

Open Listing and Invitation to Bid: Thorne Ranch (1,214.58 Acres)

October 18, 2023

ITB #2023-09

1. Executive Summary

The Huerfano County Asset Management Corporation under the direction of the Board of County Commissioners (together “the County”) is offering for sale 1,214.58 acres of grazing land, commonly known as the Thorne Ranch, near the intersection of County Road 520 and CO-69.

2. Submission Information

Sealed bids will be accepted until **Tuesday, November 21, 2023 at 9AM MT**. Any proposal received after that time will not be considered. Submitted materials may be submitted physically or digitally.

Digital submissions must be uploaded into BidNet Direct at this link:

www.bidnetdirect.com/colorado/huerfano-county-government

Physical submissions must be delivered in a sealed envelope containing five (5) paper copies of the submittal documents. Submissions must be in a sealed envelope with the notations “BID ENCLOSED” and “THORNE RANCH SALE” and delivered to:

Huerfano County
ATTN: Carl Young
401 Main Street, Suite 310
Walsenburg, CO 81089

Submission Requirements

Submissions should include the following:

1. A Completed Bid Form (See Exhibit E)
2. Proof of Funds Available, ideally a Proof of Funds Letter or a Pre-Approval Letter

Any party interested in submitting multiple bids should submit each bid on a separate form. Parties interested in subdivisions of the tracts should submit a letter in addition to the bid form for that tract.

3. Questions

Procedural and technical questions are to be submitted in writing to Carl Young at cyoung@huerfano.us. Questions will be accepted until **Thursday, November 9, 2023 at 4PM MT**. A summary of questions and answers will be released according to the schedule set below.

4. Optional Site Visit

Visiting the site is recommended, but not required, prior to submitting a bid. To arrange a site visit please contact Carl Young at administrator@huerfano.us. Site visits will only be scheduled Monday through Friday between 9AM and 3PM. The County requests that site visits be scheduled 48 hours in advance. The County will not conduct site visits after November 9, 2023.

5. Timeline

Step	Date	Selection Process
One	October 18, 2023	Solicitation Issued
	November 9, 2023	Questions may be presented prior to 4PM MT on this date.
	November 13, 2023	Questions and answers posted
	November 21, 2023	Proposals due at 9AM MT
	November 21, 2023	Bid Opening during 10AM Meeting
	November 30, 2023	Committee Review of Opened Bids
Two	December 5, 2023	Commissioners consideration of recommended bid(s)
Three	December 8, 2023	Earnest Money Due by 4PM MT
	December 12, 2023	Contract to Buy/Sell executed.

6. Property Description

The County is offering for sale the property known as the Thorne Ranch, which generally lies south of Colorado State Highway 69 however two portions of the property for sale, one comprised of .05 acres and the other comprised on 3.06 acres are north of CO-69. The County is retaining the remaining portions of the Ranch along the Huerfano River and now refers to that portion as Badito Ranch on the River. The attached survey notes the tracts that are for sale and those that are not for sale. The survey also identifies tracts for reference.

Legal Description

Note that this legal description is subject to confirmation before closing.

Tract 1

A tract of land containing 562.62 acres located in Sections 3, 4, 5, 9 and 10, Township 27 South, Range 68 West, of the 6th P.M. within Huerfano County, Colorado described as follows:

BEGINNING at a point, a marked stone, that is located at the SW Corner of Section 4, Township 27 South, Range 68 West,
COMMENCING, N 88° 07' 48" W for 2,637.29 feet to a marked stone,
THENCE, N 0° 10' 01" E for 1,304.08 feet to a ¾" Rebar with a 2" aluminum cap with marking PLS 38103,
THENCE, S 88° 11' 56" E for 1,314.58 feet to a ¾" Rebar with a 2" aluminum cap with marking PLS 38103,
THENCE, N 0° 00' 33" W for 808.62 feet to a ½" Rebar with a yellow cap with marking PLS 38103,
THENCE, S 46° 02' 45" E for 36.06 feet,
THENCE, S 01° 49' 45" E for 160.10 feet,
THENCE, S 53° 09' 45" E for 100.00 feet,
THENCE, S 88° 09' 45" E for 244.10 feet,
THENCE, S 37° 58' 45" E for 255.30 feet,
THENCE, S 50° 52' 45" E for 97.30 feet,
THENCE, S 71° 31' 45" E for 158.70 feet,
THENCE, S 47° 32' 45" E for 148.10 feet,
THENCE, S 37° 39' 45" E for 152.10 feet,
THENCE, S 68° 55' 45" E for 107.70 feet,
THENCE, S 47° 07' 45" E for 185.84 feet,
THENCE, S 51° 22' 45" E for 259.80 feet,
THENCE, S 60° 27' 45" E for 18.10 feet,
THENCE, S 69° 32' 15" E for 260.40 feet,
THENCE, S 73° 14' 34" E for 39.34 feet,

