

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

INVITATION FOR BIDS FOR THE SALE OF STATE LAND
LOCATED IN ESCAMBIA COUNTY, ALABAMA

Notice is hereby given pursuant to Code of Alabama, 1975, Section 9-15-70 et seq. that sealed bids for the sale of state property will be received by the State Lands Director until June 4, 2009 at 2:30 p.m., at which time all bids will be publicly opened and read in the office of the State Lands Division, Department of Conservation and Natural Resources, Room 464, Folsom Administrative Building, Montgomery, Alabama 36130-1901.

Parcels of land located in Township 2 North, Range 6 East, in Escambia County, Alabama, near Alabama Highway 21, being more commonly known as the ATMORE FOUNTAIN FARM TRACTS, which parcels are more particularly described as follows:

Parcel #1: Those lands located in Township 2 North, Range 6 East, the NW/4 of Section 3, less and except State Hwy 21 ROW and ROW along Hauss Nursery Road; the N/2 of Section 4, less and except State Highway 21 ROW, containing 466 acres, more or less. The minimum bid for this parcel is \$943,000.

Parcel #2: Those lands located in Township 2 North, Range 6 East, the S/2 of Section 2, less and except the ROW along Ross Gates Road; the SE/4 of Section 3 less and except the ROW along Ross Gates Road, containing 470 acres, more or less. The minimum bid for this parcel is \$882,000.

Parcel #3: Those lands located in Township 2 North, Range 6 East, the SE/4 and the S/2 of the SW/4 of Section 10, less and except the ROW along Ross Gates Road and the ROW along State Highway 21; the SW/4 of Section 11, less and except Ross Road ROW; Section 14, less and except the W/2 of the SW/4, the SW/4 of the NW/4 and the ROW along I-65 and the ROW along Ross Road; and the N/2 of the N/2 of Section 15, less and except State highway 21 ROW, containing 1,061 acres, more or less. The minimum bid for this parcel is \$1,968,200.

Parcel #4: Those lands located in Township 2 North, Range 6 East, the SW/4 and the S/2 of the SE/4 of Section 9, less and except State Highway 21 ROW; that portion of Section 16 lying West of the Western ROW line of State Highway 21 and North of Wet Weather Creek; that portion of the NE/4 of Section 17 lying East of Wet Weather Creek; and that portion of the N/2 of Section 21 lying East of Wet Weather Creek and West of the Western ROW line of State Highway 21, containing 925 acres, more or less. The minimum bid for this parcel is \$1,594,900.

Parcel #5: Those lands located in Township 2 North, Range 6 East, that portion of the SW/4 of Section 16 lying West of Wet Weather Creek; that portion of Section 17 lying East of the old Blacksher-Uriah Highway and South of Wet Weather Creek; the SE/4 of Section 20, the E/2 of the SW/4 of Section 20, and that portion of the N/2 of Section 20 lying East of the old Blacksher-Uriah Highway less and except the following:

Commencing at a 3/8" rebar found at the Southwest corner of Section 20, Township 2 North, Range 6 East; thence run along the South line of said Section 20 S89°54'37"E 1322.60 feet to a point; thence leaving said South line run N00°28'17"W 1816.16 feet to a set 5/8" rebar GMC Cap No. CA00156 being the Point of Beginning of the property herein described; thence continue N00°28'17"W 823.43 feet to a set 5/8" rebar GMC Cap No. CA00156; thence run S89°31'43"W 258.64 feet to a set 5/8" rebar GMC Cap No. CA00156 on the centerline of old Atmore-Uriah Road (prescriptive ROW - gravel road); thence run along the centerline of said road as follows: N35°13'49"E 28.02 feet to a point; thence N35°53'06"E 79.04 feet to a point; thence run N33°10'16"E 112.35 feet to a point; thence run N27°13'44"E 92.49 feet to a point; thence run N28°07'01"E 100.17 feet to a point; thence run N27°49'43"E 89.32 feet to a point; thence run N27°32'51"E 92.48 feet to a point; thence run N27°00'53"E 171.47 feet to a point; thence run N25°17'16"E 63.64 feet to a point; thence run N24°29'09"E 87.89 feet to a point; thence run N23°15'35"E 76.36 feet to a point; thence run N23°03'22"E 76.19 feet to a point; thence run N22°53'03"E 175.80 feet to a point; thence run N25°21'09"E 81.43 feet to a point; thence run N28°05'24"E 86.41 feet to a point; thence run N30°22'52"E 84.76 feet to a point; thence run N34°30'17"E 77.76 feet to a set 5/8" rebar GMC Cap No. CA00156; thence leaving centerline run S90°00'00"E 1812.07 feet to a set 5/8" rebar GMC Cap CA00156; thence run S00°00'00"E 2639.94 feet to a set 5/8" rebar GMC Cap CA00156 on a 4' barbed wire fence line; then run along the meanderings of said fence line as follows: S73°05'43"W 106.58 feet to a point; thence run S77°09'45"W 224.15 feet to a point; thence run S62°14'21"W 130.02 feet to a point; thence run S73°52'10"W 125.59 feet to a point; thence run N88°43'58"W 221.22 feet to a point; thence run S85°52'45"W 244.76 feet to a point; thence run S87°01'41"W 110.82 feet to a point; thence run S88°59'15"W 91.52 feet to a point; thence run N70°31'37"W 130.72 feet to a point; thence run N66°09'40"W 115.25 feet to a point; thence run N69°06'27"W 102.80 feet to a point; thence run N77°38'56"W 120.08 feet to a point; thence run N58°33'06"W 74.30 feet to a point; thence run N57°18'25"W 52.85 feet to a point; thence run N11°17'07"W 67.64 feet to a point; thence run N11°27'02"W 50.86 feet to a point; thence run N19°21'08"W 55.14 feet to a point; thence run N18°59'56"W 57.15 feet to a point; thence run N10°30'45"W 60.95 feet to a point; thence run N10°14'56"W 61.61 feet to a point; thence run N10°47'17"W 61.39 feet to a set 5/8" rebar GMC Cap CA00156; thence leaving said fence line run N90°00'00"W 409.60 feet to the Point of Beginning of the property herein described. Said property lying and being situated in Section 20, Township 2 North, Range 6 East, Escambia County, Alabama, and contains 135 acres, more or less.

