



PROVINCE OF FORLÌ-CESENA

PUBLIC AUCTION NOTICE FOR THE SALE OF PROPERTIES LOCATED IN BAGNO A RIPOLI NAMED VILLA PEDRIALI AND VILLA LA CIPRESSA.

IT IS NOTIFIED

that on **21 September, 2017, at 11.00 am** at the seat of the Province of Forlì-Cesena, Piazza Morgagni 9, Forlì, a public sealed-bid auction will be held, pursuant to art. 73, letter c of the Royal Decree no.827 of 23.05.1924, for the sale to the best bidder, of the following properties located in Bagno a Ripoli (Florence):

LOT No.1 - VILLA PEDRIALI Municipality of Bagno a Ripoli (Florence) - Via Dell'Antella 24

Land Registry:

Sheet 44 Parcels 29 sub. 1 cat. A8 Class 4 of rooms 36.5, **29 sub. 2** cat. A8 Class 2 of rooms 3.5, **29 sub. 4** cat. C6 Class 3 of 46 sq.m, **29 sub. 5** cat. A8 Class 2 of rooms 8, **30** Cat.B7 Single class of 628 cu.m, **395** Cat.A6 Class 3 of rooms 3.5, **394, 393.**

Land Registry:

Sheet 44 Parcels 29 of 1,520 sq.m, **30** of 460 sq.m, **392** of 130 sq.m, **393** of 140 sq.m, **394** of 7,060 sq.m, **395** of 110 sq.m, **686** of 1,700 sq.m, **867** of 315 sq.m, **868** of 615 sq.m, **870** of 590 sq.m, **687** of 100 sq.m, **688** of 30 sq.m, **689** of 40 sq.m.

Sheet 30 Parcels 91 of 2,500 sq.m, **799** of 520 sq.m, **801** of 350 sq.m.

By order no.573/2012 of the Ministry for Cultural Heritage and Activities, Regional Directorate for Cultural and Landscape Heritage of Tuscany, the property was declared to be of cultural interest pursuant to article 10, paragraph 1 of Legislative Decree no. 42 of 22.01.2004, as it fulfils the requirements of historical and artistic heritage, and it is therefore subject to the protection provisions contained in the aforesaid Decree.

By resolution no.139/2014, the Ministry for Cultural Heritage and Activities, Regional Directorate for Cultural Heritage and Landscape of Tuscany authorized the sale of the property pursuant to article 55, paragraph 3, of the aforementioned Legislative Decree.

AUCTION STARTING PRICE € 4,700,000.00 (four million seven hundred thousand euro)
Guarantee deposit and fees: € 236,000.00 of which € 235,000.00 - equal to 5% of the starting price - for guarantee deposit and € 1,000.00 as estimated auction fees, excluding adjustments, to be paid by non-transferable cashier's cheque to the Province of Forlì-Cesena.

LOT No.2 - VILLA LA CIPRESSA Municipality of Bagno a Ripoli (Florence) - Via Di Belmonte 32

Land Registry:

Sheet 41 Parcel 67 sub. 500, Cat.C2, Class 2, 183 sq.m – sub. 501 Cat.C2, Class 2, 108 sq.m – sub. 502 Cat.A4, Class 3, rooms 9.5 – sub. 503, Cat.A4, Class 3, rooms 6.5 – sub. 504, Cat.A4, Class 3, rooms 6.5 – sub. 505, Cat.A4, Class 3, rooms 10 – sub. 506, Cat.C2, Class 4, 349 sq.m – sub. 507, Cat.C2, Class 3, 414 sq.m - sub 508, Cat.A4, Class 3, rooms 12 - sub 509, Cat.A4, Class 3, rooms 4.5 – sub. 510, bcnc (*common property not subject to taxation*) – sub. 511, bcnc (*common property not subject to taxation*) – sub. 512, bcnc (*common property not subject to taxation*) – sub. 513, Cat.C6, Class 4, 62 sq.m – sub. 514, Cat.C2, Class 4, 28 sq.m – sub. 515, Cat.C2, Class 2, 64 sq.m – sub. 516, Cat.C2, Class 4, 85 sq.m.