THENCE, on a curve to the right having a delta angle of 9° 49' 05", a radius of 666.20 feet and an arc length 114.16 feet,
THENCE, S 63° 58' 25" E for 204.13 feet,
THENCE, on a curve to the left having a delta angle of 51° 39' 37", a radius of 950.00 feet and an arc length 856.56 feet,
THENCE, N 64° 21' 58" E for 115.04 feet,
THENCE, on a curve to the left having a delta angle of 15° 05' 27", a radius of 1,850.00 feet and an arc length 487.26 feet,
THENCE, N 49° 16' 31" E for 285.63 feet,
THENCE, on a curve to the right having a delta angle of 35° 13' 09", a radius of 1,850.00 feet and an arc length 1137.18 feet,
THENCE, N 84° 29' 40" E for 10.68 feet,
THENCE, on a curve to the right having a delta angle of 23° 35' 00", a radius of 1,382.39 feet and an arc length 569.00 feet,
THENCE, S 71° 55' 20" E for 6,721.43 feet,
THENCE, on a curve to the right having a delta angle of 4° 53' 56", a radius of 5,679.58 feet and an arc length 485.62 feet to a ½" Rebar with a yellow cap with marking PLS 38103,
THENCE, S 0° 13' 11" E for 664.50 feet to a ¾" Rebar with a 2" aluminum cap with marking PLS 38103,
THENCE, S 88° 35' 45" W for 2,702.70 feet to a ¾" Rebar with a 2" aluminum cap with marking PLS 12160,
THENCE, S 88° 43' 58" W for 2,713.00 feet to a ¾" Rebar with a 2" aluminum cap with marking PLS 12160,
THENCE, N 88° 53' 50" W for 2,593.33 feet to a ¾" Rebar with a 3" aluminum cap with marking PLS 38009,
THENCE, N 88° 53' 23" W for 1,311.80 feet to a ¾" Rebar with a 3" aluminum cap with marking PLS 38009,
THENCE, N 1° 04' 52" W for 1,281.07 feet to a ¾" Rebar with a 3" aluminum cap with marking PLS 38009,
THENCE, N 89° 35' 44" W for 1,309.56 feet to the point of beginning, a marked stone located at the SW Corner of Section 4, Township 27 South, Range 68 West.

Tracts 2 through 5 Combined

Huerfano County, Colorado

Township 27 South, Range 68 West of the 6th P.M.

Section 11: SW1/4NW1/4; SE1/4SW1/4; NW1/4SE1/4

Section 14: NW1/4; W1/2SW1/4; SE1/4SW1/4

Section 15: SE1/4; SW1/4NW1/4; SE1/4NE1/4

7. Terms and Conditions of Sale

Asking Price

The County seeks \$1,999,000 for the entire property offered for sale as described in Section 6 above. The County will consider offers for the entire property or portions thereof. The County has set an undisclosed reserve amount under which it will not accept any offer. The County Reserves the right to reject any and all bids for any reason.

Buyer’s Agent Fee

The County will pay 3% of the purchase price to real estate agent(s) representing successful buyer(s).

Earnest Money

The County will require a deposit of 2% of the winning bid(s) to be paid to the County Treasurer within 3 days of award and before execution of a contract to buy/sell.

