

NORTH CAROLINA  
DURHAM COUNTY

**Offer To Purchase Form**  
*(Upset Bid Procedure-Vacant Land NonCD)*

I, \_\_\_\_\_, hereby offer to purchase the property described below for \$ \_\_\_\_\_. I am paying the City of Durham, General Services Dept., Real Estate Division, a deposit of five percent (5%) of my offer with a certified check or money order in the amount of \$ \_\_\_\_\_. Should the City Council propose to accept my offer, the City shall then publish a notice of the offer saying that any person may within ten days raise the bid by not less than ten percent (10%) of the first \$1,000.00 and five percent (5%) of the remainder. Further, I understand that the person who raises the bid shall also be required to deposit five percent (5%) of the increased bid with the Real Estate Division and that this upset bid process shall be repeated until there is no increased bid. The City Council may accept the last bid and sell the property to the highest bidder or reject all bids.

I/We understand that the City shall provide me/us with a Disclosure to Buyer from Seller's Agent or SubAgent. I understand that the terms of sale are (1) upon City Council acceptance of the offer, the City will convey the property by a non-warranty deed; (2) the City will not prorate property (ad valorem) taxes; (3) closing within 60 days of final City Council acceptance of my offer; and (4) payment of balance of purchase price in certified funds at closing. I understand that the City Council may, at any time, reject any and all offers, without explanation. In any event, if my bid is rejected, my bid deposit will be returned to me. Once a bid has been accepted by the City Council, the bid deposit will not be refunded.

The property I am bidding on is: \_\_\_\_\_  
\_\_\_\_\_

OTHER CONDITIONS: \_\_\_\_\_  
\_\_\_\_\_

My offer is made this date and will continue through the bidding process. I have read and understand the instructions printed on the reverse side of this Offer to Purchase.

DATE: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Mailing Address  
\_\_\_\_\_

Telephone No. (\_\_\_\_) \_\_\_\_\_ Home (\_\_\_\_) \_\_\_\_\_ Work

**PLEASE SEE INSTRUCTIONS ON BACK**

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INSTRUCTIONS FOR COMPLETING THIS OFFER TO PURCHASE FORM  
PLEASE READ CAREFULLY

**1. Upset Bid Procedure**

Property will be sold by the upset bid process (North Carolina General Statute 160A-269); i.e., the highest responsible offer will be advertised for upset bids. Bidders will then have ten days to upset the original bid by an amount not less than 10% of the first \$1,000.00 and 5% of the remainder.

**Offers must be made on this City form which must be filled out completely.**

**Offers must be sealed in an envelope marked “Sealed Bid” and identified by property.**

**2. Deposit**

Offer must be accompanied by at least a 5% deposit with a certified check, cashier’s check, treasurer’s check, or bank check. No personal checks will be accepted. Check your arithmetic!

**3. Closing**

The City Council reserves the right to reject any and all bids without explanation. Once a bid has been accepted by City Council, the bid deposit will not be refunded.

After final City Council approval, the purchaser will have 60 days to close the transaction by payment in certified funds of the full purchase price. **THE CITY WILL CONVEY THE PROPERTY BY A NON-WARRANTY DEED.**

**4. Property (Ad Valorem) Taxes**

The City will not prorate property (ad valorem) taxes. At closing, the purchaser will be responsible for the payment of ad valorem taxes, if any are due, for the tax year in which closing occurs.

**5. Administrative**

The City will not accept offers which do not conform to these instructions. Please be sure that your deposit is in the correct amount and that the Offer to Purchase is completely filled out.

**Bids will not be awarded to persons owing delinquent City/County taxes or assessments.**

All inquiries should be directed to the City of Durham, General Services Dept., Real Estate Division, 2011 Fay St., Durham NC 27704, Telephone (919) 560-4197.

MAILING ADDRESS: City of Durham, General Services Dept.,  
101 City Hall Plaza, Durham NC 27701

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