

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

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

Notice is hereby given pursuant to Code of Alabama, 1975, Section 9-15-70 et seq., that sealed bids for the lease of state property in Covington County, Alabama will be received by the State Lands Director until November 13, 2018 at 3:00 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, 64 North Union Street, Room 464, Folsom Administrative Building, Montgomery, Alabama 36130-1901. Also pursuant to the above referenced Code Section, Officers and employees of the Department of Conservation and Natural Resources and the Department of Mental Health, as well as members of their families, shall be excluded from bidding on any tract(s) described herein.

A tract of land located just south of APAC Road and approximately ½ block west of the APAC Road / Bay Branch Road intersection in Township 3N, Range 15E, S6, Covington County, Alabama, more commonly known as **APAC ROAD CELL TOWER SITE IN COVINGTON COUNTY, ALABAMA**, containing 0.2540 acres or 11,055 square feet, more or less.

Any conveyance will be made subject to:

- 1) Reservation of all oil, gas and minerals rights;
- 2) All other reservations and restrictions of record;
- 3) The term for the lease will be for five (5) years and shall automatically be extended for four (4) additional five (5) year terms unless Lessee terminated it at the end of the then current term by giving Lessor written notice of the intent to terminate at least three (3) months prior to the end of the then current term;
- 4) Lessee shall pay the first rental payment within thirty (30) days of the Commencement Date of the lease with each sequential payment to be paid in equal monthly installments. Subsequent lease payments will automatically increase each year by 2.5% of the previous annual rental rate;
- 5) Lessee shall have non-exclusive easement for ingress and egress from a public right-of-way, 7 days a week, 24 hours a day, over the Property to and from the Premises for the purpose of installation, operation and maintenance of Lessee's communications equipment; and
- 6) Lessee shall provide proof of liability insurance in an amount of at least \$2,000,000 per occurrence/\$2,000,000 aggregate within fifteen (15) days of the commencement date of the lease agreement.

The successful bidder shall reimburse the Department of Mental Health for the cost of the appraisal in the amount of \$2,500 and for the advertisement fees incurred for this notice.

The **MINIMUM BID** for this parcel is **\$15,600** rent per year.

EACH bid submitted must be accompanied by a certified or cashier's check in the amount of **\$3,120** 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 following the bid opening. The successful bidder's deposit will be applied to the first year's rental amount of the successful bid.

EACH bid submitted must be clearly marked on the outside of a separate envelope **"SEALED BID FOR THE CELL TOWER SITE OFF APAC ROAD, COVINGTON COUNTY, ALABAMA, NOT TO BE OPENED UNTIL NOVEMBER 13, 2018 AT 3:00 P.M."** and delivered to: State Lands Division, Room 464, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama 36130.

ATTENTION: PLEASE NOTE THAT ALL BIDS MUST BE SUBMITTED SPECIFICALLY TO THE STATE LANDS DIVISION OFFICE AT 64 NORTH UNION STREET, ROOM 464, FOLSOM ADMINISTRATIVE BUILDING, MONTGOMERY, ALABAMA 36130 (36104 IF DELIVERED BY PRIVATE COURIER).

NO BID SHALL BE RECEIVED FOR ANY REASON ANY TIME AFTER THE ADVERTISED DEADLINE. IT SHALL BE THE SOLE RESPONSIBILITY OF THE BIDDER TO ENSURE ACTUAL RECEIPT OF THE BID BY THE STATE LANDS DIVISION PRIOR TO 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 or otherwise warrant or guarantee the condition of the land or improvements related to the land herein advertised.

This lease 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 lease 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, pregnancy, national origin, genetic information, veteran status, or disability in its hiring or employment practices nor in admission to, access to, or operations of its programs, services, or activities.

Unless specifically provided otherwise in subsequent corrective advertisement, the terms and conditions as stated in this notice shall be controlling over this transaction.

The property may be inspected before November 9, 2018. To schedule an inspection, contact the State Lands Division at 334-242-3484. Potential bidders desiring to obtain a copy of the Department of Mental Health lease referred to herein and a Google Earth Image map of the site may visit: <http://outdooralabama.com/land-sales-leasing-act>.



Patricia Powell McCurdy
State Lands Director

10-11-18
DATE