that portion of the N/2 of Section 21 lying West of Wet Weather Creek and West of the Western ROW of State Highway 21; and the SW/4 of Section 21, less and except the E/2 of the SE/4 of said SW/4; all containing 868 acres, more or less. The minimum bid for this parcel is \$1,507,000.

Parcel #6: Those lands located in Township 2 North, Range 6 East, the S/2 of the NE/4 of Section 21 lying East of the Eastern ROW of State Highway 21; that portion of the SE/4 of Section 21 lying East of the Eastern ROW of State Highway 21 less and except the following:

Commence at the SE corner of Section 21 also the Point of Beginning; thence run N87°52'42"W 137.23 feet more or less along section line to a point on the Northerly ROW line of I-65; thence continuing along section line run N87°36'26"W a distance of 2,411 feet to the Eastern ROW line of State Highway 21; thence Northeasterly along highway ROW line run N30°48'29"E a distance of 285.83 feet; thence continuing along highway ROW line run N31°28'15"E for a distance of 75.42 feet; thence continuing along highway ROW run N32°37'21E a distance of 376.62 feet; thence continuing along said ROW run N33°41'41"E for a distance of 873.79 feet; thence continuing along said ROW run N27°48'16"E for a distance of 822.22 feet; thence N90°00'00"E for a distance of 874.12 feet to a point on the NE corner of 80 acres the Department of Corrections deeded to the Board of Education of the State of Alabama dated June 18th 1993; thence run N90°00'00"E a distance of 475 feet more or less to the east Section line of Section 21; thence S00°00'00"E for a distance of 2,187 feet more or less to the SE corner of Section 21 and the point of beginning. Said parcel consists of approximately 115 acres; and

all of Section 22 less and except the following:

- a) The N/2 of the N/2 of said Section,
- b) I-65 ROW,
- c) A 375 foot wide parcel of land bordered on the West by the West section line of Section 22 and the South by the northern ROW of I-65. Said parcel extends north approximately 2,120 feet measured from the point of intersection of West section line and the interstate ROW. Northern border of said parcel is aligned with the northern border of 80-acre parcel deeded by Alabama Dept of Corrections to the Alabama State Board of Education, Deed dated June 18th, 1993. Said parcel consists of approximately 17 acres.

Parcel #6 contains 460 acres, more or less. The minimum bid for this parcel is \$560,000.

Any conveyance will be made subject to:

- 1) Reservation of all oil, gas and mineral rights; and
- 2) All other reservations and restrictions of record, including, but not limited to, the Declaration of Restrictive Covenants that runs with the land in Parcel #5, that is described in an Instrument filed of record in Real Property Book 406, Pages 435 - 443 in the Office of the Judge of Probate of Escambia County, Alabama.

Each bid submitted must be accompanied by a certified or cashier's check in the amount of \$110,000 as a bid deposit made payable to the State Lands Division which will be forfeited if the bid is accepted and the Bidder does not complete the transaction. Any bid submitted without such check will not be considered. Unsuccessful bidders' deposits will be returned promptly following the bid opening. The successful bidder's deposits will be applied to the purchase price of the successful bid.

Bids must be submitted for individual parcels only. Each bid submitted must be clearly marked on the outside of the envelope "SEALED BID FOR ATMORE FOUNTAIN FARM TRACT PARCEL NO. _____, ESCAMBIA COUNTY, ALABAMA, NOT TO BE OPENED UNTIL JUNE 4, 2009 AT 2:30 P.M.," and mailed to: State Lands Division, Room 464, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama 36130.

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 sale is 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 sale with the highest bidder. No sale 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 before June 4, 2009 at 2:30 p.m., by contacting the State Lands Division. Persons desiring further information regarding this sale may contact the State Lands Division at the above address, or by telephone at (334) 242-3484.

**Patricia J. Powell
State Lands Director**

DATE