



Montana Department of Transportation

Notice of Sale of Real Estate

Malcolm "Mack" Long
Director of Transportation

Loran Frasier
Transportation Commission Chairman

NOTICE IS HEREBY GIVEN under statutory authority, the Montana Department of Transportation will sell at public auction, with reserve, to the highest bidder, the vacant tract of land, being more particularly described as follows:

A tract of land in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 14 South, Range 8 West, P.M.M., Beaverhead County, Montana, as shown by the shaded area on the exhibit, consisting of 1 sheet attached hereto and made a part hereof, containing an area of 7.91 acres, more or less.

Directions to the property: Take I-15 and go South towards Lima. Property is located on the Westside Frontage Road, just west of Lima.

The appraised value of the tract is \$126,560.00 (One hundred and twenty-six thousand, five hundred and sixty dollars). This property is being sold "AS IS".

The auction will be held beginning at 11:00 a.m. on Tuesday, April 9, 2024 in the Commissioner's Room of the Beaverhead County Courthouse, 2 S Pacific Street, Dillon, Montana 59725.

The sale of said real estate is subject to the "Detailed Terms and Conditions of Sale" as set forth herein.

DETAILED TERMS AND CONDITIONS OF SALE

1. **BIDS:** Bids may be either written or oral. Written bids must be submitted on the appropriate form to the Real Estate Services Section, Montana Department of Transportation (MDT), 2701 Prospect Ave., P.O. Box 201001, Helena, MT, 59620-1001 and received on or before April 8, 2024. Written bids will be opened and announced by the auctioneer at the beginning of the auction. After all written bids are announced, oral bidding may continue by all bidders present.

Bid forms and envelopes for submitting written bids may be obtained by contacting the Real Estate Services Section, Montana Department of Transportation, P.O. Box 201001, Helena, MT, 59620; (406) 444-6387 or TTY 1-800-335-7592 for the hearing impaired.

2. **BID DEPOSIT:** The successful bidder must submit a deposit of 10% of the bid amount. Written bids that do not contain the required 10% deposit will be disregarded at the auction. Personal Check, Postal Money Order, Bank Draft, or Cashier's Check should be made payable to the "Montana Department of Transportation".
3. **BID BALANCE:** The successful bidder must submit the balance (bid amount less deposit) within 30 days of the date of the auction made payable to the "Montana Department of Transportation" and mailed or delivered to the Montana Department of Transportation, Real Estate Services Section, P.O. Box 201001, 2701 Prospect Avenue, Helena, MT 59620 on or before 5:00 pm, May 9, 2024.
4. **APPRAISAL:** The appraised value as determined by MDT is for MDT purposes only. Under statutory restrictions, the State cannot accept any bid under 90% (\$113,900) of the appraised value.
5. **RESERVATION:** MDT reserves the right to reject any or all bids and waive technicalities as may be deemed necessary in the interest of the State of Montana.

6. **HOW PAYMENT IS TO BE MADE:** All payments in connection with this sale must be made by one or a combination of the following: Cash, Personal Check, Postal Money Order, Bank Draft, or Cashier's Check, payable to the Montana Department of Transportation.
7. **DEFAULT:** In the event of default by the high bidder, the bid deposit shall be forfeited to the State. If MDT does not receive any acceptable bids at the auction, the property may be sold at a private sale for 90% of the appraised value. If MDT does receive other bids at the auction that would have been acceptable, MDT will hold another auction to sell the property.
8. **COMPLETION OF THE AUCTION:** The auction is complete when the auctioneer announces that the down payment has been paid.
9. **INSTRUMENT OF CONVEYANCE:** Conveyance will be made pursuant to Section 60-4-207, M.C.A., and the successful bidder shall accept such title as possessed by MDT.
10. **TAXES:** MDT cannot legally pay general taxes or special assessments; therefore, any delinquent or current tax or special assessment must necessarily be the responsibility of the purchaser.
11. **EXISTING RIGHTS:** The above land will be sold subject to all valid existing easements upon and across said lands.
12. **CERTIFICATE OF SURVEY:** If needed for recording or other purposes, the successful bidder may be required to provide a Survey at their own expense. When the successful bidder has paid the remaining balance due for the property and has provided the required Survey, MDT will prepare and issue the Deed.
13. **RECORDATION:** MDT will record the deed for the tract of land being conveyed herein. Once recorded, MDT will transmit the deed to the purchaser.
14. **ENVIRONMENTAL IMPACT:** If the development of this tract will require a negative environmental declaration or an environmental impact statement, the successful bidder must furnish them at his own expense to the Montana Department of Environmental Quality and any other appropriate governmental agencies.
15. **ZONING:** Per the Appraisal, this property is not zoned, but is subject to any future zoning ordinances.
16. **RIGHT OF FIRST REFUSAL:** Pursuant to Section 77-2-306(4), M.C.A., if this property was acquired from a local government, that local government has the "right of first refusal" to re-purchase the property. MDT did not acquire this property from a local government, so the Right of First Refusal is not applicable.
17. **WATER RIGHT TRANSFER OWNERSHIP UPDATE DISCLOSURE:** There are not water rights with this property.