



Montana Department of Transportation

Notice of Sale of Real Estate

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NOTICE IS HEREBY GIVEN under statutory authority, Section 60-4-203 Montana Code Annotated (M.C.A.), the Montana Department of Transportation (MDT) will sell at public auction online, with reserve price as required by law, to the highest bidder, the tract of land and large shop being more particularly described as follows:

A tract of land in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 36 North, Range 27 West, P.M., M., Lincoln County, Montana, as shown by the shaded area on the exhibit, consisting of 1 page attached hereto and made a part hereof, containing an area of 3.10 acres, more or less.

Improvements: A 3,178 square foot (total) service garage that has two 12x14 overhead garage doors, two 12x12 overhead garage doors, space heaters, one bathroom, and a 200 sq ft office space.

Property Address: TBD MT-Hwy 37, Eureka, MT 59917

Directions to the property: Head West for approximately 0.23 miles from the corner of US Hwy 93 (Dewey Ave.) and MT Hwy 37 and the site and shop are on the North side of MT Hwy 37.

The appraised value of the property is **\$458,950.00** (Four hundred fifty-eight thousand nine hundred and fifty dollars and zero cents). This property is being sold “AS IS-WHERE IS” and MDT will convey title using a Quitclaim Deed.

MDT will hold an open house on **Tuesday, September 23, 2025, from 11:30 a.m. to 1:30 p.m.**

The public **auction** will be held **online** beginning at **“9:00 a.m. on Tuesday, October 7, 2025”** and close at **“4:00 p.m. on Tuesday, October 7, 2025.”**

The sale of said real estate is subject to the “Detailed Terms and Conditions of Sale” as set forth herein.

DETAILED TERMS AND CONDITIONS OF SALE

1. **BIDS:** Bidding will be online at the following web address: <https://www.govdeals.com/mdt> There is a minimum 4-week preview period in which bidders may review the property information and sale terms and conditions, the online process, and ask questions, but interested bidders are not allowed to bid. Before bidding, a bidder must read, sign and agree to the Terms and Conditions of MDT, along with reading and agreeing to separate Terms and Conditions between the bidder and the online auction service company, GovDeals.

2. **BUYER'S PREMIUM:** "Buyer's Premium" means the service cost charged to a Buyer as expressly stated in a Seller's Listing.

The winning bidder will pay GovDeals a 5% Buyer's Service Fee (BSF) by wire transfer within three (3) business days.

3. **NOTICE OF AWARD/BUYER'S CERTIFICATE:** The successful bidder will receive a Notice of Award of a Buyer's Certificate by email from GovDeals within 24 hours of auction close or approval by MDT if required.

4. **10% DEPOSIT TO MDT WIRE TRANSFER ONLY:** The successful bidder is required to pay a deposit of 10% of the successful bid amount using a wire transfer DIRECTLY TO MDT within three (3) business days after the date of the Notice of Award of Buyer's Certificate from GovDeals. Please contact MDT at 406-444-6031 or 406-444-7640 for wiring payment instructions. The successful bidder's 10% deposit will be applied to the bid amount.

5. **BID BALANCE TO MDT:** The successful bidder must submit the balance (bid amount less deposit) and an MDT approved certificate of survey of the property within six (6) months after the date of the Notice of Award/Buyer's Certificate of the successful bid. Payment of the remaining balance may be paid by wire transfer directly to MDT or Personal Check, Postal Money Order, Bank Draft, or Cashier's Check. All payments must be made payable to the "Montana Department of Transportation" and mailed or delivered to the Montana Department of Transportation, Real Estate Services Section, P.O. Box 201001, 2701 Prospect Avenue, Helena, MT 59620.

6. **APPRAISAL:** The appraised value as determined by MDT is for MDT purposes only. The appraised value is \$458,950.00 (four hundred fifty-eight thousand nine hundred fifty dollars and zero cents). Bidding will start at 100% of the appraised value.

7. **BID REJECTION:** MDT reserves the right to reject any or all bids and waive non-substantive technicalities as may be deemed necessary in the interest of the State of Montana.

8. **HOW PAYMENT IS TO BE MADE:** The 10% deposit in connection with this sale must be made by wire transfer ONLY as instructed by MDT. The final payment may be made by wire transfer or another method as outlined in Section 5 above.

