CALTRANS

ORAL PUBLIC AUCTION

PARCEL 17903-01-01 (17909-01-01)

Parcel Address: Formerly
875 West Temple Street
San Bernardino, CA 92410

Caltrans District 8 Office
464 W. 4th Street
San Bernardino, CA 92410

Date: Wednesday, October 19, 2016

Room 1019

Registration: 10:00-11:30AM
Auction: 11:30AM

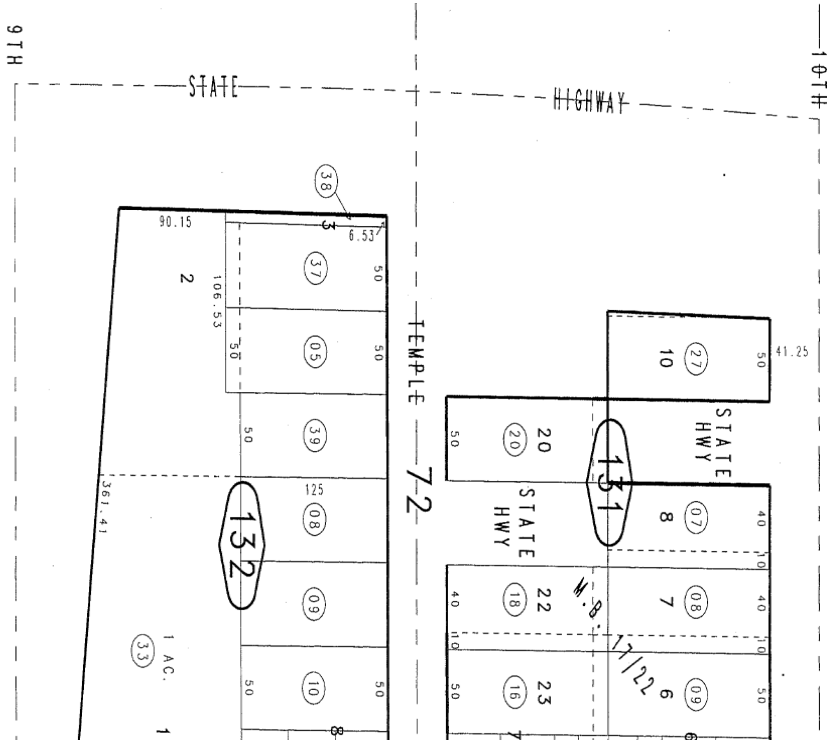
BIDDERS MUST BE PRESENT

FOR A BROCHURE AND CONDITIONS OF SALE

PLEASE CHECK
www.dot.ca.gov/property

OR CALL EXCESS LAND SALES

909-888-5826
OR
909-381-2975



TERMS OF OPTION TO PURCHASE

Note: A bidder's registration is required. The bidder must register and obtain a bidder's number prior to the auction.

ALL CASH TERMS: Seller does not intend to offer credit for this sale.

BID REGISTRATION: All interested buyers must register and obtain a BID CARD. In order to register, bidders must bring a CASHIER'S CHECK or MONEY ORDER made payable to the State of California Department of Transportation in the amount **of $200 for parcel DD 018817-01-01, $500 for parcel DD 018774-01-01, $500 for parcel DD 018940-01-01, $500 for parcel DD 017903-01-01 (17909-01-01) $500 for parcel DD 018578-01-01 (19626-01-01 and 19627-01-01).** The check will be collected from the winning bidders immediately following the auction. The successful bidder's registration fee will be applied toward their Option Deposit.. **See page entitled Available Parcels Excess Land Auction.**
The check will be collected from the winning bidders immediately following the auction. The successful bidder's registration fee will be applied toward their Option Deposit.

OPTION DEPOSIT: The successful bidder will be required to deposit the remaining 10% of the winning bid with the State by **October 25, 2016**. All of the registration fee will be used for the deposit. All payments must be by **CASHIER'S CHECK OR MONEY ORDER** made payable to the California Department of Transportation.

IF YOU WISH TO BID ON MULTIPLE PROPERTIES, PLEASE NOTE THAT A CASHIER'S CHECK OR MONEY ORDER IN THE AMOUNT OF THE BID DEPOSIT IS REQUIRED FOR EACH PROPERTY. PERSONAL CHECKS OR CASH WILL NOT BE ACCEPTED. NO EXCEPTIONS.

