ARIZONA STATE LAND DEPARTMENT
1616 WEST ADAMS STREET
PHOENIX, ARIZONA 85007

PUBLIC AUCTION SALE NO. 53-117978

Pursuant to A.R.S. Title 37, notice is hereby given that the state of Arizona through its Arizona State Land Department (herein called ASLD), will sell at Public Auction to the highest and best bidder at 11:00 a.m. on Wednesday, September 21, 2016, at the Arizona State Land Department, 1616 West Adams Street, Lower Level Auditorium, Phoenix, Arizona, trust lands situated in Maricopa County to wit:

TOWNSHIP 5 NORTH, RANGE 5 EAST, G&SRM, MARICOPA COUNTY, ARIZONA

PARCEL: M&B IN S2SE, SECTION 8, CONTAINING 14.65 ACRES, MORE OR LESS

PARCEL: M&B IN NE; W2, SECTION 17, CONTAINING 50.66 ACRES, MORE OR LESS

PARCEL: M&B IN SESE, SECTION 18, CONTAINING 6.03 ACRES, MORE OR LESS

PARCEL: M&B IN LOTS 3 & 4; NE; SENW; NESW, SECTION 19, CONTAINING 49.36 ACRES, MORE OR LESS

TOTAL ACRES CONTAINING 120.70 ACRES, MORE OR LESS.

LOCATION: EAST OF PIMA ROAD AND NORTH OF DIXILETA DRIVE, SCOTTSDALE, ARIZONA

BENEFICIARY: PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)

For a complete legal description of the land, prospective bidders are advised to examine the purchase application file as well as all pertinent files of ASLD.

The land has been appraised at $2,172,600.00 and consists of 120.70 acres, more or less. The appraised value of the improvements is $3,341.00. The owner of the improvements is Security Title Agency, as Trustee under Trust No. 636900. A complete list of the improvements is available for viewing at ASLD.

The above described lands are sold subject to existing reservations, easements, or rights of way.

The ASLD does not represent or warrant that access exists over lands, which may intervene respectively between the above parcel(s) and the nearest public roadway.

The complete file associated with the described land is open to public inspection at the ASLD, 1616 West Adams Street, Phoenix, Arizona, from 8:00 a.m. to 4:30 p.m., exclusive of holidays and weekends. Please direct any questions regarding this Public Auction to the Real Estate

Division of ASLD at (602) 542-3000. This auction notice is available on the ASLD's web site at ***www.azland.gov.***

Pursuant to the provisions of A.R.S. §37-231, the state of Arizona or its predecessor in title, reserve and retain all rights and all forms of access to all oil, gas, minerals, hydrocarbon substances and gaseous substances or any other material which is essential to the production of fissionable materials as provided by the rules and regulations of ASLD and the laws of Arizona.

Each potential bidder must show ASLD's representative a cashier's check made payable to the Arizona State Land Department in the amount specified under Terms of Sale Paragraph (A) below.

TERMS OF SALE:

(A) *At the time of auction* the successful bidder must pay the following by a cashier's check: (1) 10% of the appraised value of the land, which is $217,260.00; (2)(a) A Selling and Administrative Fee of 3% of the appraised value of the lands, which is $65,178.00; (b) A Selling and Administrative Fee of the lesser of $5,000.00 or 2% of the appraised value of the reimbursable improvements, which is $66.82; (3) 10% of the appraised value of the improvements, which is $334.10; (4) Reimbursable Estimated Advertising Fee which is $5,000.00; (5) Reimbursable Costs and Expenses, not to exceed $27,200.00; (6) Patent Fee of $200.00. The total amount due at the time of sale is $315,238.92 (less $334.10 if the successful bidder is the owner of the improvements, for a total amount due of $314,904.82 OR less $32,200.00 if the successful bidder is the applicant, for a total amount due of $283,038.92).

(B) Within 30 days after the auction date the successful bidder must pay the full balance of the amount bid for the land and pay a Selling and Administrative Fee of 3% of the purchase price, less the amount paid under (A)(2)(a) above.

(C) Within 30 days after the auction date the successful bidder must pay the full balance of the amount owed for the improvements less the amount paid under (A)(3) above. If the successful bidder is the owner of the improvements no payment for the improvements is due.

(D) Within 30 days after the auction date the successful bidder must pay the actual legal advertising cost, less the amount paid under (A)(4) above.

