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COUNCIL MEMBERS
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Public Auction

Pursuant to A.R.S. 9-402, notice is hereby given that the City of South Tucson will sell at public auction to the highest and best bidder, at 11:00 a.m., on Wednesday, March 10, 2021 at the main entrance to City Hall, 1601 S. 6th Avenue, South Tucson, Arizona.

Parcel: alley, 396 feet by 15 feet, containing 0.14 acres more or less within Block 14 of the Chattman's Addition Subdivision.

Location: Between 4th Avenue and 5th Avenue; 27th Street and 28th Street

Property Information:

- A. The complete legal description and survey is available in the project files.
- B. The parcel has been appraised at \$5108.00
- C. The project file is available to the public for inspection at City Hall, 1601 S. 6th Avenue, South Tucson, from 9:00 a.m. to 4:00 p.m., excluding weekends and holidays. Due to the current pandemic related precautions, please call to schedule an appointment to view the file. Please direct any questions regarding the auction to Mick Jenson, 520-792-2424 ext. 571. This auction notice is available on the City's website at: www.southtucson.gov

Bidding Information:

- A. Prior to the auction date, prospective bidders shall perform their own due diligence on the property. This includes the records of the City, and project file.
- B. On the date of the auction, the bidder or representative of the bidder, other than the registered broker/salesperson, if any, shall attend and bid on behalf of the bidder.
- C. Prior to the start of bidding, the bidder shall sign an affidavit agreeing that: they have undertaken due diligence in preparation for the auction; they are purchasing the property solely on the basis of their own due diligence and investigation of the parcel, and not on the basis of any representation, express or implied, written or oral, made by the City of South Tucson, or its agents or employees, except as set forth in writing herein; their representative is authorized to bid and bind the bidder, and they are purchasing the parcel as is.
- D. Prior to the start of bidding, the bidder must show the City's representative a Cashier's Check made payable to the "City of South Tucson" in the amount specified in the terms of sale paragraph below (paragraph F). If the bidder is not the applicant, the amount of the

Cashier's Check shall be \$8711.00. If the bidder is the applicant, the amount of the Cashier's Check shall be \$7461.00.

- E. A bidder who has complied with paragraphs (A) through (D) above shall be deemed a Registered Bidder and may bid at the auction. The City will only consider bids by Registered Bidders.
- F. The bidding will begin at the appraised value of \$5108.00. A bid for less than the appraised value of the parcel will not be considered. Additional bidding must be made in minimum increments of \$100.00. Bidding will be conducted orally.
- G. The time of sale shall be deemed to be the time of declaration of the highest and best bid. A registered bidder whose bid is declared the highest and best bid shall be deemed the successful bidder. The amount of the highest and best bid shall be deemed the sale price.
- H. Persons with a disability may request a reasonable accommodation by contacting the City at 794-2424 ext. 571.

Terms of Sale:

- A. The parcel shall be purchased in as is condition, with all faults, with no representation or warranty being made by the City of any type or nature. The City makes no warranty as to the following: (a) the physical condition or any other aspect of the parcel, including, but not limited to, the uses to which the parcel may be put, the ability to construct additional improvements or modify existing improvements on any portion of the parcel or the ability to obtain building permits for any portion of the parcel, the conformity of the parcel to past, current or future applicable landscaping, parking, zoning or building code requirements, the existence of soil instability, pas soil repairs, soil additions, or conditions of soil fill, susceptibility to landslides, sufficiency of undershoring, water retention characteristics of the parcel, drainage onto or off of the parcel, the location of the parcel wholly or partially in a flood plain or flood hazard boundary or similar area, or any other matter affecting the stability or integrity of the parcel or any improvements constituting the parcel; or (b) the sufficiency of the parcel for purchaser's purposes or as to its continued operating conditions or usefulness. All implied warranties, including, without limitation, warranties of merchantability or fitness for a particular purpose, are hereby expressly disclaimed.
- B. The parcel is sold subject to existing reservations, easements, and rights of way.
- C. The City does not represent or warrant that access exists over lands which may intervene respectively between the parcel and the nearest public roadway.
- D. The City, or its predecessor in title, reserve and retain all rights and all forms of access to all oil, gas, minerals, hydrocarbon substances and gaseous substances or any other material which is essential to the production of fissionable materials as provided by the rules and regulations of the City and laws of Arizona.
- E. Immediately following the time of sale, the successful bidder must sign an affidavit which states without limitation that he/she is the successful bidder and the amount of the sale price.
- F. Immediately following the sale, the successful bidder shall pay the following to the City of South Tucson by a cashier's check:
 - a. The appraised value, which is \$5108.00;
 - b. An administrative fee of 3% of the appraisal price, which is \$153
 - c. Estimated legal advertising cost of \$500;
 - d. An appraisal fee of \$1500;

- e. A survey fee of \$1250
- f. A document fee of \$200

The total minimum amount due at the time of sale is \$8711.00 (less \$1250.00 if the successful bidder is the applicant, for a total amount due of \$7461.00).

- G. Within thirty days after the date of auction, the successful bidder must pay:
 - a. The full balance of the sale price;
 - b. The actual legal advertising cost, if more than paid under the terms of (F)(c) above.
- H. The entire sale price, together with the amounts specified in (F) and (G) above, shall be due within 30 days of the auction date.
- I. When the deed is issued to the successful bidder, a broker commission shall be paid from the administrative fee collected by the City to a broker eligible to receive a commission. The broker commission shall be \$153.
- J. If the successful bidder fails to complete all payments as stated in this auction notice, the successful bidder shall forfeit all amounts paid.

Broker Information:

If a prospective bidder is represented by a licensed Arizona real estate broker or agent seeking a broker commission, it is the responsibility of both the prospective bidder and the designated broker to register with the City no later than three business days prior to the date of auction. Registration must be submitted on the broker's letterhead and include original signatures from the designated broker, salesperson, and bidder. The registration shall also include the broker and salesperson's current broker number, and a statement that the broker or salesperson has no other affiliation with the successful bidder other than representing the successful bidder.