FORFEITURE OF DEPOSIT: The option deposit and any additional option deposits shall be **NON-REFUNDABLE** in the event that the successful bidder fails to exercise the option within the option period or fails to comply with any and all of the terms of the option as herein provided.

OPTION PERIOD: This period shall commence on the first day following the auction and expire on **November 17, 2016**. **The balance of the purchase price shall be paid on or before expiration of the Option Period of November 17, 2016.**

EXTENSION OF THE OPTION PERIOD: There may be situations wherein the option holder is unable to complete the Terms of Option within the time allowed for reasons beyond his/her control. Under these circumstances, the State, at its discretion, may elect to extend the option period. A charge of 1% of the bid price per month will normally be made for such extensions. **This fee will not be applied to the purchase price, and is non-refundable.**

OPTION AGREEMENT: Immediately after the auction the successful high bidder shall sign an Option to Purchase Agreement, for cash and said Option to Purchase Agreement shall become the Purchase and Sale Agreement and successful bidder shall be bound to the terms specified in the Notice of Sale and Purchase and Sale Agreement. At State's discretion, failure to exercise the Option to Purchase Agreement, default in completion of the sale or violation of any term of sale may result in exclusion from future auctions the duration of which may vary depending on the circumstances. The highest bid will be submitted to the California Transportation Commission (C.T.C.) for approval. Upon signing of the purchase agrement, the successful bidder shall be bound to the terms specified in the Terms of Option to Purchase.

ESCROW and PAPERWORK PROCESSING: The State will handle the transfer of the property at NO CHARGE to the successful bidder except for regular transfer and recording fees. This is not considered to be a formal escrow as there is no disinterested third party. Bidder may elect to open an escrow within 5 working days with a mutually acceptable California licensed escrow company at bidder's expense.

TITLE INSURANCE: The successful bidder is encouraged to obtain a policy of Title Insurance at his own expense. The State will not purchase Title Insurance.

PAYMENTS: Payments must be made by **CASHIER'S CHECK or MONEY ORDER**, made payable to the **CALIFORNIA DEPARTMENT OF TRANSPORTATION.** The successful bidder's 10% option deposit will be retained by the State. The balance of the purchase price is due on or before **November 17, 2016**. The successful bidder shall pay all recording fees, documentary transfer tax, and other real estate transaction taxes or fees by whatever name known, including escrow fees and broker's commission, if any, and personal property taxes where applicable.
Following the auction; call to schedule an appointment to make payments. You may contact Caltrans at: (909) 888-5826 or (909) 381-2975.

LIMITING CONDITIONS: *The successful bidder may take possession of the property when the Director's Deed is recorded and title is transferred to the successful bidder.*

1. The sale under this option is subject to the approval of the C.T.C. Any assignments under this contract must be made 30 *days prior to C.T.C approval. If the sale is not approved, by the CTC the* option deposit money will be refunded without interest. When the sale is approved by the C.T.C. and the successful bidder exercises his or her option, the option deposit will be credited toward the bid purchase price.
2. The State reserves the right to reject any and all bids and to cancel the sale in part or in its entirety, any time and for any reason prior to the recordation of the Directors Deed.
3. The right, title and interest in the property to be sold shall not exceed that vested in the State of California, and this sale is subject to all title exceptions and reservations whether or not recorded. The Department of Transportation does not assume any liabilities for possible encumbrances on the property.
4. The successful buyer is encouraged to obtain a policy of Title Insurance at his/her own expense.
5. **SECOND HIGHEST BIDDER:** In the event that the highest bidder fails to exercise his/her option within the option period or defaults in completion of the sale, the State may, at its discretion, offer the option to the second highest bidder. If the second highest bidder accepts the option, the deposit requirements and terms of option to purchase shall be the same as stated in this notice of sale, except that the option period shall commence on the day the option is awarded by the State. At the State's discretion, the State may go to the third highest bidder.
6. An agreement between two or more prospective bidders to set their bid price or not to submit bids against each other with the purpose of purchasing this parcel or other parcels at a more advantageous price or terms is prohibited. Where such agreements come to the knowledge of the Department of Transportation, any bids made pursuant to such an agreement will be disqualified.
7. In the event of cancellation of sale by the State and/or rejection of any bids, the respective deposits of money shall be refunded without interest.
8. Should the successful purchaser desire a survey of the property, an independent survey at the buyer's expense may accomplish this. No warranty is made by the Department of Transportation relative to the ground locations of the property lines other than monumented highway right-of-way lines.
9. The successful purchaser shall be responsible for complying with local building codes and ordinances. All properties are sold in an "**AS IS**" condition. The successful bidder agrees that, as of the close of escrow he or she will be acquiring the property in an "**AS IS**" condition with all the faults and conditions then existing on the property including any hazardous substances or hazardous wastes that may be located on under, or around the property, whether known or unknown. The successful bidder assumes all responsibilities for such faults and conditions.
10. All Caltrans employees may bid to acquire excess State owned properties, except employees who have direct access to infomation not generally available to the public or who can influence the purchase or sale of right of way or other real property.

