IVINS CITY

UTAH

55 N Main St., Ivins, Utah 84738
(435) 628-0606

REQUEST FOR BIDS TO PURCHASE

REAL PROPERTY COMMONLY KNOWN AS

APN I-SB-19-J (+/- 15.52 ACRES)

LOCATED AT APPROX. 750 EAST CENTER ST.

IVINS CITY, UTAH

BIDS MUST BE RECEIVED BY IVINS CITY ON OR BEFORE
3:00 p.m. JULY 31, 2018

I. REQUEST FOR BIDS

Bids are being accepted by Ivins City for the sale of approximately 15.52 acres of land commonly known as **APN I-SB-19-J** located at approximately 750 East Center St., Ivins, Utah (the "Property").

II. LEGAL DESCRIPTION OF PROPERTY

The legal description of the Property is as follows:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 41 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE SAID SECTION LINE N 88°44'14" W 115.50 FEET TO AN ANGLE POINT ON THE NORTH RIGHT OF WAY LINE OF CENTER STREET ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDS OF WASHINGTON COUNTY; THENCE CONTINUING ALONG SAID RIGHT OF WAY THE FOLLOWING TWO (2) COURSES, N 0°23'21" E 25.20 FEET, THENCE N 89°45'28" W 883.49 FEET TO A POINT ON THE EAST BOUNDARY LINE OF PALISADES PHASE 1 ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDS, OF WASHINGTON COUNTY, THENCE CONTINUING ALONG SAID BOUNDARY THE FOLLOWING TWENTY-FOUR (24) COURSES, N 0°14'32" E 38.85 FEET; THENCE N 44°45'29" W 24.48 FEET; THENCE N 0°14'31" E 38.17 FEET; THENCE N 89°45'29" W 4.00 FEET; THENCE N 0°14'31" E 47.52 FEET; THENCE N 89°45'29" W 8.00 FEET; THENCE N 0°14'31" E 69.98 FEET; THENCE S 89°45'29" E 4.00 FEET; THENCE N 0°14'31" E 60.00 FEET; THENCE N 89°45'29" W 8.00 FEET; THENCE N 0°14'31" E 47.64 FEET; THENCE S 89°45'29" E 4.00 FEET; THENCE N 0°14'31" E 60.39 FEET; THENCE N15°07'00" W 51.68 FEET; THENCE S 76°22'35" W 4.00 FEET; THENCE N 14°37'25" W 52.47 FEET; THENCE N 45°07'04" W 49.91 FEET; THENCE S 77°17'48" W 4.00 FEET; THENCE N 12°42'12" W 67.07 FEET; THENCE N 89°45'29" W 14.47 FEET; THENCE N 0°14'31" E 12.54 FEET; THENCE N 89°45'29" W 32.70 FEET; THENCE N 0°14'31" E 12.83 FEET; THENCE LEAVING SAID BOUNDARY N 87°26'15" E 170.92 FEET S 77°23'10" E 169.35 FEET, S 89°45'35" E 256.86 FEET; THENCE NORTH 125.45 FEET; THENCE N 53°00'33" E 54.73 FEET TO A POINT ON THAT PARTICULAR PIECE OF PROPERTY AS DESCRIBED IN DOCUMENT #20080031158, RECORDS OF WASHINGTON COUNTY, THENCE CONTINUING ALONG SAID BOUNDARY LINE THE FOLLOWING FIVE (5) COURSES, S 79°05'09" E 94.20 FEET, THENCE S 83°56'46" E 86.97 FEET; THENCE S 89°45;29" E 172.58 FEET; THENCE N 81°41'02" E 86.56 FEET; THENCE S 89°45'29" E 101.65 FEET TO A POINT ON THE EAST SECTION LINE OF SAID SECTION 32, THENCE S 1°18'27" W ALONG THE SECTION LINE, 748.95 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPTING ANY PORTION LYING WITHIN THE PLATTEDED STREETS LYING WITHIN BLOCKS 9 AND 10, ST. GEORGE AND SANTA CLARA BENCH IRRICATION COMPANY SURVEY.

III. CONDITIONS GOVERNING SALE OF PROPERTY

A. Minimum Bid Amount

The minimum bid amount for the Property is $2, 870,000.00, which is the appraised value of the Property. A copy of the appraisal letter is attached hereto and a complete copy of the appraisal is available for inspection at the Ivins City offices. Any bids submitted below that amount will not be considered.

B. Submitting Bids

Interested parties must submit a **fixed price sealed bid** for the purchase of the Property in **cash at closing**. The Offer to Purchase must meet all of the conditions set forth herein in order to be considered. All Offers to Purchase must remain valid for a minimum of five (5) business days beyond the date bids are due, unless advised by Ivins City that the bid was not accepted.

