

BID TO PURCHASE DISTRICT PROPERTY

(APN 024-045-012)

ACKNOWLEDGEMENTS

The Bidder hereby submits this written Bid, pursuant to the "Notice Inviting Bid Proposals for the Purchase of Surplus Real Property Located at 312 S. Roselawn Ave., Turlock, CA 95380", for the purpose of purchasing real property located at 312 S. Roselawn Ave., Turlock, CA 95382, and identified as Assessor Parcel Number ("APN") 024-045-012, County of Stanislaus, State of California, hereinafter referred to as the "Property" owned by the Turlock Unified School District ("District"). The Bidder acknowledges that it has had the opportunity to: (1) inspect the Property and conduct a due diligence review before submitting a Bid pursuant to the Notice Inviting Bid Proposals (a walk through appointment may be made with the District's Broker, Bryan Tribble of Tribble Real Estate in Turlock, bryan@bryantribble.com); and (2) review the Order below regarding water on the Property that exceeds the primary drinking water standard established for uranium levels of a community and nontransient-noncommunity water system as determined by the Stanislaus County Department of Environmental Resources, Order No. DER-17CO-003 issued in 2017 (available upon request from the District's Broker or the Office of Business Services, Barney W. Gordon, Assistant Superintendent of Business Services, bgordon@turlock.k12.ca.us); (3) a preliminary title report (available upon request from the District's Broker or the Office of Business Services); and (4) the Real Property Purchase & Sales Agreement which the successful Bidder must sign with the District. The Bidder understands that the Bid is for all of the Property, including all improvements (such as buildings), and any fixtures attached to the improvements. The Bidder understands that the sale of the Property, if awarded at all, will be to the highest Bidder whose proposal is equal to, or more than, One Million, One Hundred Thousand Dollars (\$1,100,000). The Bidder hereby certifies that this Bid is genuine and not collusive and not made in the interest or on behalf of any person other than the Bidder.

BID

The total amount hereby offered for the purchase of the Roselawn Property is the sum of:

_____ Dollars (\$ _____)
[write out full amount]

On behalf of [name of individual or entity]: _____

To be paid all cash as follows:

1. The Bidder shall include with their proposal a cashier's or certified check in the amount of ten thousand dollars (\$10,000) made out to the Turlock Unified School District (the "Deposit").
2. The balance of the purchase price shall be due in accordance with the terms and conditions of the Real Property Purchase & Sales Agreement after final Bid award by the Board of Trustees.

The Bidder agrees that his or her Deposit will be returned as soon as possible as the unsuccessful Bidder, but not before either acceptance of the highest Bid by the District's Board of Trustees, or rejection of all Bids. If the Bidder is the successful Bidder as determined by the Board of Trustees, the Deposit will be retained in accordance with the Real Property Purchase & Sales Agreement.

TERMS

- A. The undersigned Bidder agrees, if the Bid is accepted, to sign the Real Property Purchase & Sales Agreement provided by the Turlock Unified School District and submitted to the Office of

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Business Services, Room #212, 1574 E. Canal Dr., Turlock, CA 95382 within ten (10) working days after the Board of Trustees accepts the Bid. If the Agreement is not signed by the successful Bidder as stated herein, the Bid shall be void and deemed rejected by the District.

- B. Conveyance of title shall be by Grant Deed to the successful Bidder pursuant to the terms and conditions of the Real Property Purchase & Sales Agreement.
- C. In the event any real estate agent/broker of the successful Bidder (collectively, the "Broker") is found to be a procuring cause of the accepted successful Bid, and the successful Bidder meets all of the terms of the sale and consummated the purchase as provided herein; then, in that event, the procuring Broker shall then be entitled to receive a commission amounting to two percent (2%) of the successful Bid amount upon close of escrow and transfer of title to the successful Bidder. Should multiple Brokers represent a successful Bidder and escrow is closed transferring title to the successful Bidder, it shall be the responsibility of said Brokers to divide the 2% commission. It shall be expressly understood that in order for any Broker to qualify for entitlement to a commission, as provided herein, such Broker must possess a valid California Real Estate Broker's License, and the Broker's participation, must be certified by the real estate agent/broker and signed by the real estate agent/broker below.

A Broker shall not be entitled to a commission under the following circumstances:

- (1) When he or she submits a bid on his own behalf or on behalf of a subagent, wherein either is a prospective holder or purchase of the real property or any interest therein.
 - (2) When he or she submits a bid on behalf of any person related to ether himself or a subagent by blood or marriage.
 - (3) When he or she submits a bid on behalf of any entity in which either he or a subagent holds or contemplates holding an ownership interest.
 - (4) When he or she submits a bid on behalf of any other person with whom either he or she or a subagent maintains a special relationship.
 - (5) When he or she submits a bid in any other instance where there is a reasonable probability that either he or she or a subagent could indirectly acquire an interest in the real property.
- D. The District reserves the right to reject all bids and to withdraw the Real Property from sale.
 - E. The undersigned represents and warrants he or she is duly authorized to bind the Bidder. If the Bidder is a corporation, Bidder shall deliver to the District a certified copy of a resolution of Bidder's board of directors authorizing execution of this Bid and naming the officers that are authorized to execute the Purchase Agreement on behalf of the corporation.

A responsive Bid must include: (1) this completed and signed Bid, including a corporate resolution if applicable and (2) the required Deposit of \$10,000.

Date: _____
_____ (Print name of Bidder)

Mailing Address:

_____ (Signature of Bidder)

_____ (Title of Bidder, if any, e.g. President)

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(Telephone number of Bidder)

To be completed by the real estate agent/broker (if any):

I have read the forgoing terms of the Bid, including Term "C" above. By signing below, I am certifying that I am entitled to a real estate commission as a licensee, Licensee No. _____, of the California Department of Real Estate and that Terms C (1) -(5) do not apply.

(Print name of real estate agent/broker)

(Signature of real estate agent/broker)