

Douglas A. Ducey
Governor



Lisa A. Atkins
Commissioner

Arizona State Land Department

1616 West Adams, Phoenix, AZ 85007
(602) 542-4631

NOTIFICATION OF PENDING SALE

March 12, 2021

Certified No. 9171 9690 0935 0258 7941 78

City of San Luis
Attn: Jenny Torres
P.O. Box 1170
San Luis, AZ 85349

RE: Public Auction Sale No. 16-120751

Dear Ms. Torres:

Enclosed is a copy of the Sales Notice, which will be advertised for ten consecutive weeks in both the Arizona Capitol Times and the Yuma Sun. Please see the enclosed Sales Notice for full particulars regarding the auction.

You or an authorized representative must be present to bid. If you choose to send an authorized representative, he/she must present a notarized statement to the auctioneer authorizing him/her to bid in your absence.

If there are no bidders in attendance at the time of the auction, or if you do not have the required documents and/or certified funds, as outlined in the auction notice, the auction may be cancelled.

Please note that the certified funds, due on the day of auction, must be in the form of a cashier's check, no other form of payment can be accepted.

Sincerely,

A handwritten signature in black ink that reads "Amber Troidl".

Amber Troidl
Rights of Way Section
(602) 542-3140
atroidl@azland.gov

Enclosures

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

**PUBLIC AUCTION SALE NO. 16-120751
PERPETUAL RIGHT OF WAY EASEMENT**

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 Tuesday, May 25, 2021, at the front entrance to the Yuma County Courthouse, 250 West Second Street, Yuma, Arizona, a perpetual right of way easement for the purpose of a public roadway with underground utilities situated in Yuma County to wit:

TOWNSHIP 11 SOUTH, RANGE 24 WEST, G&SRB&M, YUMA COUNTY, ARIZONA

PARCEL: M&B THRU W2W2SWSW S2S2SWSE, SECTION 6. CONTAINING 1.044 ACRES, MORE OR LESS.
PARCEL: M&B THRU N2N2NE NWNW, SECTION 7. CONTAINING 3.369 ACRES, MORE OR LESS.

TOWNSHIP 11 SOUTH, RANGE 25 WEST, G&SRB&M, YUMA COUNTY, ARIZONA

PARCEL: M&B THRU TRACTS 3 4 STATE PLAT 17 E2SW S2SWNWSE, SECTION 1. CONTAINING 5.448 ACRES, MORE OR LESS.
PARCEL: M&B THRU TRACTS 20 21 STATE PLAT 17, SECTION 12. CONTAINING 6.258 ACRES, MORE OR LESS.

BENEFICIARY: MINERS HOSPITAL FOR DISABLED MINERS; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS); UNIVERSITY; UNIVERSITY OF ARIZONA (ACT OF 2/18/1881)

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

Said right of way easement has been valued at \$606,381.00 and consists of 16.119 acres, more or less.

Additional requirements and conditions of this right of way are available and may be viewed at the Arizona State Land Department, 1616 West Adams Street, Phoenix, Arizona.

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 Rights of Way Section of the Real Estate Division of ASLD at (602) 542-4098. This auction notice is available on the ASLD's web site at www.azland.gov.

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 sale* the successful bidder must pay the following by a cashier's check: (1) The value of the right of way, which is \$606,381.00; (2) A Selling and Administrative Fee of 3% of the value of the right of way, which is \$18,191.43; (3) Reimbursable Estimated Advertising Fee, which is \$2,500.00; (4) Reimbursable Appraisal Fee, which is \$8,000.00. The total amount due at the time of sale is \$635,072.43 (less \$360,500.00 if the successful bidder is the applicant for a total amount due of \$274,572.43).

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

(C) Within 30 days after the auction date the successful bidder shall be required to pay the actual legal advertising cost, less the amount paid under (A)(3) above.

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 value of the right of way. A bid for less than the value of the right of way easement or by a party who has not inspected the right of way and/or the associated files and records of ASLD will not be considered.

(B) All bidders must sign an affidavit stating that they have undertaken due diligence in preparation for the auction and that their representative is authorized to bid and bind the bidder. It is the bidder's responsibility to research the records of local jurisdictions and public agencies regarding this 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 payment 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) 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) 542-2629. Requests should be made as early as possible to allow time to arrange the accommodation.


