APPLICATION OF ELEGIBILITY

FOR PRIVATE SALE OF REAL PROPERTY

IN ACCORDANCE WITH 3-54-1 NMSA

Property Name: Las Estrellas Undeveloped Tracts

Property Description: Undeveloped tracts with established development rights. Property lies within the former Santa Fe Estates Grant and includes Tracts NPR1, NPR3, NPR4, NPR5, NPR6, NPR7; and Tract 2 lying just outside the eastern boundary of the Las Estrellas Master Plan Area.

Appraised Value: $4,015,000

Owner: City of Santa Fe, New Mexico

Bidder's Name:

Bidder's Mail Address:

Bidder's Email Address:

Offer must be received

via email no later than: Tuesday, March 23, 2021 at 5:00 PM Local Time

Transmit Offer via email to: sxmoody@santafenm.gov

Transmit Offer via US Mail to: City of Santa Fe

(Offer must be received by mail within P.O. Box 909

seven days of email transmission) 200 Lincoln Avenue

Santa Fe, NM 87504-0909

Attention: Sean Moody, Asset Development Manager

Hand delivery: Not accepted due to COVID-19 restrictions

Conditions of Bidding:

1. The undersigned entity ("Bidder") proposes and agrees, if an offer ("Offer") is submitted and accepted, to enter into a Purchase Agreement with the Owner in a form to be made available prior to bidding.

2. The Bidder accepts all of the terms and conditions of this Application including, without limitation, those dealing with the disposition of escrow. An Offer shall remain subject to acceptance for one hundred twenty (120) calendar days after receipt of the Offer by the Owner either by mail or electronically. If Offer is accepted, the Bidder shall sign and submit the Purchase Agreement and Escrow Agreement with bond or payment and other documents required by this Application within fourteen (14) calendar days after the date of Notice of Award issued by Owner.

3. In submitting an offer, the Bidder shall represent, as more fully set forth in the Purchase Agreement, that:

A. The Bidder shall have familiarized themselves with the nature and extent of the Application; site; locality; as-built roads, storm drainage and utility infrastructure; and all local conditions, laws and regulations that in any manner affect the Property disposition, valuation, work in progress, work in place, and cost to complete.

B. The Bidder shall have carefully studied all reports and drawings which are identified in the Documents Made Available to Offerors identified in EXHIBIT A.

C. The Bidder shall have correlated the results of such observations, examinations, investigations, explorations, tests, reports, and studies with the terms and conditions of the Application.

D. The Bidder shall have given the Owner written notice of all conflicts, errors or discrepancies that he/she has discovered in the Application and Documents Made Available to Bidders.

E. The Offer shall be genuine and not made in the interest of or on behalf of any undisclosed person firm or corporation and shall not be submitted in conformity with any agreement or rules of any group, association, organization or corporation. The Bidder shall not have directly or indirectly induced or solicited any other proposer to submit a false or sham proposal. The Bidder shall not have sought by collusion to obtain for himself/herself any advantage over any other offeror or over the Owner.

4. The Bidder hereby agrees that if the Offer is accepted the Bidder shall upon conveyance of the Property accept, perform and fulfill the Declarant's Rights and Status as described in a certain Assignment and Delegation of Declarant Rights and Status dated September 10, 2020, identified in EXHIBIT A.

5. As a condition for private sale, the amount of the Offer must be no less than the Appraised Value. Owner's acceptance of the Offer is contingent upon (a) Bidder's acknowledgement and agreement that Bidder or Bidder's successor interests shall adhere and conform to the terms and conditions for land development established in the 2005 Amended Las Estrellas Master Plan ("Master Plan") including the Affordable Housing Designation, and any and all relevant bylaws, covenants and restrictions; and (b) Bidder's presentation of sufficient evidence of financial capacity to complete the development described in the Master Plan.

6. It is the intent of the Owner to convey the entire Property as described in this Application, and assign and delegate Declarant's Rights and Status, without take-out, removal, addition or modification of any right, status, obligation or interest described in the Property or the Declarant's Rights and Status, to a single responsible entity submitting an offer that is deemed in the best interest of the Owner in the sole judgement and authority of the Governing Body of the City of Santa Fe, New Mexico, consistent with all relevant New Mexico Law.

7. The Owner reserves the right to reject any or all proposals and to waive any technical irregularities in the Application.

8. Conveyance of the Property is contingent on Governing Body adoption of an Ordinance and is subject to public referendum under 3-54-1 NMSA.

9. Escrow amount due upon execution of Purchase Agreement shall be Twenty-five Thousand Dollars and no cents ($25,000.00).

By:

Signature of Individual, Officer, Agent or Other Authorized Representative of Bidder

Bidder's Name /(Please print)

EXHIBIT A

Documents Made Available to Bidders

1. Undeveloped Parcels within the Las Estrellas Master Plan Area (1 page)

2. 2005 Amended Las Estrellas Master Plan (22 sheets)

3. Amended and Restated Bylaws of Las Estrellas Residential Area (10 pages)

4. Amended and Restated Bylaws of the Las Estrellas Master Association (10 pages)

5. Las Estrellas Utility/Infrastructure Map (1 page)

6. Assignment & Delegation of Declarant Rights & Status (3 pages)