



# **NOTICE OF PUBLIC AUCTION OPTION TO PURCHASE (BY SEALED BID)**

**DATE:** Wednesday, August 20, 2025

**TIME:** 10:30 am (bid opening)

**PLACE:** EBMUD, 2<sup>nd</sup> Floor, Board Conference Room  
375 Eleventh Street  
Oakland, CA 94607

**OPTION PERIOD:** 8 Week Duration - Commencing Upon the  
Approval of the Winning Bid by the  
District's Board of Directors.

**OPTION DEPOSIT AMOUNT:** \$250,000 (Due by 1 pm, August 22, 2025)

**MINIMUM BID:** \$2,500,000

**PROPERTY LOCATION:** Property is located off of Bullard Drive and  
Estates Drive in Oakland, Alameda County.

**\*\*APN: 48C-7188-1-2\*\***

Refer to attached map of subject property.

**CONTACT:** KeAyna Kennedy, Real Estate Representative  
375 Eleventh Street  
Oakland, CA 94607-4204  
keayna.kennedy@ebmud.com

**Mailing Address:**

East Bay Municipal Utility District  
1010 Franklin St, MS 903  
Oakland, CA 94607  
Attn: K. Kennedy

Visit: <https://www.ebmud.com/business-center/real-estate/ebmud-surplus-real-estate-sale>

## **PROPERTY INFORMATION**

Size: Approximately 1.83 acres

Assessors Parcel No.: 48C-7188-1-2

Status: Property being sold as-is, includes underground water reservoir; buyer to conduct own due diligence

Zoning: RH-4 - Hillside Residential

Utilities: Utilities not provided by District. Buyer to verify existing connections and availability.

For location of utilities and utility connection fees, prospective buyers may wish to contact the respective utility company.

It is the bidder's responsibility to determine the acceptable uses of the property by contacting City of Oakland Planning Department. Note: City of Oakland Planning Department may require variance(s) in order to develop this property.

A copy of the Preliminary Title Report and Natural Hazard Disclosure Statement are available on the website.

The Property is being sold "as-is" and is subject to all title exceptions, restrictions, easements and reservations whether or not of record.

## **SEALED BID**

Minimum bid price is \$2,500,000. The sealed bid containing the bidder's offer must be received in the Real Estate Services Section of East Bay Municipal Utility District (District), mailing address: 1010 Franklin St, MS 903, Oakland, CA 94607, Attn: K. Kennedy, by 10:00 am on Wednesday, August 20, 2025. No late bids shall be accepted.

The Option to Purchase Agreement must be executed and submitted to the District along with a Cashier's Check, Certified Check or Money Order in the amount of \$250,000 (made out to "EBMUD") to the District no later than 1 pm on Friday, August 22, 2025.

The bid opening will commence at 10:30 am on the second floor of District, 2<sup>nd</sup> floor, Board Conference Room located at 375-11th Street in Oakland, and shall continue until the highest net qualified bid is determined and accepted. The successful bidder's deposit is only refundable 1) in the case whereby the District's Board of Directors rejects their bid offer or 2) in the event the District cancels the sale as allowed for under the terms contained within the Option to Purchase Agreement.

### **BID ACCEPTANCE**

Any acceptance of a bid by the person conducting the sale shall be subject to the approval of the District's Board of Directors.

### **ADDITIONAL DEPOSIT**

Within four (4) weeks of the approval of the bid by the District's Board of Directors, the bidder must either 1) increase the total amount of the deposit to equal 20% of the purchase price or 2) provide written notice to District terminating the purchase.

### **BID REJECTIONS**

The District reserves the right to reject any and all offers and waive any informality or irregularity in any offer or to accept any offer deemed in the best interests of the District, or to withdraw the property from the sale.

