

**STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
STATE LANDS DIVISION**

**ANNOUNCEMENT OF AUCTION FOR THE LEASE OF STATE LAND
LOCATED IN MOBILE COUNTY, ALABAMA**

Notice is hereby given pursuant to Code of Alabama, 1975, Section 9-15-70 et seq. that a PUBLIC AUCTION for the lease of state property described below located in Mobile County, Alabama will be conducted in the Five Rivers Delta Resource Center - Tensaw Theater located at 30945 Five Rivers Boulevard, Spanish Fort, AL on November 6, 2024 at 10:00 A.M. Bidding will begin promptly at this time. It is the sole responsibility of interested bidders to arrive sufficiently in advance of this start time.

Also pursuant to the above referenced Code Sections, officers and employees of the Department of Conservation and Natural Resources, as well as members of their families, shall be excluded from bidding on any property described herein.

2,000 feet of waterfront on the West bank of the Mobile River, located North of Cochran Bridge described as follows: Commencing at the Northwest corner of Section 25, Township 3 South, Range 1 West, Mobile County, Alabama; run east along the north line of said section to a point where the north line of said section intersects with the west bank of the Mobile River, thence southwestwardly along the said west bank approximately 100 feet to the point of beginning herein described; thence continue southwestwardly along said western bank of Mobile River 2000.0 feet to the point of ending.

All bids must be for the total amount of the First-Year Annual Rent. The Public Auction will begin at a minimum of \$307,600. Specification of a minimum bid amount to be considered does not suggest acceptance of any bid which may equal or exceed that amount. No bid below the minimum bid will be accepted.

Each bidder shall present with the bid, a bid deposit in the form of a certified or cashier's check (NO PERSONAL CHECKS ACCEPTED) in the amount of \$30,760 made payable to the State Lands Division. If a bidder fails to immediately present such bid deposit satisfactory to the State Lands Division, bidding may resume at the discretion of State Lands.

The successful bidder must complete the transaction within thirty (30) days of award or forfeit the submitted bid deposit (pursuant to section 9-15-76). The successful bidder's bid deposit will be applied to the first-year lease rental amount.

Any lease awarded as a result of this auction will be subject to all provisions contained in the lease agreement including, but not limited to, the following:

- 1) Reservation of all oil, gas and mineral rights;
- 2) All easements, covenants, reservations, and restrictions;
- 3) A lease period of ten (10) years;
- 4) Annual rental payments following the first-year rental will be paid in advance in equal monthly installments;
- 5) Rent shall be adjusted on the first day of each lease year in accordance with the Consumer Price Index as stated in the lease;
- 6) Lessee shall only use and occupy the leased property for barge mooring and fleeting and integrally related purposes;

- 7) Property may not be subleased without prior written approval from the Lessor;
- 8) Lessee shall maintain the leased property in good condition and make all necessary repairs to any improvements on the property; and
- 9) Lessee shall maintain, at its own cost and expense for the duration of the Lease, Commercial General Liability Insurance with limits of liability not less than \$5,000,000.00 combined single limit for any one occurrence, and Business Automobile Liability insurance covering owned, non-owned, and hired vehicles with limits of liability not less than \$1,000,000 combined single limit for any one occurrence, and Workers Compensation insurance (if applicable to use of property) and Protection & Indemnity Insurance with minimum limits of \$5,000,000 per occurrence.

If ADA accommodations are needed, please contact Delicia Baker at (334) 242-3484. Requests should be made as soon as possible but at least seven (7) days prior to the auction date.

The State does not guarantee title to the lands herein advertised or otherwise warrant or guarantee the condition of the land or any improvements. All bidders should satisfy themselves as to the State's title, accuracy of acreage offered, tract condition, and tract accessibility.

This lease is conducted pursuant to the provisions of the Alabama Land Sales and Leasing Act (Act 95-280), codified at Sections 9-15-70 et seq., and/or other laws of the State of Alabama governing this transaction whether or not included in this notice. The State reserves the right to reject any or all bids and further reserves the right to negotiate a higher lease rental with the highest bidder. In the event a successful bidder fails to complete the transaction, the State further reserves the right to negotiate with the next highest qualifying bidder.

The Department of Conservation and Natural Resources (ADCNR) does not discriminate on the basis of race, color, religion, age, sex, national origin, disability, pregnancy, genetic information, or veteran status in its hiring or employment practices nor in admission to, access to, or operations of its programs, services, or activities.

Unless specifically provided otherwise in a subsequent corrective advertisement, the terms and conditions as stated in this notice shall be controlling over this transaction.

Potential bidders seeking to access the property for the purposes of inspection must contact the State Lands Division at (334) 242-3484. Such requests should be made sufficiently in advance of the auction date and will be considered in accordance with staff availability. Potential bidders may obtain a copy of the sample lease and map of the lease area at <https://www.outdooralabama.com/public-notice/land-sales-and-leasing-act>.



Patricia Powell McCurdy
State Lands Director

9-27-24
DATE

APPROVED LEGAL
