

ORAL BID PROPOSAL FORM

PURCHASE OF CERTAIN SURPLUS PROPERTY OF ORANGE UNIFIED SCHOOL DISTRICT

(Approximately 9.77 acres of land, located adjacent to Santiago Middle School on N. Rancho Santiago Blvd., in Orange, California 92869)

NOTE: All oral bidders must, prior to acceptance of any final oral bid, reduce their oral bid to writing utilizing this form. This form shall be used by all bidders that wish for their oral bid proposal to be considered for acceptance by the Orange Unified School District.

1. The undersigned, as oral bidder, does hereby declare that he/she has examined the Purchase Agreement and Escrow Instructions (the "Purchase Agreement") for the Property, as provided by the Orange Unified School District in the bid package materials.
2. Although a bidder may propose changes to the Purchase Agreement, unless otherwise agreed to by the District, the bidder shall agree that the existing terms and conditions of the Purchase Agreement will be binding upon the successful bidder. Any proposed changes to the Purchase Agreement must be submitted with the written or oral bid proposal. Any proposed material changes to the existing terms and conditions of the Purchase Agreement shall render such bid a counteroffer, which counteroffer may not be accepted by the District should any written or oral offer be made at or greater than the purchase price set forth in the Purchase Agreement and the minimum terms set forth therein and in the Bid Package. However, this will confirm that in the event that there are no written or oral bids made at or greater than the purchase price set forth in the Purchase Agreement that comply with all material terms set forth therein and in the Bid Package, the District is willing to entertain counteroffers. In the event that there are no written or oral bids made at or greater than the purchase price set forth in the Purchase Agreement which comply with all material terms set forth therein and in the Bid Package, and the District receives more than one counteroffer, the District may, in its sole discretion, choose which counteroffer to accept, or the District may, in its sole discretion, reject any or all counteroffers. Any proposed changes to the Purchase Agreement and/or any other oral bid for the Property must be submitted with this Oral Bid Proposal Form in the space provided below prior to the conclusion of the Orange Unified School District's Bid Hearing on September 10, 2014.
3. Bidder shall submit with, or prior to, its oral bid, a certified or cashier's check made payable to the Orange Unified School District in the amount of TEN THOUSAND DOLLARS (\$10,000.00) as bid security for entering into the Purchase Agreement. The bid security of the successful bidder will be retained by Orange Unified School District as the successful bidder's initial deposit and applied towards the purchase of the Property under the terms of the Purchase Agreement. All other bid securities will be returned after execution of the Purchase Agreement by the successful bidder and the opening of escrow, generally within ten business days of the Bid Hearing.
4. The initial minimum bid for the Property shall be TWELVE MILLION NINE HUNDRED THOUSAND DOLLARS (\$12,900,000), to be paid as set forth in the Purchase Agreement, with a non-refundable initial deposit of FIFTY THOUSAND DOLLARS (\$50,000) (to be fully applied to the Purchase Price) to be paid upon execution of the Purchase Agreement. Furthermore, the initial oral bid must be five percent (5%) higher than the highest written bid.

The undersigned hereby declares that all of the representations of this bid are true and correct and made under the penalty of perjury under the laws of the State of California.

Proper Name of Bidder _____

Address _____

By: _____
Signature Of Bidder

Date: _____

Its: _____
Title of Bidder

Tel: _____

Tel: _____

Email: _____

NOTE: *If bidder is a corporation, the legal name of the corporation shall be set forth above together with the signature of authorized officers or agent; if bidder is a partnership, the true name of the firm shall be set forth above, together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; and if bidder is an individual, his signature shall be placed above.*