



**TOWN AUCTION
TOWN OF OSSINING
MUNICIPAL BUILDING
16 CROTON AVE. 1ST FLOOR
OSSINING, NY 10562**

**AUGUST 14, 2013
7:30 P.M.**

**SUPERVISOR
Susanne Donnelly**

The Town Auction was held in the Boardroom of 16 Croton Avenue, Ossining, New York on August 14, 2013 at 1 p.m. The auction was attended by Tax Receiver Gloria Fried who introduced Supervisor Susanne Donnelly, Town Attorney Wayne Spector, Budget Officer Maddi Zachacz, Comptroller Thomas Warren, Deputy Comptroller Dale Ferreira and Town Clerk Mary Ann Roberts.

Town Attorney Wayne Spector read the printed conditions of sales as follows:

The vacant land known as Priestly Street is being sold “as is” at a minimum bid of \$28,000 and the structure located at 94 State Street has a minimum bid of \$49,000. There is a deposit of \$2500 in order to participate in the auction. The two pieces are being sold separately. All checks will be held and deposit returned after the closing. Full payment is required within 45 days of the auction. There will be no adjournment of the closing date. If the bidder should default, the bid deposit of \$2500 will be retained by the Town. The current taxes and all liens are computerized for review. Any liens attached to the properties will remain with the property. All sales are final. There is a possibility of lead paint. The Priestly Street property does not have a means of ingress or egress.

CONDITIONS OF SALE

1. The properties will be offered for sale separately and "as is" in a live auction conducted by the Supervisor of the Town of Ossining or her designee.

The auction shall begin at 1 P.M. on August 14, 2013, at the Town of Ossining/Village of Ossining Municipal Building, 16 Croton Ave, Ossining, New York. Only Qualified Bidders will be assigned a bidding number and only such bidders will be recognized by the auctioneer.

2. A person wishing to be recognized as a Qualified Bidder must submit a bank or certified check payable to "The Town of Ossining" in the amount of Two Thousand, Five Hundred (\$2,500) Dollars and sign a copy of these Conditions of Sale prior to the auction.

3. Requests for qualification and the accompanying checks will be accepted only in person (no mail) during regular business hours of the Ossining Town Tax Receiver's Office (8:30 a.m. to 4:30 p.m. weekdays, excluding holidays).

4. Each of the two (2) properties will be sold to the Qualified Bidder who offers the highest purchase price for that particular property, provided the purchase price offered equals or exceeds the Upset Price for the property in question. If a Qualified Bid equal to or in excess of the Upset Price is not received for any unit, then such unit will be withdrawn from the auction and retained by the Town of Ossining.

5. The Upset Prices for the two (2) properties are as follows:

94 State Street Parcel ID 97.011-0001-084	\$49,000.
Priestley Street Vacant Lots (2) Parcel ID 97.015-0002-004 and Parcel ID 97.015-0002-005	\$28,000.

6. Checks from Qualified Bidders will be held pending the results of the auction. Checks of successful bidders will be applied to the purchase price. Checks of unsuccessful bidders will be returned promptly to the bidders upon conclusion of the auction.

7. Successful bidders shall be required to pay the balance of their bid, i.e. the balance of the purchase price, by bank or certified check, within forty-five (45) days from the date of the auction and time shall be of the essence in regard to this provision.

8. The Town will deliver a deed upon payment of the full purchase price reciting that its title is derived from a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law of the State of New York, that it has no direct knowledge of, or familiarity with, the property being conveyed and that it makes no warranties or representations with respect to the condition of the property, the status of the title acquired by the Town in tax foreclosure, the limitations or restrictions that may apply to use of the property, or otherwise.

However, interested persons may view the exteriors of all properties and view the interior of the home at 94 State Street at an Open House to be held between 3:00 P.M. and 5:00 p.m. on August 7, 2013 at the property in the Village of Ossining, New York.

9. Upon default by a successful bidder, the Town will retain the \$2,500 submitted by such bidder as liquidated damages, the parties agreeing that such amount is reasonable and does not constitute a penalty.

10. Upon default by the high bidder, the Town will offer the property in question to the second highest bidder, providing the amount bid by such bidder equals or exceeds the Upset Price for the unit in question. In such event, the said second highest bidder shall submit a bank or certified check in the amount of \$2,500 within 24 hours of being notified and the obligations of such bidder shall be the same as those of the highest bidder, time again being of the essence. If the second highest bidder shall fail to proceed, the Town may, but need not, proceed as above with subsequent bidders in the order of their bids - in all such cases subject to the Town's receipt of the Upset Price, or better.

11. If the Town is unsuccessful in selling any property or properties for the Upset Price, or a higher price, the Town shall retain such property or properties and will be free to dispose of them by private sale, subject to approval by the Town Board.

12. Signature of a copy of these Conditions of Sale by the below named Qualified Bidder confirms the agreement of such Qualified Bidder to all of the above terms and further confirms that both the Town of Ossining and the Qualified Bidder intend to be bound thereby.

Dated: Ossining, New York
August ____, 2013

(Qualified Bidder)

TOWN OF OSSINING

By: _____
Susanne Donnelly, Supervisor

C&P: 109191.1

Donnelly opened the bidding on 94 State Street starting with a minimum bid of \$49,000 with increments of \$100. As there were no bids, the bidding was closed.

Supervisor Donnelly opened the bidding on the Priestly Street Property with a minimum bid of \$28,000/As there were no bids, the bidding was closed.