To be considered, sealed bids must be submitted to and received by Ivins City no later than **3:00 p.m. on Tuesday, July 31, 2018**, at which time the bids will be publicly opened and the sale will be awarded to the highest bidder, subject to City Council approval. The original of the sealed bid must be labeled "SEALED BID" and be delivered to:

Kari Jimenez
Ivins City Recorder
55 N Main St.
Ivins, Utah 84738

C. Earnest Money Deposit

Sealed bids must also include a minimum earnest money deposit of 5% of the Purchase Price in the form of a certified or cashier's check, payable to Ivins City and must be submitted together with the signed Offer to Purchase. The earnest money shall be deposited into an escrow fiduciary account pending the close of escrow. If a bidder's bid is accepted, the earnest money deposit will be applied to the purchase price at close of escrow. Earnest money deposits will be returned to unsuccessful bidders.

D. Escrow

Escrow for the Purchase/Sale of the Property shall be with Southern Utah Title. Ivins City agrees to provide the Buyer with a standard owner's title policy for the Property in the escrow agent's standard coverage form and to pay the cost to record a deed in favor of the Buyer. Buyer shall pay for all other costs associated with the sale/purchase of the Property. In the event of tie bids, those bidders will submit new sealed bids prior to 3:00 p.m. on Wednesday, August 1, 2018 at which time the bids will be opened and the sale will be awarded to the highest bidder, subject to City Council approval.

E. Commission

Ivins City has not utilized the services of a real estate broker or agent; therefore, any commission to be paid to a real estate broker or agent regarding the Property shall be paid by the Buyer and shall not be deducted from the Purchase Price.

F. Award

Ivins City will award the sale to the highest acceptable offer. The sale of the Property is expressly conditioned upon and **subject to final approval by the Ivins City Council on August 16, 2018.** Bid deposits will be returned to unsuccessful bidders by mail following the Award.

G. Closing

Closing must occur before **5:00 p.m. on Friday August17, 2018**.

IV. REQUIRED USE OF PROPERTY

A. Single Family Homes; Layout; Open Space & Trail

The Property must be developed with single family homes following generally the layout and design of the previously approved Preliminary Plan for the Property; with the exception that open space and trails that match the open space and trails in the Palisades development to the North must also be provided.

B. Single Story Homes; Architecture

All homes constructed on the Property shall be single story single family homes with architecture similar to the Palisades development to the North.

C. Access to Palisades to North

Buyer shall provide an access road from Center Street to the connection of the road in the Palisades development directly to the North of the Property.

V. GENERAL NOTICES

Ivins City reserves the right to reject any and all offers. All bidders are assumed to be knowledgeable concerning the sale process and the Property on which they are bidding. Ivins City assumes no obligation to stake or survey the offered Property.

RCS Appraisal, Inc.

- Real Estate Appraisers & Consultants Serving Arizona, Nevada, Utah & New Mexico -

Richard C. Smith, MAI, AI-GRS, ASA
William O. West, MAI • Darrell K. Farley

Las Vegas Office: 8275 S Eastern Ave, #200-736, Las Vegas, NV 89123-2545
St. George Office: 1611 E 2450 S, Ste. 1C, St. George, UT 84790

May 3, 2018

Mr. Dale Coulam
City Manager - City of Ivins
55 North Main Street
Ivins, Utah 84738

RE: An appraisal report of 15.52 acres of vacant land located at the northeast corner of Center Street and Park Avenue Way in Ivins, Washington County, Utah 84738

Dear Mr. Coulam:

Pursuant to your request to prepare an appraisal of the above referenced property, we have made a personal inspection of the property and conducted an investigation of the local real estate market with an analysis of the data relevant thereto. This analysis enabled us to form a market-supported opinion of the Market Value "As Is" of the subject.

The accompanying appraisal report describes the Sales Comparison Approach, which was used to form an opinion of the subject's market value. As of the date of inspection, the subject consisted of 15.52 acres of vacant residential land at the northeast corner of Center Street and Park Avenue Way in Ivins.

It is our understanding that the intended use of this appraisal is for use by City of Ivins to assist in the possible sale of the property. The values expressed in the appraisal are according to the definitions stated in the report, but subject to the Assumptions and Limiting Conditions set forth in the attached appraisal report. This appraisal has been prepared in accordance with:

- The Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation; and
- The Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

Based on the analysis in the attached appraisal report, it is our opinion that the Market Value "As Is" of the fee simple interest of the subject, as of April 21, 2018, is:

Market Value "As Is" – April 21, 2018
Two Million Eight Hundred Seventy Thousand Dollars
($2,870,000)

Both the exposure time and marketing time are estimated to be 12 months, based on the historical market performance and forecast trends.

