is submitted, and the 10-day upset bid period begins again. This process continues until no new bids are received. When no new bids have been received and the 10-day period has ended, the highest qualifying bid is presented to City Council for its consideration at a regular council meeting.

### **INITIAL AND UPSET BID INFORMATION**

The initial bid must be submitted to the City on the Surplus Real Property Bid Form provided. Bids may be rejected for any reason. The initial bid must be accompanied by a five percent (5%) deposit of the proposed purchase price. Bid deposits must be made by certified check from a bank authorized to do business in the State of North Carolina made payable to the City of Fayetteville. The bid must be sealed and submitted to the City of Fayetteville, City Attorney's Office at 339 Alexander Street, Fayetteville, NC 28301, or P.O. Box 1513, Fayetteville, NC 28302, Attn: Real Estate Manager. All bids, including upset bids, must be registered by a City staff member, to include the date and time received. Upset bids must also be submitted on the Surplus Real Property Bid Form and received at one of the above addresses within the 10-day deadline period.

**BIDS WILL BE REJECTED AND CONSIDERED NON-QUALIFYING BIDS IF THEY DO NOT CONSIST OF THE SURPLUS REAL PROPERTY BID FORM AND BID DEPOSIT IN THE FORM OF A CERTIFIED CHECK IN A SEALED PACKAGE. THE OUTSIDE OF THE ENVELOPE MUST HAVE "SEALED BID" WRITTEN ON IT AS WELL AS THE APPLICABLE TAX PARCEL ID NUMBER(S).**

An upset bid is required to raise the amount of the initial published bid by not less than 10% of the first \$1,000.00, plus five percent (5%) of the remainder. The upset bid can be no less than five percent (5%) of the bid.

**ANY BID PLACED BY A BUSINESS ENTITY MUST BE SIGNED BY AN AUTHORIZED SIGNATOR OR THE BID WILL BE CONSIDERED INVALID.**

Once the 10-day period has ended, all bids will be opened, and the highest qualifying bid will become the new bid. A new notice will be published, and the process will begin again. This procedure will be repeated until a 10-day bid period passes with no further qualifying bids received. Deposits of any prior bids not accepted will be refunded. No interest will be paid on any deposits in the City of Fayetteville's possession.

***THE SALE OF CITY PROPERTY IS "AS IS, WHERE IS" AND WITH ALL FAULTS INCLUDING ANY ENVIRONMENTAL ISSUES, IF ANY. BUYERS ARE RESPONSIBLE FOR PERFORMING THEIR OWN DUE DILIGENCE INCLUDING A TITLE SEARCH IF DESIRED.***

***THE CITY COUNCIL MAY REJECT ANY AND ALL BIDS PER NCGS §160A-269.***

***ALL PROPERTIES WILL BE TRANSFERRED BY NON-WARRANTY DEED, WHICH THE CITY OF FAYETTEVILLE WILL PREPARE AND PROVIDE TO THE HIGH BIDDER.***