

**RESOLUTION OF INTENT TO SELL REAL PROPERTY AT PUBLIC  
AUCTION**

**Assessor's Parcel Number  
139-34-210-047**

**WHEREAS**, the County of Clark, a political subdivision of the State of Nevada (hereafter referred to as the "County"), owns ±2.76 acres of improved real property (Assessor's Parcel Number 139-34-210-047), located at 200 S. Third Street, Las Vegas, Nevada, (hereafter referred to as the "Property");

**WHEREAS**, the Property is not needed for County purposes and no other public use of the Property is known or anticipated;

**WHEREAS**, on April 16, 2002, the Board of County Commissioners (hereafter referred to as the "Board") adopted a resolution approving the sale of the Property through a real estate brokerage agreement (hereafter referred to as the "Prior Resolution"), however the County did not proceed with the sale at that time since none of the offers received contained terms acceptable to the County;

**WHEREAS**, the Board desires to rescind the Prior Resolution and to dispose of the Property pursuant to NRS 244.281 and 244.282 allowing for real property owned by a county to be sold at public auction;

**WHEREAS**, the Property has been appraised by two disinterested competent appraisers chosen as required by NRS 244.2795, and the highest of the two appraisals concludes the value of the Property is Ten Million Dollars (\$10,000,000); and

**WHEREAS**, the Property has been vacant since 2005.

**NOW THEREFORE**, be it resolved by the Board that:

1. The Prior Resolution is hereby rescinded.
2. It is in the best interest of the County to sell the Property at auction as provided in NRS 244.282, and the Board hereby declares the Property as surplus to the County's needs.
3. The sale of the Property is for purposes other than to establish, align, realign, change, vacate or otherwise adjust any street, alley, avenue, or other thoroughfare, or portion thereof, or flood control facility within the County.
4. The Property will be sold at public auction to the highest bidder at 10:00 a.m. on Tuesday, October 1, 2013, in the Commission Chambers at the Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, Nevada, during the regular Commission meeting, at which time and place all sealed bids will be opened, examined and declared and oral bids will be taken under the following terms and conditions:
  - a. Any sealed bids must be made on the County's bid form available for pickup at the County Real Property Management Department, located on the 4<sup>th</sup> floor of the Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, Nevada 89155, or by accessing the County's website at [http://www.clarkcountynv.gov/Depts/real\\_property/Services/Pages/SurplusPropertySales.aspx](http://www.clarkcountynv.gov/Depts/real_property/Services/Pages/SurplusPropertySales.aspx)

b. **THE MINIMUM ACCEPTABLE BID FOR THE PROPERTY IS AS FOLLOWS:**

| APN NO.        | SIZE        | APPRAISED VALUE | MINIMUM BID  |
|----------------|-------------|-----------------|--------------|
| 139-34-210-047 | ±2.76 acres | \$10,000,000    | \$10,000,000 |

- c. Sealed written bids will be accepted in person prior to 9:30 a.m. on Tuesday, October 1, 2013 at the County Real Property Management Department at the above-described location. All bids must be submitted in a sealed envelope and clearly marked **“ATTN: KRYNN WILLIAMS, REAL PROPERTY AUCTION PARCEL 139-34-210-047.”**
- d. Any sealed written bids will be opened, examined and declared by the Board before calling for oral bids. Any initial oral bid must exceed the highest written bid by at least five percent (5%), and subsequent bids must be in increments of Ten Thousand Dollars (\$10,000) or more above the previous highest oral bid.
- e. The Board reserves the right to determine which bids conform to all terms and conditions specified in this Resolution. The Board may reject any and all bids, either written or oral, and withdraw the Property from sale. The final acceptance or rejection of any bid may be made at the same meeting or at any adjourned session of the same meeting held within ten (10) days. Unless the Board withdraws the Property from sale, the Property will be sold to the highest bidder.
- f. **It is the bidders’ responsibility to inspect the Property and to determine the Property’s condition, value, current zoning district and master plan designation, access, matters affecting title, applicable development codes, and all other pertinent information about the Property.**
- g. The County is selling the Property in “as-is” condition and under the assumption that the successful bidder’s acquisition of the Property is based upon the bidder’s independent investigation. The County makes no representations or warranties regarding the physical condition or stability of the Property, the existence of hazardous materials on or under the surface or the suitability of the Property for the bidders’ purposes or for any other purpose.
- h. A tour of the Property will be provided for potential bidders on September 3, 2013 and September 5, 2013 between the hours of 10:00 a.m. and 1:00 p.m. Access to the building shall be through the loading dock entry located on 3<sup>rd</sup> Street.
- i. Potential bidders who want copies of building records, appraisals, asbestos reports, and drawings may request those documents in electronic format on a CD by contacting Krynn Williams at 702-455-5289 or at [Williams@clarkcountynv.gov](mailto:Williams@clarkcountynv.gov) or can also be accessed and downloaded at [http://www.clarkcountynv.gov/Depts/real\\_property/Services/Pages/SurplusPropertySales.aspx](http://www.clarkcountynv.gov/Depts/real_property/Services/Pages/SurplusPropertySales.aspx)
- j. The Property shall be conveyed by quitclaim deed subject to existing covenants, conditions, restrictions, reservations, rights-of-way, and easements.
- k. The Property is to be sold for cash. Within twenty-four (24) hours of the Board’s final acceptance of the highest bid, the successful bidder shall make a **non-refundable** deposit of