The foregoing value opinion and conclusion is subject to the assumptions and limiting conditions contained on the following pages.

We appreciate this opportunity to serve you and trust that this report satisfies your request. Please call if you have any questions or need further assistance.

Respectfully Submitted,

RCS APPRAISAL, INC.

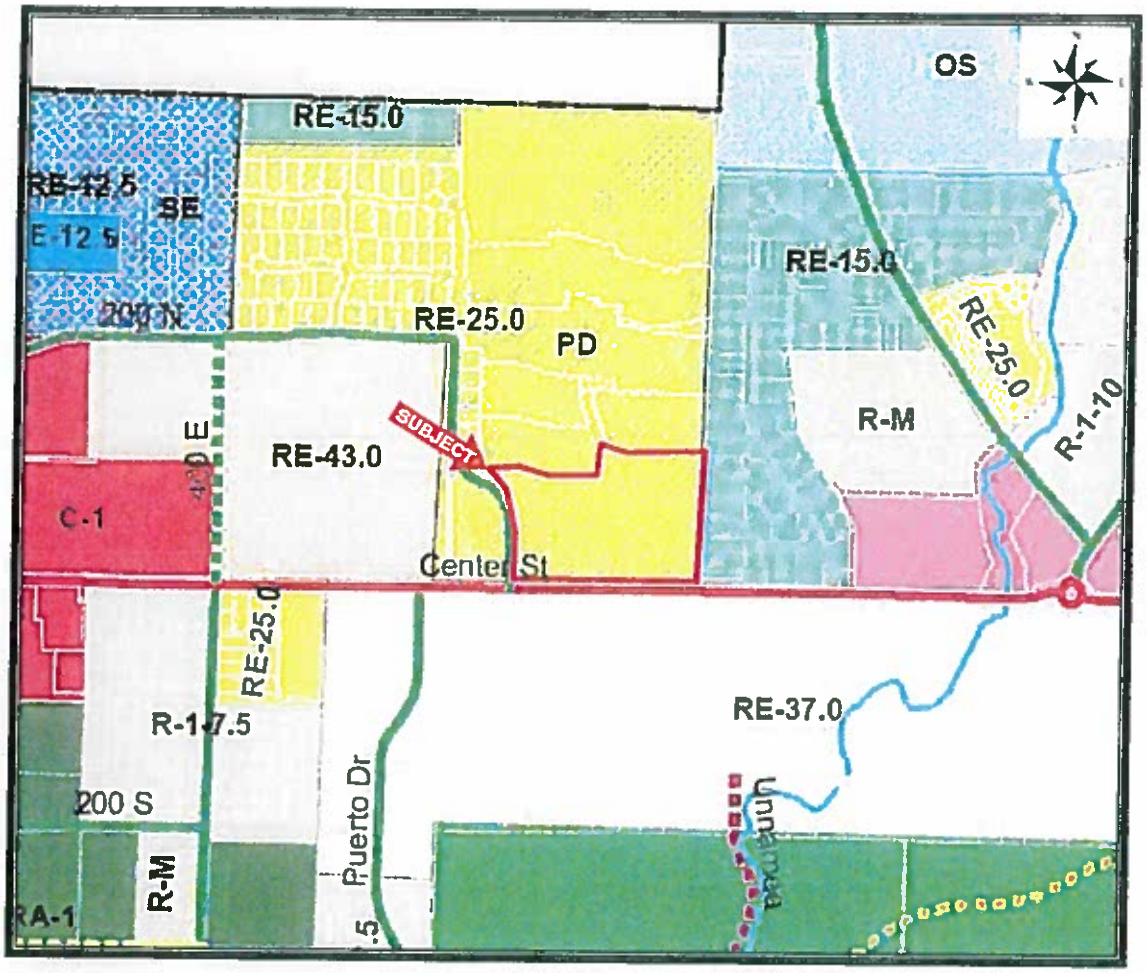
RICHARD C. SMITH, MAI, AI-GRS, ASA

Utah Certified General Appraiser 5450513-CG00
Expiration Date: October 31, 2019

WILLIAM O. WEST, MAI

Utah Certified General Appraiser 6096712-CG00
Expiration Date: January 31, 2020

ZONING



According to the City of Ivins, the subject is currently zoned RE-25.0 (Low Density Residential Estates, minimum lot size 25,000 square feet) with a PD (Planned Development) overlay. The purpose of the RE-25.0 district is as follows:

