

## NOTICE TO BIDDERS

Sealed bids will be received at the office of the Board of Allen County Commissioners; Court of Appeals Building, 204 North Main Street, Suite 301, Lima, Ohio, until 11:00 A.M., August 13, 2020 for the purchase of real property located at 3125 Ada Road, Lima, Allen County, Ohio more particularly described as follows:

Being a parcel of land in the Southwest Quarter of Section 22, T-3-S, R-7-E, Bath Township, Allen County, Ohio and more particularly described as follows:

Commencing at a monument box at the southwest corner of said Quarter Section, said point being on the centerline of Slabtown Road; thence, Due East along the south line of said Quarter Section, 837.21 feet to a P-K nail set and the PLACE OF BEGINNING; thence, N 00°32'49" E. 335.24 feet to a ½" rerod set (passing through a ½" rerod set at 50.07 feet); thence, Due East, 31.34 feet to a ½" rerod set; thence, N 00°34'26" E, 340.54 feet to a ½" rerod set; thence, Due East, 498.54 feet to a ½" rerod set; thence, Due South, 675.75 feet to a P-K nail set, said point being on the south line of said Quarter Section (passing through a ½" rerod set at 632.75 feet); thence, Due East along said south line, 536.49 feet to the PLACE OF BEGINNING.

Containing 8.027 acres more or less subject to all highways and other legal easements of record.

Subject to all legal highways, easements, and to all restrictions and conditions of record  
Parcel Number: 37-2203-01-001.001.

To schedule a tour of the property, please contact Allen County Buildings & Grounds at 419-228-3700 ext. 8521. The last day to schedule a tour is August 7, 2020. The property cannot be viewed after this date. In order to view the property, participants will be required to sign a liability waiver and wear a face mask, which will be provided by Buildings & Grounds.

All sealed bids shall be sealed and addressed to the Board of Allen County Commissioners, 204 N. Main Street, Suite 301 Lima, Ohio 45801, and marked "**3125 ADA ROAD PROPERTY SALE; SEALED BID FORM**" on the outside of the envelope. The Board of Allen County Commissioners has determined that the real property shall be listed for bid at a starting minimum of Seventy-One Thousand and 00/100 Dollars (\$71,000.00). Bids will be opened in the First Floor Conference Room of the Court of Appeals Building, 204 N. Main Street, Lima, Ohio 45801 at 11:00 a.m. on August 13, 2020, and publicly read aloud, for the purchase of real property described in this Notice. The real property is owned by Allen County, Ohio and is located 3125 Ada Road, Lima, Ohio. The bids are to be submitted only on a Bid Proposal Form ("**SEALED BID FORM, 3125 ADA ROAD PROPERTY SALE**") available at the following Office:

Board of Allen County Commissioners  
204 N. Main Street  
Suite 301  
Lima, OH 45801

The Board of Allen County Commissioners has resolved to sell the property identified herein to the highest responsible bidder.

Certified checks, official bank checks, or money orders (**personal checks and cash are NOT acceptable**), payable to **Board of Allen County Commissioners** in the amount of Ten percent (10%) of the bid for the real property listed, must be filed with a signed Bid Proposal. If the bid is

accepted, said amount will be deposited and held by the Allen County Commissioners as an earnest money deposit which amount will be applied to the purchase price. For bids which are not accepted, the checks will be returned to the Bidders. The successful bidder shall pay the balance of the successful bid within forty-five (45) days of the date of the bid opening, by certified checks, official bank checks, or money orders (**personal checks or cash are not acceptable**), payable to Board of Allen County Commissioners. The Bid Proposal and the Notice to Bidders shall be incorporated in and made part of the final sales contract between the Board of Allen County Commissioners and the successful bidder. The Board of Allen County Commissioners reserves the right to reject any and all bids and to waive technicalities.