AVAILABLE PARCELS / EXCESS LAND AUCTION
October 19, 2016

REGISTRATION 10:00AM-11:30AM AUCTION BEGINS: 11:30AM

BID DEPOSIT: CASHIER'S CHECK OR MONEY ORDER ONLY
PAYABLE TO: STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

SEE ATTACHED TERMS OF OPTION TO PURCHASE

CALL FOR INFORMATION: (909) 888– 5826 or (909) 381-2975

Parcel availability is subject to change

DEED #	LOCATION	GENERAL DESCRIPTION APPROXIMATE SIZE	BID DEPOSIT	MINIMUM BID
DD 018817-01-01	Portion of former 859 Vine St., San Bernardino, CA 92410	3,777 +/- SF Vacant Lot	$200.00	$1,900.00
DD 018774-01-01	S/W/C of So. H St. & Adell Street San Bernardino, CA 92410	9,028 +/- SF Vacant Lot	$500.00	$6,800.00
DD 018578-01-01 (19626-01-01) (19627-01-01)	Formerly 840-858 Spruce Street San Bernardino, CA 92410	13,439 +/- SF Vacant Lot	$500.00	$38,000.00
DD 017903-01-01 (17909-01-01)	Formerly 875 W. Temple St. San Bernardino, CA 92410	47,009 +/- SF Vacant Lot	$500.00	$25,900.00
DD 018940-01-01	Northeasterly terminus of Jefferson St., e/o I St. San Bernardino, CA 92410	15,469 +/- SF Vacant Lot	$500.00	$11,500.00

DATA SHEET

VOCAL AUCTION

(STATE FINANCING IS NOT AVAILABLE ON THIS PARCEL)

SALE #	COUNTY	ROUTE	DEED #
DD017903-01-01/ 017909-01-01	SBD	215	DD017903-01-01/17909-01-01

MINIMUM BID $25,900.00

BID DEPOSIT **$500.00** DUE AT THE AUCTION (CASHIER'S CHECK OR MONEY ORDER)
Payable to: California Department of Transportation

REQUIRED DEPOSIT 10% DOWN REQUIRED BY **October 25, 2016**. BALANCE OF THE PURCHASE PRICE DUE ON OR BEFORE **November 17, 2016**.

JURISDICTION CITY OF SAN BERNARDINO

LOCATION In the northeast quadrant of the intersection of Interstate 215 and 9th Street, extending north along the Interstate 215 right-of-way to Temple Street. It is a portion of the site formerly identified as 875 West Temple Street and 908 N. H Street, in the city of San Bernardino
(See attached Plat Map)

PROPERTY DESCRIPTION

TYPE: Vacant Land LOT SIZE: 47,009 +/- SF

SHAPE: Irregular TOPOGRAPHY: Level

ZONING **Contact County of San Bernardino**
The Department of Transportation makes no warranty as to the existing or future zoning. Prospective bidders are advised to contact the appropriate city and or county offices for current zoning information and permitted land use.

UTILITIES Availability of utilities should be checked with local utility companies, the city and/or the unincorporated county area government offices.

ACCESS **Via Temple Street from H Street. The nearest egress/ingress to Interstate 215 is at 5th Street or Baseline Road.**

LIMITATIONS AND INSPECTION
The sale of this property is subject to all matters of public record and any easements, claim of easements or reservations not of record. The Department of Transportation does not assume any liability for any possible encumbrances on this property. Such information as the Department of Transportation may have on the subject will be furnished upon request.
Location of property line, fence, and walls, if any, are assumed located on or nearby property lines; the State does not guarantee proper placement. Prospective bidders should consult local title companies for complete information regarding the title of the property at their expense.
Interested parties, upon request, may inspect the property and conduct core or soil sample tests with the State's written approval.

For additional information or assistance, please call Thalia H. McElroy **(909) 888-5826 or Vince Lundblad (909) 381-2975**