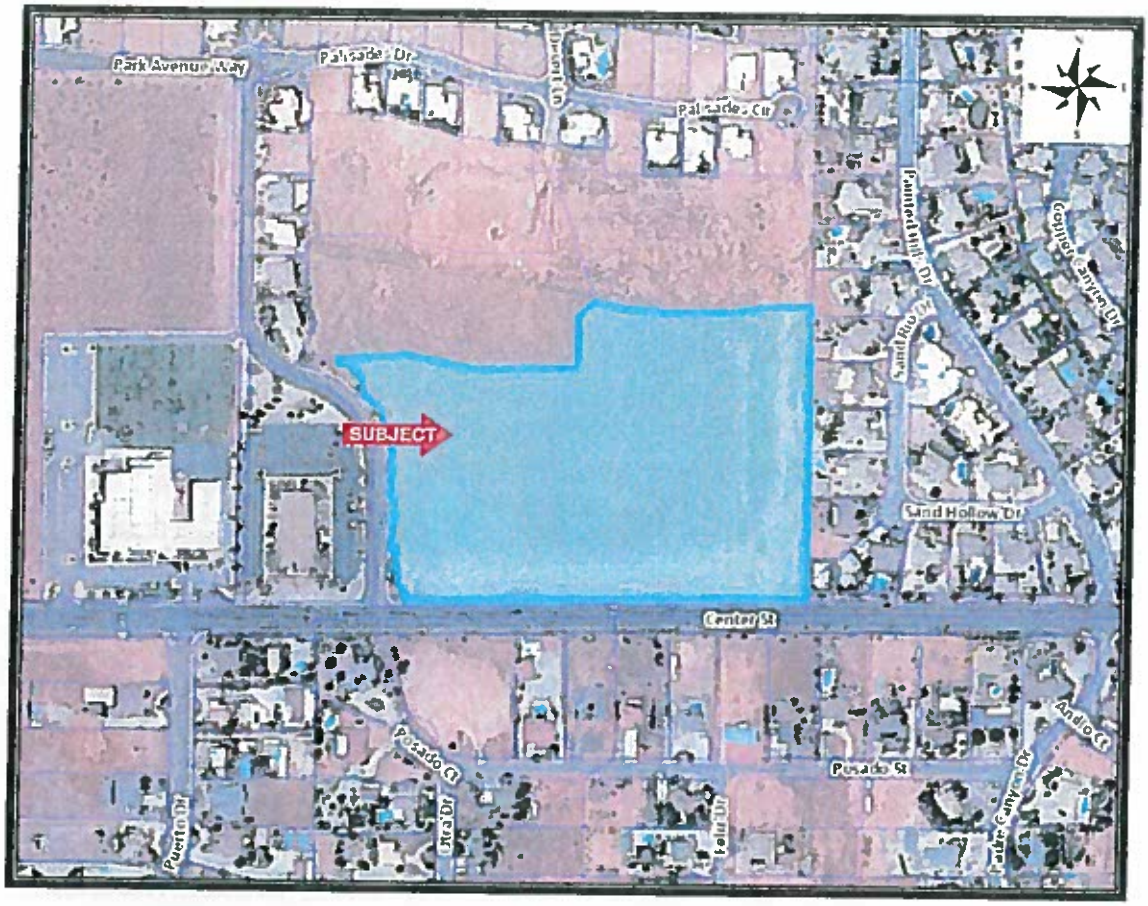
> The Residential Estates Districts (RE-43.0, RE-37.0, RE-25.0, RE-20.0, RE-17.5, RE-15.0, and RE-12.5) are provided for low density and medium density residential estates neighborhoods with a quality of openness. These districts are intended to promote, preserve, and protect single-family residential development. The principal land use allowed is single-family dwellings and incidental and accessory uses provided in recognition and sensitivity to the physical environment of the district.[4]

The purpose of the PD overlay is as follows:

> The planned development overlay district (PD) is provided by the city as an "overlay district to provide an alternative development and subdivision option that allows some flexibility in the development requirements of the underlying district. The planned development overlay district (PD) does not establish, by itself, any use or development potential for the subject property and

[4] Ivins City Code section 16.06.102.2.