9. **DEFAULT:** In the event of default by the high bidder, the bid deposit shall be forfeited to the State. If MDT receives other bids that would have been acceptable, MDT will hold another auction to sell the property. If MDT does not receive any acceptable bids at the auction, or if the bidder with the only acceptable bid later defaults, MDT may then sell the property at a private sale after the auction.

Default shall include (1) failure to observe these terms and conditions; and/or (2) failure to make good and timely payment. Default may result in termination of the bid contract and suspension from participation in all future sales until default has been cured. If payment is not received timely, MDT may cancel the sale. In the event of default by the high bidder, the bid deposit shall be forfeited to MDT. Default may result in termination of the bid contract.

10. **COMPLETION OF THE AUCTION:** The auction is complete and closed on the specified date and time noted above.

11. **INSTRUMENT OF CONVEYANCE**: Conveyance will be made pursuant to Section 60-4-207, M.C.A., and the successful bidder shall accept such title as possessed by MDT. Upon receipt of final payment and required certificate of survey, the property will be transferred by a Quitclaim Deed signed by the Governor of Montana as their schedule allows.
12. **TAXES**: MDT is exempt from paying general taxes and some special assessments; the bidder shall be responsible for and pay all taxes and assessments that accrue on and after the date the Quitclaim Deed is recorded.
13. **EXISTING RIGHTS**: The above land will be sold subject to all existing valid easements upon and across said lands. There is an existing 15-foot-wide utility easement encumbering the western boundary of the property. Running with this utility easement is a temporary License for access permission to the property directly North of this site. This permission is granted for one year or until the property has developed its own access approach off MT-37. The permission will terminate once the access approach is completed or at one year, whichever comes first. The successful bidder will be required to sign the License allowing this access across the property.
14. **CERTIFICATE OF SURVEY**: The successful bidder will be required to provide a Survey at their own expense. (Note: MDT gives the successful bidder 6 months to complete the survey and pay the balance). When the successful bidder has paid the remaining balance due for the property and has provided the required Survey, MDT will prepare the Quitclaim Deed.
15. **RECORDATION**: MDT will record the Quitclaim Deed for the tract of land being conveyed herein. Once recorded, MDT will transmit the deed to the purchaser. However, if a survey is required, MDT will work with the successful bidder's surveyor on filing the survey and deed.
16. **ENVIRONMENTAL IMPACT**: If the development of this tract will require a negative environmental declaration or an environmental impact statement, the successful bidder must furnish them to the Montana Department of Environmental Quality and any other appropriate governmental agencies at the bidder's own expense.
17. **ZONING**: Property is subject to any existing or future zoning ordinances or other use restrictions.
18. **RIGHT OF FIRST REFUSAL**: Pursuant to Section 77-2-306(4), M.C.A., if this property was acquired from a local government, that local government has the "right of first refusal" to re-purchase the property. Bidders at the auction can raise their own bid only once. After the sale, the local government has 3 business days to notify MDT, in writing, of their wish to exercise their "right of first refusal" and submit their 10% deposit. If the local government does exercise their right to match the high bid from the auction, MDT will refund the high bidder's deposit from the public auction.
19. **LOCKS**: MDT shall retain ownership of all locks (including padlocks) currently used on the subject property. Once the successful bidder has paid for the property in full, MDT will remove all locks from the facility and/or provide keys. It is the purchaser's responsibility to replace all the locks at their own expense.
20. **WATER RIGHT TRANSFER OWNERSHIP UPDATE DISCLOSURE**: The successful bidder is responsible for submitting the required paperwork and paying the fee(s) for transferring any water rights associated with the property. By Montana law, failure of the parties at closing or transfer of real property to pay the required fee to Montana Department of Natural Resources and Conservation for updating

water right ownership may result in the transferee of the property being subject to a penalty. Additionally, in the case of water rights being exempted, severed, or divided, the failure of the parties to comply with Section 85-2-424, M.C.A., could result in a penalty against the transferee and rejection of the deed for recording.

21. **ACCESS:** Physical access to the property is north off MT-Hwy 37. The property address is TBD MT-37, Eureka, MT 59917 and is located approximately 0.23 miles west from the intersection of Hwy 37 and Hwy 93.