

Sale of Surplus Property Upset Bid Process Instructions

Orange County accepts offers for sale of real property owned by the County under a process called the "Upset Bid Method" under North Carolina General Statute 160A-269. Under this method of sale, a person wanting to purchase property owned by the County makes a written offer to the County for the property and the offer must be accompanied by a 5% deposit in certified check or money order payable to Orange County. This bid and deposit is taken to the Director of Purchasing and Central Service's at 131 W Margaret Lane, Suite 301, Hillsborough, North Carolina.

After receiving the offer and bid, the offer is placed on the agenda for the Board of County Commissioners (the Board). The Board shall adopt a resolution which describes the property, the amount and terms of the offer, establishes the terms of the deposit required and details the upset bid procedures to be followed, including the time period with in which the final bid will be accepted or rejected and other relevant details.

Once the Board has made its resolution, a notice of the upset bid sale is published in the newspaper. The notice will describe the property, set out the amount of the offer and specify the requirements for submission of an upset bid. The North Carolina Statute requires that an upset bid be received within 10 days after the date the notice is published. To qualify as an upset bid, the bid must raise the published offer by an amount of at least 10% of the first thousand dollars of the offer and 5% of the remainder of the published offer. When a bid has been successfully raised (upset), the highest new bid becomes the current offer and the procedure is repeated. The Board reserves the right to reject any and all offers at any time.

Once a final qualifying offer has been received, that offer is reported to the Board. The Board then must decide whether to accept or to reject the offer. Should the Board accept the final qualifying offer, a non-warranty deed is prepared for the Chairman of the Board's signature and a time is scheduled for the closing.

Please Note:

Once a valid bid has been placed on a parcel, competing bids may not be placed until the 10 day upset bid period is open. As result, please contact staff to ensure that a bid has not already been accepted for the parcel you are interested in bidding on before attempting to place a bid

Questions may be directed to:

Pamela K Jones, Director Asset Management & Purchasing Services
131 W Margaret Lane, Suite 301
Hillsborough, NC
919-245-2652
pjones@co.orange.nc.us

or

David Cannell, Purchasing Agent
131 W Margaret Lane, Suite 301
Hillsborough, NC
919-245-265
dcannell@co.orange.nc.us