### **BIDDER DEFAULT**

In the event that the highest net bidder fails to exercise his or her option within the Option Period or defaults in completion of the sale, the District may at its discretion, offer the second highest net bidder the right to enter into an Option to Purchase. If the second highest net bidder accepts the offer, the deposit requirement and terms of Option to Purchase shall be the same as stated in this notice of sale, with the Option Period commencing upon approval by the District's Board of Directors.

### **CLOSING TRANSACTION**

Successful bidder will have an Option Period consisting of eight (8) weeks commencing upon the District's Board of Directors approval of the bid.

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-way or other real property.

**THE INFORMATION CONTAINED HEREIN IS BELIEVED RELIABLE, BUT IS NOT GUARANTEED.**

## **OPTION TO PURCHASE AGREEMENT**

For the purchase of the real property located on Bullard Drive in Oakland, California, known as Assessors Parcel Number 48C-7188-1-2, and described in Exhibit "A" attached hereto and made a part hereof, the undersigned Optionee hereby agrees to the terms and conditions of Option hereinafter set forth and further agrees to pay \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) as full payment for the purchase of said property. A non-refundable deposit in the amount of \$250,000.00 is paid herewith and the balance in the sum of \$\_\_\_\_\_ will be paid within the Option Period specified herein, namely 45 days after acceptance of this Agreement by East Bay Municipal Utility District.

### **TERMS AND CONDITIONS**

1. The Option Period shall commence on the first day following the date of the approval and acceptance of this Option by East Bay Municipal Utility District. The full purchase price shall be paid on or before expiration of the Option Period.

There may be circumstances beyond the control of the Optionee which prevent completion of the terms and conditions within the Option Period. Under these circumstances, East Bay Municipal Utility District may, at its discretion, provide for an extension of the Option Period if it is deemed in the best interests of East Bay Municipal Utility District. It is understood that the successful bidder acquires no right, title, interest or equity in or to said property until the deed is recorded.

2. The sale under this Option is subject to the approval of East Bay Municipal Utility District. The successful bidder may take possession when the deed from East Bay Municipal Utility District has been recorded.
3. East Bay Municipal Utility District reserves the right to cancel the sale at any time for any reason prior to recording of the deed. In the event of cancellation of sale, all monies deposited shall be refunded without payment of interest.
4. The right, title and interest in the property to be sold shall not exceed that vested in East Bay Municipal Utility District, and the property is being sold subject to all title exceptions, restrictions, easements and reservations, whether or not of record. The successful purchaser may obtain a policy of title insurance at its own expense.
5. The Optionee shall pay all recording fees, documentary transfer taxes, or other real estate transaction taxes, or fees by whatever name known, including escrow fees or broker's commission, if any, and personal property sales taxes where applicable.

6. East Bay Municipal Utility District does not guarantee the condition of the property nor does it assume any responsibility for the conformance to codes or permit regulations of the City and/or County in which the property is located. It is the BUYER'S RESPONSIBILITY to determine and comply with all building, planning and zoning regulations relative to the property and the uses to which it can be put. THE PROPERTY WILL BE SOLD ON AN "AS IS" BASIS.

Optionee hereby acknowledges reading and having read, hereby agrees to all terms, rights and remedies as set forth herein.

The property shall be conveyed by Grant Deed

to: \_\_\_\_\_  
(print full name)

\_\_\_\_\_  
(print how title to be vested)

It is also agreed that all notices and services pertaining to matters arising in connection with this transaction may be made upon Optionee in person or by mail addressed to bidder at:

\_\_\_\_\_  
(address)

\_\_\_\_\_  
(phone)

**EAST BAY MUNICIPAL UTILITY DISTRICT**

**OPTIONEE**

Bid accepted and approved:

By: \_\_\_\_\_  
Matt Elawady  
Manager of Real Estate Services

Sign: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

EAST BAY MUNICIPAL UTILITY DISTRICT  
Real Estate Services, MS 903  
1010 Franklin St.  
Oakland, CA 94607  
**SEALED BID**