

PROPOSAL PACKET

FOR

PURCHASE OF LUZERNE COUNTY PROPERTY

1. Notice

2. Procedure

3. Proposal Form

4. Certification

NOTICE

FOR PURCHASE OF LUZERNE COUNTY PROPERTY

1. The County of Luzerne currently holds title to various property throughout Luzerne County.
2. The County is seeking to offer these parcels for sale to willing purchasers.
3. It is expressly understood and agreed that the purchaser, as acknowledged below, is aware of all potential risks involved in this sale.
4. Luzerne County does not convey title by general warranty. Luzerne County shall convey title by quitclaim deed only and shall be held harmless and released of any liability from any effects of potential risks or defects in title. It shall be the sole responsibility of the proposed purchaser to perform or cause to be performed title searches and pay the costs associated with such searches.
5. Per the Luzerne County Home Rule Charter, the sale of real estate requires the approval of Luzerne County Council.
6. Luzerne County reserves the right to negotiate the price of sale with any prospective purchaser.
7. As required by Pennsylvania law, Luzerne County will not convey any property if the transaction is not for fair market value, nor if it is determined to not be in the best interests of Luzerne County.
8. Fair market value is defined as the most probable price, expressed in terms of money, that a property would bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.
9. As required by Pennsylvania law, any transaction must be advertised for one day, with a ten (10) day waiting period, in a newspaper of general circulation in Luzerne County before the transaction may be finalized. All costs of advertisement are to be borne by the proposed purchaser.
10. The proposed purchaser must confirm that he/she is not delinquent in paying real estate taxes for any property assessed to him/her in Luzerne County and does not have municipal utility bills, in any municipality of Luzerne County, that are more than one year outstanding.
11. It is expressly prohibited for individuals/entities to engage in straw purchases wherein the parcel to be purchased is then transferred to an otherwise ineligible purchaser per the requirements of paragraph 10 herein.
12. Payment for the purchase of property must be made in full within 72 hours and all funds must be made payable to Luzerne County Treasurer in the form of cash, money order, cashier's check, or certified check. Personal checks will not be accepted. All parties are advised to consult an attorney with any legal questions regarding the purchase of this property. The employees and agents of Luzerne County are not permitted to provide legal advice to prospective purchasers.

Please sign and date in the space below indicating that you have read and agree to the terms detailed above.

PROPOSED PURCHASER (PRINT)

PROPOSED PURCHASER (SIGNATURE)

PROPOSED PURCHASER (PRINT)

PROPOSED PURCHASER (SIGNATURE)

DATE

PROCEDURE

FOR PURCHASE OF LUZERNE COUNTY PROPERTY

1. The proposed purchaser shall be responsible for preparing the Proposal Packet, which shall include the Notice, Procedure, Proposal and Certification signed and dated where indicated. The packet is not complete unless the Certification is notarized, and such packet shall be rejected if not notarized.
2. The proposed purchaser shall submit the complete packet of documents to the Luzerne County Clerk of Council. Mailing address: 200 N. River Street, Wilkes-Barre, PA 18711. Contact phone number: 570-825-1634.
3. The Clerk of Council shall forward proposal packets to the Luzerne County Council Real Estate Committee, Luzerne County Assessor's Office, Luzerne County Office of Law, and any other necessary department for review and for the required documentation for the property.
4. Upon receipt of the required documentation set forth above, the Clerk of Council will forward the necessary documents to the Real Estate Committee for inclusion in the previously provided packet for review. The packet may be referred to Council for inclusion on a Work Session. Additional documentation may be requested.
5. At a Council Work Session, the proposal, along with any other supporting documentation, will be reviewed by Council. Any additional supporting documentation can be requested by Council, OR if the proposal packet is deemed sufficient, Council may move the request to a Voting Session for a motion to allow the proposed purchaser to place the required advertisement. ***(Approval for advertisement does not transfer property to purchaser; Luzerne County specifically retains the right to continue to negotiate the purchase with the proposed purchaser or with other interested parties following the advertisement.)***
6. Upon approval by Council to advertise, the Clerk of Council will provide the text of the legal advertisement to the proposed purchaser. The proposed purchaser shall be responsible for placing the advertisement with a newspaper of general circulation in Luzerne County and paying the costs of the advertisement directly to the newspaper.
7. The proposed purchaser shall provide a copy of the advertisement and proof (paid receipt) from the newspaper to the Luzerne County Clerk of Council.
8. At a subsequent Voting Session, Luzerne County Council, by Resolution adopted by at least a majority of its current members, shall then authorize the property to be transferred.
9. In the case of more than one offer on a property, a sealed bid process will be required. Bids will be opened in a public meeting. The highest bid will be accepted.
10. In the event there are multiple matching bids submitted, Luzerne County shall then hold a public auction on the property in question wherein the highest bid submitted at the auction shall be accepted.

PROPOSED PURCHASER (PRINT)

PROPOSED PURCHASER (SIGNATURE)

PROPOSED PURCHASER (PRINT)

PROPOSED PURCHASER (SIGNATURE)

DATE

PROPOSAL FORM

FOR PURCHASE OF LUZERNE COUNTY PROPERTY

I/We, _____, hereby submit a proposal offer in the amount of \$_____ for the property currently owned by the County of Luzerne, Pennsylvania.

Property Parcel No.: _____

Current assessed value: \$_____ (may not equal the fair market value)

Description of property (provide street address if known):

This property is situated in:

_____ (Municipality)

_____ (School District)

Print Name(s) clearly exactly how it (they) will appear on the deed:

Specific Relationship: ___ Single ___ Married ___ Separated, but married ___ Divorced ___ Tenants in Common

Mailing address: _____

Telephone number: _____

**Please allow 8 to 12 weeks for the process to be completed by Council. Deed preparation and transfer of property will take an additional 1 to 2 weeks after Council's approval.*

PROPOSED PURCHASER (PRINT)

PROPOSED PURCHASER (SIGNATURE)

PROPOSED PURCHASER (PRINT)

PROPOSED PURCHASER (SIGNATURE)

DATE

CERTIFICATION

(Must be notarized)

FOR PURCHASE OF LUZERNE COUNTY PROPERTY

I, _____, do hereby certify the following:

1. I am an adult individual authorized to make this Certification.
2. I hereby certify the following:
 - a. I am not delinquent in paying real estate taxes owed to taxing bodies within Luzerne County; and
 - b. I am not delinquent in paying municipal utility bills owed to municipalities within Luzerne County.
 - c. I am not purchasing the property on behalf of someone who is delinquent in paying real estate taxes owed to taxing bodies within Luzerne County or someone who is delinquent in paying municipal utility bills owed to municipalities within Luzerne County.

The facts set forth above are true and correct upon the undersigned's personal knowledge information and belief. This written statement of fact is made by the undersigned subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities, this _____ day of _____, 20_____

SIGNATURE

SIGNATURE

If purchaser is a business entity, list relationship to that business here _____

Sworn and subscribed

Before me this _____ day of _____, 20_____

(Notary Public)