ten percent (10%) of the highest bid in the form of a cashier's check payable to "Clark County" delivered to the County Department of Real Property Management, 500 S. Grand Central Parkway, 4<sup>th</sup> Floor. If the successful bidder fails to timely deliver the non-refundable deposit as required, the next highest bidder may submit a **non-refundable** deposit of ten percent (10%) of the next highest bid as provided in this paragraph within twenty-four (24) hours of notification by the County. If the next highest bidder makes the deposit within such time, he or she will be deemed to be the successful bidder. The deposit shall be applied towards the purchase price.

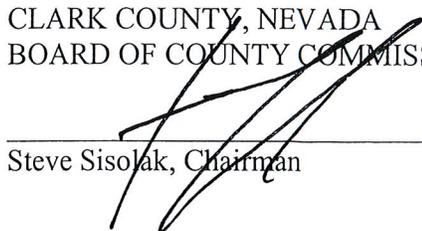
- l. The sale of the Property shall be consummated through escrow at Chicago Title of Nevada, Inc. All costs associated with the auction and sale of the Property, including but not limited to any escrow fees, closing costs, title insurance premiums, real property transfer or other taxes, appraisal fees, publication costs, commissions and loan costs shall be paid by the successful bidder.
- m. The deadline for close of escrow is **sixty (60) days** after the Board's final acceptance of the highest bid. Time is of the essence. The successful bidder may request one (1) thirty (30) day extension of the deadline for close of escrow along with the deposit of an additional ten percent (10%) **non-refundable** deposit to be applied towards the purchase price upon closing. In the event the successful bidder fails to perform within sixty (60) days, or ninety (90) days if an extension has been granted, (i) the County may terminate the escrow and rebid the Property, (ii) the successful bidder forfeits its non-refundable deposit(s), and (iii) such failure shall be deemed by Chicago Title of Nevada, Inc. as instruction to immediately refund the deposit to the County without any further instruction or court order.
- n. Any individual who submits a sealed or written bid on behalf of an entity shall be deemed to have represented and warranted that such individual has the legal power, right and authority to bind the entity to the purchase of the Property on the terms contained in this Resolution.
- o. All bidders shall be deemed to have represented and warranted that either they, or the entity or individual they represent, have the funds necessary to pay the amount bid and all costs associated with the auction and sale of the Property.

PASSED, ADOPTED AND APPROVED this 20<sup>th</sup> day of August, 2013.

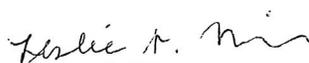
ATTEST

  
\_\_\_\_\_  
Diana Alba, County Clerk

CLARK COUNTY, NEVADA  
BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Steve Sisolak, Chairman

APPROVED AS TO FORM:  
DISTRICT ATTORNEY  
STEVEN B. WOLFSON

By   
\_\_\_\_\_  
Leslie A. Nielsen  
Deputy District Attorney