Land Registry:

Sheet 41 Parcels 62 of 110 sq.m, 64 of 3,920 sq.m, 67 of 3,655 sq.m, 68 of 855 sq.m, 69 of 1,650 sq.m, 102 of 2,710 sq.m, 625 of 2,225 sq.m, 773 of 440 sq.m, 775 of 760 sq.m, 776 of 360 sq.m, 777 of 175 sq.m; total cadastral area 16,860 sq.m.

By order no.34/2014 of the Ministry for Cultural Heritage and Activities, Regional Directorate for Cultural and Landscape Heritage of Tuscany, the property was declared to be of particularly important interest and is therefore subject to the protection provisions contained in the Legislative Decree 42/2004.

On 12.01.2005, the Ministry for Cultural Heritage and Activities, Regional Directorate for Cultural Heritage and Landscape of Tuscany, authorized the sale of the property.

AUCTION STARTING PRICE € 1,380,000.00 (one million three hundred eighty thousand euro)
Guarantee deposit and fees: € 70,000.00 of which € 69,000.00 - equal to 5% of the starting price -

for guarantee deposit and € 1,000.00 as estimated auction fees, excluding adjustments, to be paid by non-transferable cashier's cheque to the Province of Forlì-Cesena.

Please note that a dispute over the two aforesaid properties is ongoing before the Court of Florence with the Company who won the public auction held in 2005.

The said dispute does not prevent the sale of the properties.

Therefore the Province of Forlì-Cesena hereby undertakes to end legal action pursuant to art. 2932 of Italian Civil Code, upon entering into the contract of sale, while the dispute will continue to claim for compensation.

Sales are not subject to VAT.

The properties will be sold in *as is* condition, at fixed price and not based on area, with all causes of action, rights, accessions, positive and negative easements, if any and as is, but free of encumbrances, restrictions, liens, adverse entries.

PAYMENT METHOD AND CONTRACT: The purchase price must be paid at the time the sales contract is signed or can be postponed as follows:

- a) within at latest one year from the date the contract is entered into, provided that a minimum down payment of 30% of the full price is made upon signing the deed, for any amounts below € 2,500,000.00;
- b) within at latest 18 months from the date the contract is entered into, provided that a minimum down payment of 20% of the full price is made upon signing the deed, for any amounts above € 2,500,000.00.

The payment of the remaining amount, including legal interest, shall be guaranteed by a bank guarantee issued by a bank registered in the register referred to in Article 13 of Legislative Decree 385/1993, or by an insurance guarantee issued by an authorized insurance company pursuant to Law no. 348 of 10 June 1982. The above-mentioned guarantees must contain the waiver clause of the right to enforce prior payment by the principal debtor and a clause on guarantee validity within 15 days of receipt of the written request by the competent Provincial Director.

TERMS AND CONDITIONS OF AUCTION: The auction, without reserve and with no possibility of a subsequent increment, will be a sealed-bid auction where bids equal or higher than the aforesaid starting price are submitted in sealed envelopes.

The properties being sold as separate lots, bids for only one lot or both lots can be submitted. Every bid must clearly indicate the lot it refers to. One separate envelope per lot must be submitted.

In addition to the payment of the price, all contract and auction costs and taxes are to be borne by the winning bidder.

Bidding by proxy or by an appointed representative is allowed.

The special proxy must be in the form of either a public deed or written private agreement with notary-certified signature.

If a bid is submitted or made on behalf of more than one person, these will be jointly and severally obliged.

Any appointed representative must state the person for whom the bid was submitted and the latter must accept it within three days from opening of the envelope, by formal deed of acceptance.

Failing this, the bidder will be considered the actual and sole winner for all legal purposes.

In any case, however, the authorized representative will always be joint and several guarantor, even after acceptance, and therefore the deposit paid by the bidder will be held in escrow despite acceptance of the declaration.

The properties will be awarded also in case of only one bidder.

PARTICIPATION

Participation in auction is open to all persons who are not in a condition or situation of being unable to enter into agreements with the Public Administration, pursuant to the regulation in force. The bids for each lot must be submitted as follows:

The duty stamp (€ 16.00) **bid must be necessarily** prepared using the "**Bid Form - annex A**" attached to this notice as integral and substantial part of it. All parts of the model must be compiled or crossed out. The bid must be complete with the bidder's identification details, the amount offered (equal to or higher than the auction starting price) expressed in figures and in words, and the lot the bid refers to. In the event of inconsistency between the bid expressed in figures and the one expressed in words, the most advantageous for the Administration will prevail.