Ruben Ojeda
(for) Lisa A. Atkins
Commissioner



3/11/2021
Date

STATE LAND DEPARTMENT OF THE STATE OF ARIZONA
BEFORE THE STATE LAND COMMISSIONER

IN THE MATTER OF APPLICATION TO
PURCHASE RIGHT OF WAY NO. 16-120751
FOR THE STATE LAND DESCRIBED AS:

ORDER NO. 60-2020/2021

AUTHORIZATION OF SALE
OF RIGHT OF WAY

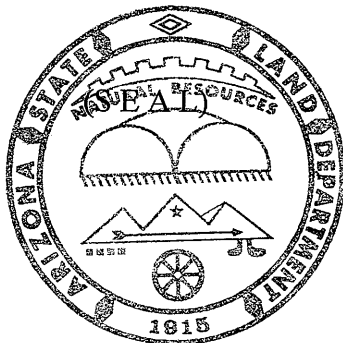
APPLICANT: CITY OF SAN LUIS

The State Land Commissioner authorizes the sale of the subject right of way and improvements (if applicable) according to the provisions of the law, for not less than the appraised value, with conditions made part of the subject right of way, and on file at the Department.

The State Land Commissioner has determined that the interests of the State will not be prejudiced by the sale.

IT IS ORDERED that the right of way and improvements (if applicable) as referenced in the caption of this Order, be sold to the highest and best bidder at public auction.

GIVEN under my hand and the official seal of the Arizona State Land Department this
12th day of March, 2021.



LISA A. ATKINS
Commissioner

by:

4 Notice of Appealable Agency Action

5 This is an appealable agency action. Pursuant to A.R.S. § 41-1092.03(B), if you are
6 directly or adversely affected by this decision, the party may request a hearing within thirty
7 (30) days of the date the notice is received. A request for a hearing must be in writing and
8 filed with the Department, and must state the appellant's name and address, the specific action
9 or actions of the Department which are the basis of the hearing request, and a concise
statement of the reasons for this appeal. The appellant also has the right to an informal
settlement conference pursuant to A.R.S. § 41-1092.06(A), if it is requested in writing and
filed with the Department no later than twenty (20) days before the hearing.

10 Pursuant to Rule 31(d)(11) of the Arizona Supreme Court, in proceedings before the
11 Office of Administrative Hearings, a legal entity may be represented by a full-time officer,
12 partner, member or manager of a limited liability company, or employee, provided that: the
13 legal entity has specifically authorized such person to represent it in the particular matter;
14 such representation is not the person's primary duty to the legal entity, but secondary or
15 incidental to other duties relating to the management or operation of the legal entity; and the
16 person is not receiving separate or additional compensation (other than reimbursement for
17 costs) for such representation.

18 The request must be sent to the Arizona State Land Department,
19 Attention: Administration Division Director, 1616 W. Adams Street, Phoenix, AZ 85007. If
20 the request for a hearing is not timely filed, the decision of the Commissioner may be final
21 and not subject to further review.

22 In accordance with Title II of the Americans with Disabilities Act (ADA), the Arizona
23 State Land Department does not discriminate on the basis of disability in the provision of its
24 programs, services and activities. Persons with a disability may request a reasonable
25 accommodation such as a sign language interpreter by contacting the Department's ADA
26 Coordinator at (602) 542-2629. Request should be made as early as possible to allow time to
27 arrange the accommodation.
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Order 60-2019/2020
Authorization of Sale R.O.W. 16-120751
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Copy of the foregoing mailed/
delivered this 12th day
of March, 2021 to:

Certified No.

9171 9690 0935 0258 7941 78
16-120751

City of San Luis
Attn: Jenny Torres
P.O. Box 1170
San Luis, AZ 85349

9171 9690 0935 0258 7941 85
03-106940-28

Gadsden Elementary School District #32
Attn: Charles Juenger
P.O. Box 6870
San Luis, AZ 85349

Copy to: Minerals Section
Water Rights Section
Agriculture Section
Planning and Engineering Section
Right of Way Section
Sales and Commercial Leasing Section
Public Notice Board
File No. 16-120751

Amber Trillo

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EXHIBIT A
LEGAL DESCRIPTION
16-120751

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MORE OR LESS.

M&B THRU N2N2NE NWNW OF SECTION 7. CONTAINING 3.369 ACRES, MORE OR
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TOTAL ACRES CONTAINING 16.119 ACRES, MORE OR LESS