

AMADOR COUNTY WEST PROPERTY SALE (BY OFFER AND ACCEPTANCE)

OFFER INSTRUCTIONS

Offers may be sent by mail or delivered in person to the address below. Offers must be:

- **Written on the District Property Purchase Agreement and Joint Escrow Instructions (PPA-JEI)**
- **Purchase Deposit must be by Certified Check, Cashier's Check or Money Order (No Personal Checks)**
- **Purchase Deposit and PPA-JEI must be received by Seller no later than 4:30 p.m. on Friday July 28, 2017**

East Bay Municipal Utility District
Real Estate Services
Attn: Robert Lynn
375 11th Street, MS 903
Oakland, CA 94607

Seller will acknowledge offer on the day it is received. If you do not receive confirmation of your offer please contact the Seller directly at 510-287-1187.

ACCEPTANCE CRITERIA

The District will evaluate offers based on the following criteria:

- **Highest offer price** (net of commissions - Buyer to pay any and all commissions)
- **Capability to pay** (cash offers preferred to financed offers - Buyer to provide evidence of capability to pay)
- **Closing timeline** (quick close preferred)

District will select the three (3) best offers based on these criteria and invite these Buyers to the highest and best final round.

Any acceptance of an offer by the person conducting the sale shall be subject to the acceptance and approval of the District Board of Directors. The offer will be presented to the District Board of Directors at the next available Board Meeting date.

DEPOSIT

Within three (3) days of written acceptance of offer by the person conducting the sale Seller will deposit or provide the nonrefundable \$20,000 Purchase Deposit to the escrow holder identified in the Property Purchase Agreement and Joint Escrow Instructions (PPA-JEI).

OFFER REJECTIONS

The District reserves the right to reject any and all offers, waive any informality or irregularity in any offer or to accept any offer deemed in the best interests of the District at any stage of the sale process (including before, during or after the highest and best final round). The District also reserves the right to withdraw the property from sale; in this event, any deposits will be refunded to the Buyer.

CLOSE OF ESCROW

The successful bidder will have **thirty (30) days after the District Board of Directors approves and accepts the offer to complete the transaction** under the Terms of the PPA-JEI attached hereto.

In the event any term or condition in the Agreement conflicts with or violates any statutory requirements in the sale of surplus public real property, only that part or portion of this Agreement so conflicting shall be amended to conform with any applicable legal requirements at the time.

All District employees may bid to acquire surplus District property, except employees who have direct access to information not generally available to the public or who influence the purchase or sale of right-of-ways or other real property.

BUYER DEFAULT

In the event that the highest net offer fails to close the transaction within the scheduled close of escrow or defaults in completion of the sale, the District may, at its discretion, offer the Property to the second highest net bidder under the same terms stated in this notice of sale and PPA-JEI.