

**Wisconsin Department of Transportation**

DEPARTMENT OF TRANSPORTATION

DTDS – SE Region

141 NW Barstow Street

Waukesha, WI 53187

Telephone: (262) 521-5355

FAX: (262) 548-5888

1

TO: Prospective Bidders

For Surplus State Highway Land

**Sale of Surplus State-Owned Land**

The parcel is located along the west side of Pine Street (STH 83) South of STH 11, Town of Burlington, Racine County, Wisconsin. (Aerial map provided later)

The Wisconsin Department of Transportation (WisDOT) solicits your bid for the purchase of the above-mentioned parcel of surplus real estate. The parcel is triangular in shape, totaling approximately 1.19 acres. Access would be combined with the residential user to the north at 6138 Pine Street. **Bidder understands that this access is not guaranteed ‑ it is the responsibility of the bidder to confirm the access with Town and county officials**. The purchaser will be responsible for any necessary rezoning. A map is attached depicting the property.

If you are interested in bidding on this land, carefully read the instructions in the enclosed bulletin. In addition to terms of sale, the bulletin also contains a sample deed with deed restrictions, location maps, and the official forms on which your bid must be recorded.

The appraised value of this property is $23,800. This is based on the review of an appraisal report completed by Todd Wojciuk, an appraiser for the Wisconsin Department of Transportation. **A bid deposit in the form of a certified check or cashier's check in the amount of ten percent (10%) of the bid amount must accompany the bid. The check should be made payable to the Wisconsin Department of Transportation.** The deposit of the high bidder will be applied towards the purchase price.

No verbal statements or representations made by, for, or on behalf of either party shall be a part of such contract. **It shall be the responsibility of the prospective buyer to be fully informed as to zoning ordinances, real estate tax rates, utility service, building codes, local municipal assessments, etc.** The seller will furnish no title insurance or abstract. Final sale is subject to the approval of the governor of the state of Wisconsin.

**All bids must be submitted to the Wisconsin Dept. of Transportation, Division of System Development, Southeast Region – Waukesha Office, Real Estate Unit, 141 NW Barstow Street, Waukesha, WI 53187. Attention: Scott Dellenbach. Bids are due no later than 10:00 am on May 23rd.**

If you need directions to locate our office or clarification of the bid instructions, I will be happy to assist you. Please contact me at (414) 870-8820.

Sincerely,

Scott Dellenbach

Real Estate Specialist



WISCONSIN DEPARTMENT OF TRANSPORTATION

TRANSPORTATION SYSTEMS DEVELOPMENT, SOUTHEAST REGION – WAUKESHA

**SEALED BID SALE OF SURPLUS LAND**

BIDDERS BULLETIN

(Contains Official Bid Forms)

Project ID 3180-08-20; Parcel 16EX

LOCATION OF PARCEL: The parcel is located along Pine Street, Town of Burlington, Racine County, Wisconsin.

AT: DEPT. OF TRANSPORTATION SOUTHEAST REGION (WAUKESHA)

REAL ESTATE UNIT

141 NW BARSTOW STREET

WAUKESHA, WI 53187

ATTENTION: Scott Dellenbach

Wisconsin Department of Transportation

Attn: Scott Dellenbach

Division of Transportation Systems Development, Southeast Region (Waukesha)

Real Estate Unit

141 NW Barstow Street

Waukesha, WI 53187

Phone: (414) 870-8820

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**GENERAL INFORMATION APPLYING TO ALL SURPLUS LAND SALES**

The Wisconsin Department of Transportation (also referred to as the “Department”) urges you to visit and inspect the surplus parcel you are interested in before you bid. All lands will be conveyed on an "as is" basis. Ignorance of any condition of the site will not allow you to withdraw or adjust a bid after it is opened.

We urge you to secure firsthand information about the local real estate tax rate, utility services, zoning ordinances and building codes. With that information, you will be in a position to accurately determine the utility of the land and to prepare a bid reflective of that utility.

The property is being sold “as is” with no warranties as to condition or use. It is advised that all bidders research thoroughly, exercise due diligence, and seek professional advice, if necessary, regarding the property for sale.

**GENERAL INFORMATION ABOUT PROPERTY OFFERED FOR SALE**

1. The parcel is located along Pine Street (STH 83), Town of Burlington, Racine County, Wisconsin.

2. Project ID 3180-08-20 Parcel 16; Tax Parcels 002-02-19-04-029-000 & 002-02-19-04-028-000

3. Area of Site: ± 1.19 acres

4. Present Zoning: The property is zoned Agricultural (A-2) General Farming & Residential District. The purchaser assumes any and all costs of rezoning, if necessary.