IDENTIFICATION OF THE PROPERTY

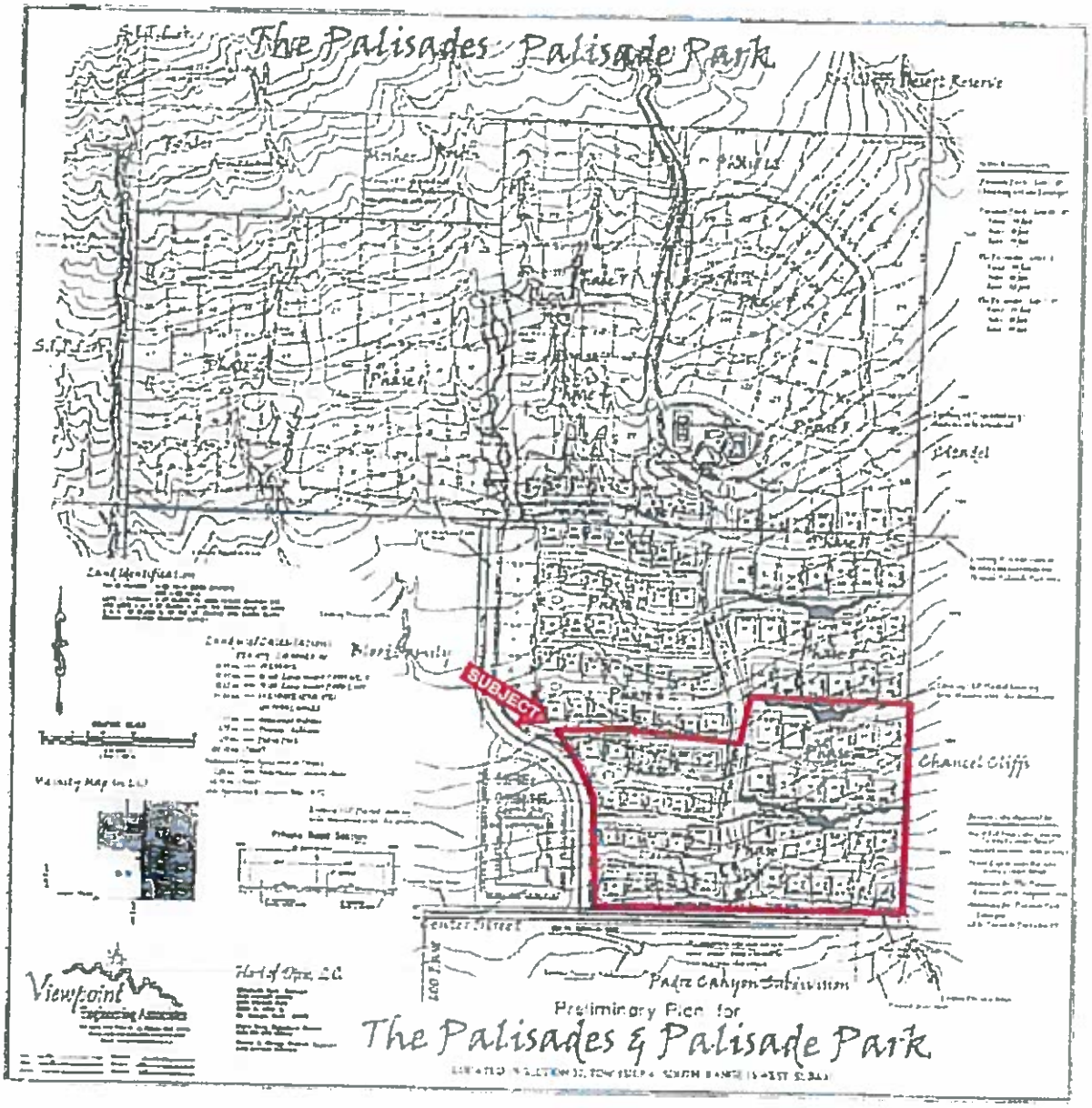


As shown in the aerial photograph above, the subject of this appraisal is 15.52 acres of vacant land located at the northeast corner of Center Street and Park Avenue Way, Ivins, Washington County, Utah 84738. The subject site is zoned PD (Planned Development). The map on the following page identifies the subject's location in Ivins.

The subject was previously part of a recorded Development Agreement that was approved the site and adjacent parcels. The subject 15.52 acres was approved for approximately 45 lots.

EASEMENTS AND RESTRICTIONS

A title report was not provided for our review. Based on our physical inspection of the subject, there do not appear to be any material restrictions that adversely affect the. The subject was reportedly part of a recorded Development Agreement with the site approved for approximately 45 lots. The prior Development Agreement's Preliminary Plan is shown below:



The development agreement reportedly expired, but development on adjacent parcels to the north required access across the subject to Center Street. An undefined easement for access across the subject reportedly exists, but it is not anticipated that it will materially effect value or the development potential of the site as the easement would be incorporated in to the subdivision.