



# Montana Department of Transportation

## Notice of Sale of Real Estate

**Malcolm "Mack" Long**  
Director of Transportation

**Loran Frasier**  
Transportation Commission Chairman

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NOTICE IS HEREBY GIVEN under statutory authority, the Montana Department of Transportation will sell at public auction, with reserve, to the highest bidder, the vacant tract of land being more particularly described as follows:

Tract 1, shown on Certificate of Survey 547770, being situated in in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, Township 7 North, Range 21 West, P.M., M., Ravalli County, Montana, as shown by the shaded area on the plat, consisting of 1 pages attached hereto and made a part hereof, containing an area of 0.85 acres, more or less.

It is expressly intended and agreed that these reservations, burdens, and restrictions shall run with the land and shall forever bind the Grantee, their successors, and assigns.

Directions to the property: From 215 S 4th St, Hamilton, MT head north on S 4th St toward State St, 220 ft. Turn right at the 1st cross street onto State St, 0.2 miles. Turn left onto US-93 N/S 1st St, continue to follow US 93 N, 6 miles, make a U-Turn and go 1.2 miles south. 947 Meridian Rd will be on the right.

The appraised value of the tract is \$222,200.00 (Two hundred twenty-two thousand, two hundred dollars and no cents).

**This property is being sold "AS IS".**

The auction will be held beginning at 1:00 p.m. on Tuesday, January 23, 2024 in the 3rd Floor BCC Meeting Room of the Ravalli County Courthouse, 215 S 4th St, Hamilton, Montana 59840.

The sale of said real estate is subject to the "Detailed Terms and Conditions of Sale" as set forth herein.

### **DETAILED TERMS AND CONDITIONS OF SALE**

1. **BIDS:** Bids may be either written or oral. Written bids must be submitted on the appropriate form to the Real Estate Services Section, Montana Department of Transportation (MDT), 2701 Prospect Ave., P.O. Box 201001, Helena, MT, 59620-1001 and received on or before January 22, 2024. Written bids will be opened and announced by the auctioneer at the beginning of the auction. After all written bids are announced, oral bidding may continue by all bidders present.

Bid forms and envelopes for submitting written bids may be obtained by contacting the Real Estate Services Section, Montana Department of Transportation, P.O. Box 201001, Helena, MT, 59620; (406) 444-9429 or TTY 1-800-335-7592 for the hearing impaired.

2. **BID DEPOSIT:** The successful bidder must submit a deposit of 10% of the bid amount. Written bids that do not contain the required 10% deposit will be disregarded at the auction. Personal Check, Postal Money Order, Bank Draft, or Cashier's Check should be made payable to the "Montana Department of Transportation".
3. **BID BALANCE:** The successful bidder must submit the balance (bid amount less deposit) within 60 days of the date of the auction made payable to the "Montana Department of Transportation" and mailed or delivered to the Montana Department of Transportation, Real Estate Services Section, P.O. Box 201001, 2701 Prospect Avenue, Helena, MT 59620 on or before 5:00 pm, March 22, 2024.

4. **APPRAISAL**: The appraised value as determined by MDT is for MDT purposes only. Under statutory restrictions, the State cannot accept any bid under 90% of the appraised value.
5. **RESERVATION**: MDT reserves the right to reject any or all bids and waive technicalities as may be deemed necessary in the interest of the State of Montana.
6. **HOW PAYMENT IS TO BE MADE**: All payments in connection with this sale must be made by one or a combination of the following: Cash, Personal Check, Postal Money Order, Bank Draft, or Cashier's Check, payable to the Montana Department of Transportation.
7. **DEFAULT**: In the event of default by the high bidder, the bid deposit shall be forfeited to the State. If MDT does not receive any acceptable bids at the auction, the property may be sold at a private sale for 90% of the appraised value. If MDT does receive other bids at the auction that would have been acceptable, MDT will hold another auction to sell the property.
8. **COMPLETION OF THE AUCTION**: The auction is complete when the auctioneer announces that the down payment has been paid.
9. **INSTRUMENT OF CONVEYANCE**: Conveyance will be made pursuant to Section 60-4-207, M.C.A., and the successful bidder shall accept such title as possessed by MDT.
10. **TAXES**: MDT cannot legally pay general taxes or special assessments; therefore, any delinquent or current tax or special assessment must necessarily be the responsibility of the purchaser.
11. **EXISTING RIGHTS**: The above land will be sold subject to all valid existing easements upon and across said lands.
12. **CERTIFICATE OF SURVEY**: If needed for recording or other purposes, the successful bidder may be required to provide a Survey at their own expense. When the successful bidder has paid the remaining balance due for the property and has provided the required Survey, MDT will prepare and issue the Deed.
13. **RECORDATION**: MDT will record the deed for the tract of land being conveyed herein. Once recorded, MDT will transmit the deed to the purchaser.
14. **ENVIRONMENTAL IMPACT**: If the development of this tract will require a negative environmental declaration or an environmental impact statement, the successful bidder must furnish them at his own expense to the Montana Department of Environmental Quality and any other appropriate governmental agencies.
15. **ZONING**: Property is subject to any existing or future zoning ordinances.
16. **RIGHT OF FIRST REFUSAL**: Pursuant to Section 77-2-306(4), M.C.A., if this property was acquired from a local government, that local government has the "right of first refusal" to re-purchase the property. Bidders at the auction can raise their own bid only once. After the sale, the local government has 3 business days to notify MDT, in writing, of their wish to exercise their "right of first refusal" and submit their 10% deposit. If the local government does exercise their right to match the high bid from the auction, MDT will refund the high bidder's deposit from the public auction.
17. **WATER RIGHT TRANSFER OWNERSHIP UPDATE DISCLOSURE**: There are no water rights to be transferred.
18. **ACCESS**: There is a deeded joint approach noted in Bargain and Sale Deed, doc. 554802. For more information about the joint approach permit, contact the Missoula Maintenance Chief, 406-523-5803.