Conditions for Sale

1. The purchaser shall pay for all costs of any bid and publication procedure, appraisal, title search, surveys, report or commitment, escrow, recordation, postage and all other such transactional costs.
2. The county shall sell the surface estate of any real property by quit claim deed, and declares except from such estate or interest, any and all water, water rights, mineral, mineral rights, oil, gas or leases that may be associated with the land.
3. The Property sells with existing easements, which could include: sewer, access, open space, gas, water, electricity, pipelines, ditches, canals, laterals, broadband fiber, telephone cable and for similar lines and appurtenances. No easement may be removed except by the vacation process set forth in the County Land Use Regulations and State Law.
4. The County shall reserve easements for or retain title to any road right-of-way, drainage area, or other public utility right of way that have either been developed on the property since acquisition or previously existing in either prescriptive form or by informal agreement.
5. If the purchaser is an adjacent owner, the title shall vest, subject to the same encumbrances, liens, limitations, restrictions and estates as exist on the abutting land of the purchasing owner. Further, the County may require adjacent owners to consolidate lots as a condition of the sale.
6. In no event shall the county sell real property so as to deprive any parcel abutting the property of preexisting access connecting the abutting land with a public road, street or other public way.
7. The required terms, conditions or statutory requirements arising out of the manner in which the county acquired the property shall be observed.
8. No warranties, express or implied, of any kind whatsoever shall be made as to the fitness for intended use, habitability or any other assurance.
9. Any and all leases on the Property will be terminated before closing.

8. Selection Process

The process for selection and award of the contract will consist of three steps and be organized as follows:

Step One	Review of bids received
Step Two	Selection of Successful Bidder(s) and Finalization of Contract to Buy/Sell
Step Three	County Commissioner approval of Contract to Buy/Sell

Step 1: Review of Bids Received

1. Bids will be opened publicly at a meeting of the Board of County Commissioners
2. Following the bid opening, the committee will select the bid(s) that present the highest value to the County and present them to the Board of County Commissioners for award.

Step 2: Selection of Successful Bidder(s) and Finalization of Contract to Buy/Sell

1. The Board of County Commissioners will consider the committee's recommendation and select successful bidder(s).
2. After the selection of successful bidder(s) the County and awarded parties will finalize a contract to Buy/Sell.

Step 3: County Commissioners Approval of Contract to Buy/Sell

1. Earnest Money will be due to the County Treasurer within 3 business days of award.
2. The Commissioners will review and approve final contract(s) to buy/sell
3. This solicitation shall not be binding upon the County and respondent, and no services shall be performed under the terms of the proposal or the Lease Agreement until the Contract has been reduced to writing and approved by the County Commissioners.

9. Selection and Contracting Provisions**Notifications**

The County will provide timely notifications in writing (letters and/or emails) of the following actions to individuals or firms responding to the Request for Proposal as follows:

- Selection of short-listed respondents for interviews (if required);
- Interested Parties not short-listed;
- Selection of recommended entity; and County Commissioner approval.

Right to Reject

The County reserves the right to waive informalities in the proposals or fees and to reject any and all proposals and re-advertise this solicitation at any time prior to County Commissioner approval of the recommended firm or individual and the negotiated Lease Agreement if doing so would be in the public interest, as determined by the county in its sole discretion. The County reserves the right to award this solicitation to the individual or firm that best fits the requirements outlined in the request for proposals. The County reserves the right to waive any informality in any submittal and/or reject all proposals, and to accept the proposal that is in the best interest of the County. The County further reserves the right to:

1. negotiate a final agreement that is in the best interests of the county and the public; and
2. request any additional information the County deems reasonably necessary to allow the County to evaluate, rank and select the most qualified respondent to perform the services described in this solicitation.

If the County and the selected respondent cannot agree on the contract, the negotiations will be terminated, and the County reserves the right to begin negotiations with the next highest ranked respondent.

Procedure Requirements

1. Any individual or firm failing to submit information in accordance with the procedures set forth herein may be considered non-responsive.
2. All costs incurred by individuals or firms choosing to participate in this process shall be borne by the proposing individual or firm.
3. All proposals submitted regarding this solicitation are the property of the County and will only be returned to the individual or firms if requested in writing to the County at the sole discretion of the County.
4. Late submittals shall not be accepted. It is the responsibility of the individual or firms to ensure

that the proposal arrives at the Huerfano County Administrator's Office, prior to the date and time stated in this solicitation.

Conflicts of Interest

Any conflicts of interest whether real or perceived by the individual or firm submitting a proposal should be fully disclosed and explained within the proposal.