#### TERMS OF BIDDING AND SALE:

1. The Notice to Bidders and Invitation to Bidders shall be incorporated in and made a part of the final sales contract between the Board of Allen County Commissioners and the Successful Bidder.
2. All bidders assume the risk of injury or damage to himself/herself/itself that may occur either on or off the premises during the bidding process and after closing on the sale. To the fullest extent permitted by law, all bidders at their sole cost and expense shall defend, indemnify, and hold harmless, the Board of Allen Count Commissioners, its employees, agents, contractors, and officials against any and all damages, claims, actions, causes of actions, demands suits, liability, loss, fines, or expenses, including but not limited to attorneys' fees and costs, arising out of or resulting from their respective acts or omissions during the bidding process and after closing.
3. The property is being purchased in "AS IS –WHERE IS" condition with no warranties expressed or implied. The property bid upon may or may not contain lead or lead based paint and asbestos, or other hazardous material. It shall be the responsibility of each bidder to inspect and examine the size and condition of the structure, all appurtenances, and the conditions affecting the interior demolition and build out of the real property. The Board of Allen County Commissioners have made no representations or statements concerning the condition of the property or structure, the value thereof, the use that can be made of it, the zoning classification of the property, or the feasibility of interior demolition and/or build out. The Successful Bidder assumes all responsibility for the environmental condition of the property, including, but not limited to, any contaminates such as asbestos that may be found on or within a structure on the property, and further agrees to defend, indemnify and hold harmless the Board of County Commissioners, its employees, agents, contractors, and officials against any and all damages, claims, actions, causes of actions, demands, suits, liability, loss, fines, or expenses, including but not limited to attorney fees and costs, related to the discovery, presence, disposal, release, or cleanup of contaminants, hazardous materials, or pollutants, as well as any personal injury or property damage related to such contaminates, hazardous materials, or pollutants.
4. Certified Checks, Official Bank Checks, or Money Orders, (personal checks and cash are not acceptable), payable to the Board of Allen County Commissioners in an amount of 10% of the bid for the real property, must be filed with the signed Bid Proposal for the real property. If the bid is accepted, said amount will be deposited and held by the Allen County Commissioners as an earnest money deposit which amount will be applied to the purchase price. For bids which are not accepted, the checks will be returned to the Bidders. The successful bidder shall pay the balance of

the successful bid within forty-five (45) days of the date of the Bid Opening by Certified Checks, Official Bank Checks, or Money Orders (personal checks and cash are not acceptable) payable to the Board of Allen County Commissioners. In the event of default by the successful bidder, the Allen County Commissioners may retain the earnest money deposit and may pursue any and all remedies it has at law and equity. The Bid Proposal and the Notice to Bidders shall be incorporated in and made a part of the final sale contract between the Board and the Allen County Commissioners and the successful bidder.

5. The Board reserves the right to reject any and all bids and to waive technicalities.
6. Bids shall not be contingent upon financing in any form or fashion.
7. The acceptance of the bid by the Board of the Allen County Commissioners and written notification of the award thereof, to the successful bidder shall constitute a contract by and between the successful bidder and the Board of Allen County Commissioners and shall be memorialized by a written Contract of Sale and Purchase which shall be incorporated by reference all terms; provisions, and conditions of this Notice to Bidders and Bid Proposal.
8. Possession of the premises to be delivered at closing.
9. Real estate taxes and assessments shall be pro-rated to the date of closing.
10. The Board of Commissioners of Allen County, Ohio, expressly reserves for itself, and its successors and assigns, a driveway easement and right-of way for the purpose of ingress and egress across the following described tract of land:

Being a 30 Foot driveway easement in the Southwest Quarter of Section 22, T-3-S, R-7-E, Bath Township, Allen County, Ohio and more particularly described as follows:

Commencing at a monument box at the southwest corner of said Quarter Section, said point being on the centerline of Slabtown Road; thence, due East along the south line of said Quarter Section, 837.21 feet to a P-K nail set and the PLACE OF BEGINNING; thence, N 00°32' 49" E, 335.24 feet to a ½" rerod set (passing through a ½" rerod set at 50.07 feet); thence, Due East, 30.00 feet to a point; thence, S 00°32'49" W, 335.24 feet to a point, said point being on the south line of said Quarter Section; thence, Due West along said south line, 30.00 feet to the PLACE OF BEGINNING.

The easement shall be appurtenant to and for the benefit of the land owned by the Board of Commissioners of Allen County, Ohio located to the west and north.