

**STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
STATE LANDS DIVISION**

**INVITATION FOR BIDS FOR THE LEASE OF STATE LAND
LOCATED IN GREENE COUNTY, ALABAMA**

Notice is hereby given to all interested parties that a public auction of a lease on certain State-owned lands will be conducted at the Alabama State Capitol Auditorium, State Capitol Building, Montgomery, Alabama 36130, beginning at 10:30 a.m. on May 14, 2009.

The property, known as the **ONE INDUSTRIAL PARK, BOLIGEE, ALABAMA PROPERTY**, made the subject of this notice is described as follows:

A parcel of land located in Greene County, Township 21 North, Range 1 East, the SE/4 of the SW/4 of Section 18 and the NW/4 of Section 19, of the St. Stephens Meridian in Greene County, Alabama being more particularly described as follows:

Begin at the S/4 corner of said Section 18; thence North 25 degrees 02'01" West a distance of 827.37 feet to an iron pin set on the Southeast right-of-way of Interstate Highway No. 59; thence South 48 degrees 30'15" West on said right-of-way a distance of 168.99 feet to a concrete monument set 150 right of centerline station 724+95.44; thence South 45 degrees 18'18" West on said right-of-way a distance of 359.05 feet to an iron pin set 170 feet right of a centerline P.C. Station 721+34.53 line back equals 721+35.05 line ahead; thence Southwesterly on said right-of-way, said right-of-way being a curve to the left concave Southeasterly and having a radius of 34,207.47 feet, a chord distance of 560.00 feet, said chord bearing South 48 degrees 02'07" West; thence South 42 degrees 26'01" East, a distance of 836.58 feet to the Northwest right-of-way of a proposed access road; thence North 45 degrees 03'01" East on the right-of-way of said proposed access road, a distance of 828.96 feet to a point on the East boundary of the NE/4 of the NW/4 of said Section 19, thence North 03 degrees 29'18" West a distance of 22.78 feet to the point of beginning containing approximately 18.01 acres, together with all improvements thereon.

The lease of the subject property will be at the discretion of the owner. If leased, any lease will be made subject to reservation of all oil, gas, and minerals; to those certain building setback lines, drainage and utility line easements and notes or restrictions, if any, and any and all exceptions recorded in the Probate Court records of Greene County, Alabama; and to all other restrictions of record.

If leased, the property will be subject to the following lease provisions:

1. The initial term will be for a two (2) year period with the option to renew for five (5) years.

2. During the term of the lease, the annual rental payments will increase each year by three percent (3%) of the previous year's rental rate.
3. There will be no sublease of the property.
4. The lease may be terminated by either party with 90 days written notice.

All bids must be for the TOTAL AMOUNT OF THE FIRST YEAR'S ANNUAL RENT OFFERED.

The MINIMUM FIRST YEAR'S ANNUAL RENTAL BID for the subject property is set at \$121,800. Any bid in an amount less than this minimum will not be considered.

BIDDING PROCEDURES: Before the auction is held, WRITTEN ABSENTEE BIDS will be accepted. Absentee Bids may be in any form but must state the TOTAL AMOUNT OF THE FIRST YEAR'S ANNUAL RENT OFFERED. Each bid for lease must be accompanied by a certified or cashier's check in the amount of Ten Thousand and No/100 Dollars (\$10,000.00) and made payable to the STATE LANDS DIVISION to serve as a deposit. Any bid submitted without an appropriate check will not be considered. Absentee Bids must be received by the State Lands Director, 64 North Union Street, Suite 464, Montgomery, Alabama 36130, no later than 1:00 P.M. on May 13, 2009. Each Absentee Bid must be submitted in a sealed envelope clearly marked on the outside, "ABSENTEE BID FOR THE ONE INDUSTRIAL PARK, BOLIGEE, ALABAMA PROPERTY, NOT TO BE OPENED UNTIL May 14, 2009 at 10:30 A.M." Absentee Bids will be opened by the State Lands Division at the advertised time and place of the auction of the property.

On the day of the auction, all oral bids must be for the TOTAL AMOUNT OF THE FIRST YEAR'S ANNUAL RENT OFFERED. At the time of the auction, the high bidder will be required to submit a bid deposit in the form of either a certified check or cashier's check in the amount of Ten Thousand and No/100 Dollars (\$10,000.00) and made payable to the State Lands Division. Any bid submitted without an appropriate check will not be considered.

Unsuccessful bidders' deposits will be returned promptly following the auction. The successful bidder's deposit will be applied to the lease rental of the successful bid applicant. If the bid is accepted and the Bidder does not complete the transaction, the bid deposit will be forfeited.

NO BID SHALL BE RECEIVED FOR ANY REASON ANY TIME AFTER THE ADVERTISED DEADLINE.

The successful bidder must complete the transaction within 30 days of award or forfeit the bid deposit. Specification of a minimum bid amount to be considered does not suggest acceptance of any bid which may equal or exceed that amount. The State does not warrant nor guarantee title to the lands herein advertised.

This lease is being conducted pursuant to the provisions of the Alabama Land Sales and Leasing Act (Act 95-280) and/or other laws of the State of Alabama governing this transaction whether or not included in this notice. The State reserves the right to reject any or all bids and further reserves the right to

negotiate a higher lease price for the lease rental with the highest bidder. No lease may be made at a price less than the highest bid received or published minimum, whichever is highest.

The Department of Conservation and Natural Resources does not discriminate on the basis of race, color, religion, age, gender, national origin, or disability in its hiring or employment practices nor in admission to, access to, or operations of its programs, services, or activities.

The property may be inspected at any time before May 12, 2009 at 5:00 p.m. by contacting the State Lands Division. Persons desiring further information regarding this sale or lease may contact the State Lands Division at the above address, or by telephone at (334) 242-3484.

Patricia J. Powell
State Lands Director

Date