ADDITIONAL CONDITION(S):

The patent for the subject property shall include the following conditions and restrictions:

> All bidders are hereby notified that there may be Register Eligible Site or Sites located within the subject property, which could include information significant in this state's history, architecture, archaeology or culture and may meet eligibility criteria, which the Arizona State Parks Board has established for listing on the Arizona Register of Historic Places, or which meet eligibility criteria for listing on the National Register of Historic Places. If ground-disturbing activities will or may impact one or more Register Eligible Site or Sites, purchaser shall consult with the State Historic Preservation Office and otherwise take such actions as are necessary to avoid, preserve, protect, or mitigate impacts on the Register Eligible Site or Sites. In the event that avoidance, preservation and protection of the Register Eligible Site or Sites cannot be accomplished, purchaser shall

ensure a Data Recovery Plan is developed in consultation with and acceptable to, the Arizona State Museum and the State Historic Preservation Office, or their successor agencies, and the Data Recovery is implemented and completed prior to the Register Eligible Site or Sites being affected. The artifacts and records recovered from the property shall be curated according to the Arizona State Museum (ASM) Conservation and Curation Standards as established in rules implementing the Arizona Antiquities Act. These conditions shall run with the land, and be binding on the purchaser's heirs, successors and assigns.

BIDDING INFORMATION:

(A) The time of sale shall be deemed to be the time of declaration of the highest and best bidder. The bidding will begin at the total appraised value of $2,172,600.00. A bid for less than the appraised value of the land or by a party who has not inspected the land and/or the associated files and records of ASLD will not be considered. Additional bidding increments shall be a minimum of $10,000.00 thereafter. Bidding will be conducted orally.

(B) All bidders must sign an affidavit stating that they have undertaken due diligence in preparation for the auction, that their representative is authorized to bid and bind the bidder and that they are purchasing the property AS IS. It is the bidder's responsibility to research the records of local jurisdictions, all ASLD files pertinent to the purchase application file including the purchase application file, and all other public agencies regarding this property. Notice is hereby given that the property shall be purchased in an "AS-IS" condition "WITH ALL FAULTS", with no representation or warranty being made by ASLD of any type or nature. All bidders shall acknowledge and agree pursuant to the aforementioned affidavit that they are purchasing the property solely upon the basis of their own due diligence and investigation of the property and not on the basis or any representation, express or implied, written or oral, made by ASLD or its agents or employees, except as set forth in writing herein. Without limiting the generality of the forgoing, notice is hereby given that ASLD makes no warranty as to the following: (a) the physical condition or any other aspect of the property, including, but not limited to, the uses to which the property may be put, the ability to construct additional improvements or modify existing improvements on any portion of the property or the ability to obtain building permits for any portion of the property, the conformity of the property to past, current or future applicable landscaping, parking, zoning or building code requirements, the existence of soil instability, past soil repairs, soil additions or conditions of soil fill, susceptibility to landslides, sufficiency of undershoring, water retention characteristics of the property, drainage onto or off of the property, the location of the property either wholly or partially in a flood plain or a flood hazard boundary or similar area, or any other matter affecting the stability or integrity of the land or any improvements constituting the property; or (b) the sufficiency of the property for purchaser's purposes or as to its continued operating conditions or usefulness. All implied warranties, including, without limitation, **WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE,** are hereby expressly disclaimed. This notice shall survive the delivery of the Certificate of Purchase and Patent for the subject property.

(C) Pursuant to A.R.S. §37-240(B), the successful bidder must be authorized to transact business in the state of Arizona no later than ten (10) business days after the auction. The successful bidder must sign an affidavit stating it is the successful bidder and sign a Certification Statement pursuant to A.R.S. Title 37 and the Rules of ASLD.

(D) If the successful bidder fails to complete the payments as stated in the auction notice together with the additional required fees within 30 days from the auction date, all amounts paid at the time of auction by the successful bidder will be forfeited.

(E) In the event of forfeiture, the ASLD Commissioner may declare that the bid placed before the final bid accepted is the highest bid, and that the bidder has five (5) business days after notification by ASLD to pay by cashier's check all amounts due.

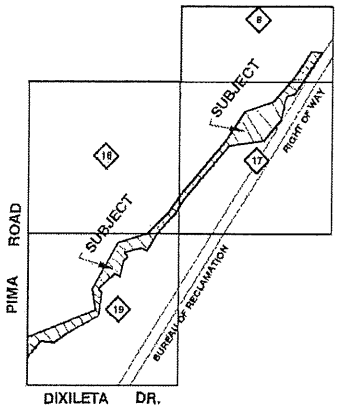
GENERAL INFORMATION:
The ASLD may cancel this auction in whole or in part at any time prior to the acceptance of a final bid.

A protest to this sale must be filed within 30 days after the first day of publication of this announcement and in accordance with A.R.S. §37-301.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the ADA Coordinator, at (602) 542-2636. Requests should be made as early as possible to allow time to arrange the accommodation.

Max D. Masel
(for) Lisa A. Atkins
State Land Commissioner

6/29/16
Date



Disclaimer: This map is designed for general overview purposes only. Unless otherwise stated all depictions are approximate. Prospective bidders should review all information in ASLD's records relating to the property and seek technical or legal advice as needed to assure the understanding of all legal descriptions, plat maps, surveys, and other documents relevant to the property. Contact ASLD, Real Estate Division at (602) 542-3000 for additional information.