5. Sample Deed with deed restrictions: See Pages 5 & 6.

6. Taxes or Assessments Levied against Site: None known. Any taxes or assessments will be the responsibility of the Purchaser.

7. No off-premise signs will be permitted.

8. Access would be allowed only through a shared driveway with the parcel to the north located at 6138 Pine Street. **Bidder understands that this access is not guaranteed—it is the responsibility of the bidder to confirm the access with town and county officials**.

**GENERAL TERMS OF SALE**

1. Deadline for Bid Opening

It shall be your duty as a bidder to see that your bid is delivered within the time and at the place prescribed in this bulletin. No bid received after the time fixed in this invitation for the opening of bids will be considered and those bids will be returned unopened. Bidders are welcome to attend the bid opening but attendance is not mandatory.

2. Award of Bid

After payment of the full bid price, the Department of Transportation will award title of the property to the bidder conforming to the terms and conditions stated in this bulletin. In the event that two or more high bids are received that are equal in all respects, the selection will be made by a lottery limited to the tied bidders.

3. Modification or Withdrawal of Bids

The Department of Transportation will not entertain claims from bidders for withdrawal or modification of

bids after the bid opening because of ignorance of the condition of the property offered for sale or misinterpretation of the terms and conditions of the sale.

4. Notice of Acceptance or Rejection of Bids

You will be notified by mail of acceptance or rejection of your bid within ten (10) business days after the day of bid opening.

5. Contract for Sale

After the bid has been accepted by the Department of Transportation and the sale approved by the Governor, a sale agreement between the successful bidder and the state shall exist. Such agreement shall constitute the whole contract to be succeeded only by the formal conveyance instrument unless modified in writing and signed by both parties. Neither oral statements or representations made by or for, or on behalf of either party shall become part of such contract; nor shall the contract or any interest therein be transferred or assigned by the successful bidder without written consent of the Department of Transportation. Any assignment transaction without such consent shall negate the sale.

6. Grounds for Rejection of Bids

The Department of Transportation expressly reserves the right to reject any or all bids when deemed as irregular or when not in the best interest of the Department to accept. Bids containing any qualifying or contingent clauses not mentioned in this bulletin will be declared irregular and rejected. Minor irregularities in the bid form such as misspelled words, may be waived and the bid accepted.

7. Forfeiture of Bid Deposit

In the event of a default by the bidder in the performance of the contract of sale created by the Department of Transportation accepting that bid, the bid deposit shall be forfeited. The Department of Transportation shall take such actions, as it deems necessary and appropriate, to enforce the contract. Those actions may include legal redress, awarding title to the second acceptable high bidder or re-advertising the site for sale.

8. Transfer of Title

Transfer of title to the property to the bidder will be by a Quit Claim Deed. The deed will be executed by the Department of Transportation on behalf of the State of Wisconsin and will recite approval of the Governor of the State of Wisconsin. A sample Quit Claim Deed, which includes the deed restrictions, is included on pages 5 and 6.

9. Final Payment to Seller and Recording of Deed

The bidder shall, on a mutually agreeable date, not later than 30 days after acceptance of the bid and the Governor’s approval of the sale, tender to the Department of Transportation the balance of the purchase price. Upon receipt of that payment, Department of Transportation will record the Quit Claim Deed at the La Crosse County Register of Deeds Office.

10. Delivery of Deed

Once the deed has been recorded, the Department will send the original deed to the purchaser.

11. Title Evidence

The buyer will assume the expense of procuring any abstracts or title insurance that may be required.

12. Plat of Survey

A Plat of Survey has been completed for the parcel (see page 9).

13. Special Assessments

The buyer will assume the payment of any unpaid deferred charges or special assessments for public improvements levied against the parcel at the time of sale*.* Amountsof these outstanding charges will be disclosed in the bulletin if known. None are known to exist.

14. Real Estate Taxes

The buyer will be liable for all general real estate taxes levied against the parcel after title is transferred. Property is currently tax exempt.

**INSTRUCTIONS TO BIDDERS**

1. Special Bid Form

You must submit your bid on one of the two copies of the special Bid Form provided with this bulletin (Pages 10 and 11) and furnish all information requested. The first copy is provided for your records.

If your bid is submitted on forms other than those supplied in this bulletin, or if the bid fails to furnish all information required, the bid might be rejected at the sole option of the Department of Transportation. Your bid should be filled out legibly with all erasures, strikeovers and corrections initialed by the person signing it. The bid must be signed by you or your agent in ink.

2. Special Bid Envelope

Your bid form should be placed in the special envelope accompanying this proposal. Your name and address should be placed in the upper left hand corner of this envelope. No responsibility will be implied to any employee of the Department of Transportation for the premature opening of, or failure to open a bid, which is not properly addressed and placed in the special envelope attached to this bulletin.

3. Bids Executed by Agents of Bidder

A bid executed by an attorney or agent on behalf of the bidder, shall be accompanied by an authenticated copy of his Power of Attorney or other written evidence of his authority to act on behalf of the bidder.

4. Deposit Must Accompany Bid

**The bid submitted must be accompanied by a bid deposit in the form of a certified check, cashier's check or money order payable to the "Wisconsin Department of Transportation" in the amount of ten percent (10%) of the bid amount.** Failure to provide such bid deposit shall require rejection of the bid**.** Upon acceptance of a bid, the appropriate bid deposit of the high bidder shall be applied toward payment of the bidder's obligation to the state. The bid deposits of unsuccessful bidders will be returned within 10 days of the bid opening.

**No personal checks or cash will be accepted. Bids containing those items will be summarily rejected.**

5. Minimum Bid is Not Required

No minimum bid is required for the parcel being offered for sale in this bulletin. **Please note that the appraised value of the subject property is $23,800.00**. Additionally, please note that the Department of Transportation reserves the right to reject any and all bids.

6. Bid Must be Delivered by Deadline

Bids must be received no later than May 23rd at 10:00 am.

Figure 1 - "Sample" Quit Claim Deed - State Grantor (RE1563)

**QUIT CLAIM DEED – STATE GRANTOR**

Wisconsin Department of Transportation

Exempt from fee s. 77.25(2) Wis. Stats.

RE1563 08/2017

**THIS DEED**, made by the **State of Wisconsin, Department of Transportation**, GRANTOR, quit claims to GRANTEE(s), for the sum of **Zero and 00/100 Dollars** ($**0.00**) pursuant to Section 84.09(5) Wisconsin Statutes, the property described below.

LEGAL DESCRIPTION IS ATTACHED AND MADE A PART OF THIS DOCUMENT BY REFERENCE.

It is expressly intended and agreed by and between the parties hereto that the following conditions apply:

No advertising signs or billboards of any type shall be located, erected or maintained on the above-described lands, except for on premise signs.

All existing public and private utilities and public recreational trails located upon, over, or under the above-described lands, whether by permit or easement, shall have the continued right of occupancy and the continued right of ingress and egress for personnel and equipment for the purpose of maintaining or improving their existing transmission and/or distribution facilities located wholly or partially within the above-described lands as of the date of this instrument.

In the event facilities are constructed, maintained, or otherwise operated on the property described in this deed for the purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the GRANTEE will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as many be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

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| --- | --- | --- | --- | --- | --- | --- |
|  | |  |  | | | |
| Date | | Date | | | |
|  | | State of Wisconsin )  ) ss.  Racine County )  On the above date, this instrument was acknowledged before me by the named person(s). | | | |
| Real Estate Manager Signature | |
|  | |
| Print Name | |
| Signature, Notary Public, State of Wisconsin | | | |
|  | | | |
| Print Name, Notary Public, State of Wisconsin) | | | |
|  | | | |
| Date Commission Expires | | | |
|  | This instrument was drafted by:  Wisconsin Department of Transportation | | |  | Project ID  3180-08-20 | Parcel No.:  16 |

These covenants, burdens and restrictions shall run with the land and shall forever bind the grantee, its successors and assigns; and, upon breach or failure of all or any part thereof, the State of Wisconsin, Department of Transportation may bring an action in the courts of this state to enforce said restriction, and shall recover in any such action its costs and expenses of enforcing the restriction, including actual attorneys’ fees, from the owner of the property, his/her successors, assigns, trustees, personal representatives or administrators.

In the event of a breach of any of the above non-discrimination covenants, the Wisconsin Department of Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to, vest in, and become the absolute property of the Wisconsin Department of Transportation and its assigns.

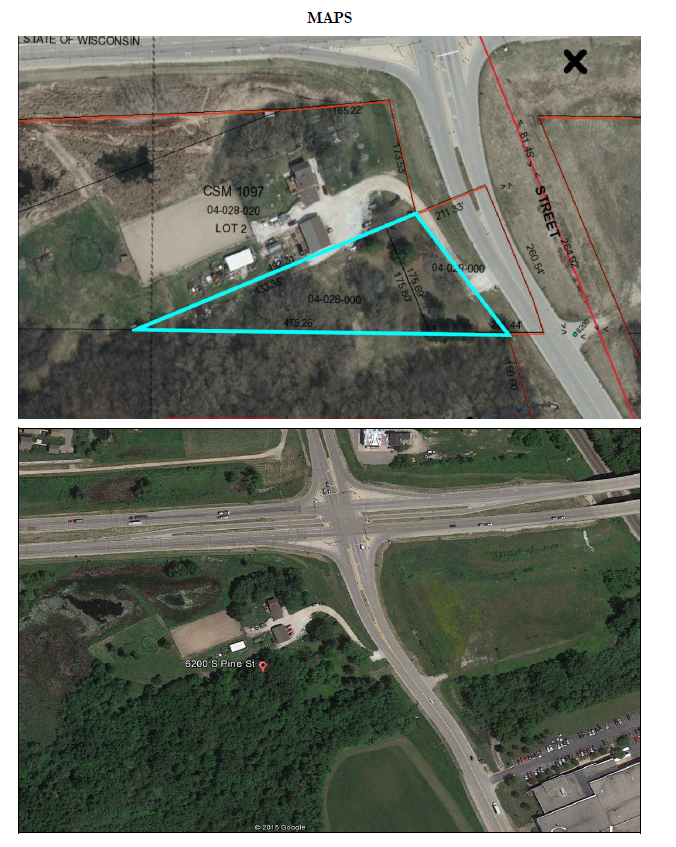
**LEGAL DESCRIPTION**

**A** tract of land in the Town of Burlington, Racine County, State of Wisconsin, described as:

That part of the Southeast 1/4 of the Southwest 1/4 of Section 4, Town 2 North, Range 19 East, described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of said Section 4; thence North 00°00¢56² East along the east line of said Southwest 1/4 of Section 4, 650.69 feet; thence North 89°36¢38² West 780.18 feet to a point in the owners south line and the point of beginning; thence continuing North 89°36′38″ West along the owner’s south line, 580.79 feet to the owners northerly property line; thence North 68°46’30” East 486.12 along said northerly property line; thence South 35°20′57″ East, 220.61 feet to the point of beginning.

This parcel contains **1.19 acres**, more or less.



*Bidder’s Copy*

WISCONSIN DEPARTMENT OF TRANSPORTATION

DIVISION OF SYSTEMS DEVELOPMENT, SOUTHEAST REGION – WAUKESHA

**OFFICIAL BID FORM FOR PURCHASE OF STATE-OWNED SURPLUS LAND**

3180-08-20 Parcel 16EX

Town of Burlington, Racine County

Area: +/- 1.19 Acres

**Location:** The parcel is located along Pine Street (STH 83), Town of Burlington, Racine, Wisconsin.

I hereby submit a bid of Dollars ($ ) for the above tract of land and accompanying building subject to the terms and conditions previously described in the bulletin.

Payment Schedule:

This bid is accompanied by a bid deposit in the form of a certified check, cashier's check or money order in the amount of **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dollars ($\_\_\_\_\_\_\_\_\_\_\_\_), ten percent (10%) of the bid amount.** Check to be made payable to: Wisconsin Department of Transportation. In the event of any default by successful bidder in the performance of the contract sale created by acceptance of the bid and the approval of the sale by the Governor of the state of Wisconsin, the deposit shall be forfeited and the Department of Transportation shall take such action as it deems necessary and appropriate to enforce the contract.

**In the event this bid is accepted, the Quit Claim Deed should name the following as grantee(s):** Note: Please print clearly and spell name(s) exactly as you wish it to appear (include middle initial, etc. if appropriate).

Signature of bidder Date

(Printed or typed name of bidder) (Telephone No.)

(Street address)

(City) (State) (Zip Code)

ALL BLANKS MUST BE FILLED OUT

(Retain this copy for your records)

**Project ID 3180-08-20 Parcel 16EX**

***Submit Bid On This Sheet***

WISCONSIN DEPARTMENT OF TRANSPORTATION

DIVISION OF SYSTEMS DEVELOPMENT, SOUTHEAST REGION – WAUKESHA

3180-08-20 Parcel 16EX

Town of Burlington, Racine County

Area: +/- 1.19 Acres

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**In the event this bid is accepted, the Quit Claim Deed should name the following as grantee(s):** Note: Please print clearly and spell name(s) exactly as you wish it to appear (include middle initial, etc. if appropriate).

Signature of bidder Date

(Printed or typed name of bidder) (Telephone No.)

(Street address)

(City) (State) (Zip Code)

ALL BLANKS MUST BE FILLED OUT

Place in envelope provided or place in envelope marked

**Project ID 3180-08-20 Parcel 16EX**