The offer must be dated, signed and enclosed, with a copy of a valid ID of the subscriber, in a sealed envelope and signed on the closing flaps, and marked with the lettering "Offer".

The envelope containing the offer must be placed in another larger envelope, sealed and signed on the closing flaps,

together with the non-transferable cashier's cheque payable to the Province of Forlì-Cesena, of the aforesaid amount, for the deposit and costs.

On the outside of the big envelope you must write: (top) "**Offerta per l'asta del giorno 21 Settembre 2017 per l'acquisto dell'immobile denominato, Lotto N. and** (in the centre) "**Alla Provincia di Forlì- Cesena, Ufficio Patrimonio, Piazza Morgagni 9 - Forlì**". **The sender must be indicated.**

The envelope must be delivered to the Ufficio Patrimonio della Provincia (*Provincial Heritage Office*), Piazza Morgagni 9, Forlì **by hand delivery by noon on 19 September 2017** or **by post**, via registered mail, **by 19 September 2017**. Once the auction has closed, the cheques provided with the offers will be returned to the non-winning bidders.

If no bids are submitted, the auction is declared void.

In the event that two or more bidders present at the auction have submitted the same bid, an additional round of bidding will be organised for them during the same session, pursuant to Art.77 of the Royal Decree N.827/24 and in accordance with the applicable provincial regulation on contracts. If the concerned bidders are not present, the winning bidder will be drawn.

The minutes of the auction are not a contract. The results of the auction will be published via a special resolution by the Officer in charge.

The bid is binding to the participant upon submitting it, while it is binding to the Administration only after fulfilling all requirements set by law with respect to and resulting from the auction. The Provincial Administration reserves the right to declare the auction failed at its own irrevocable discretion, and/or to postpone the deadline of this auction notice, by publishing it in the same manner, and the participants shall not be entitled to any claim, including the refund of the costs incurred to participate in the auction.

The highest bidder will be excluded if:

- 1) the information given in the Bid Form is found to be untrue;
- 2) he/she renounces the contract or does not enter into the contract within the terms that will be set by the Provincial Administration. In such cases, the entire temporary guarantee deposit will be forfeited and the contract will be awarded to the next highest bidder.

Photos are available, along with the auction notice, in the website of the Province www.provincia.fc.it For further information and to arrange for inspection of the property, interested parties can contact the Ufficio Patrimonio (*Heritage Office*) of the Province of Forlì-Cesena, located in Forlì, Piazza Morgagni 9. Telephone: 0543 714274 / 714297 / 714273.

Forlì, 16.06.2017

THE DIRECTOR OF THE
OPERATIONAL OFFICE FOR PUBLIC
TRANSPORT, HERITAGE AND
EXPROPRIATION
Mr. Fabrizio Di Blasio

DUTY STAMP

ALLA PROVINCIA DI FORLÌ-CESENA
UFFICIO PATRIMONIO
PIAZZA MORGAGNI 9
47121 FORLÌ (FC)

BID

SUBJECT: PUBLIC AUCTION ON 21 SEPTEMBER 2017 FOR THE SALE OF THE PROPERTIES
LOCATED IN BAGNO A RIPOLI, NAMED VILLA PEDRIALI AND VILLA LA CIPRESSA.

Bid for Lot no. _____ (indicate the lot identification number) named

_____ (indicate the name of the property)

The undersigned, (name) _____ (surname) _____
born in _____
on _____, resident in _____, address _____,
telephone no. _____, fax no. _____, certified email
_____, for himself/herself or as legal representative of
the company _____, taxpayer's code _____,
VAT identification no. _____, with registered office in _____, address
_____, telephone no. _____, fax no. _____
certified email _____, address for any communication from the Province
_____;

and (in case of more than one bidder)

The undersigned, (name) _____ (surname) _____
born in _____
on _____, resident in _____, address _____,
telephone no. _____, fax no. _____, certified email
_____, for himself/herself or as legal representative of
the company _____, taxpayer's code _____,
VAT identification no. _____, with registered office in _____, address
_____, telephone no. _____, fax no. _____
certified email _____, address for any communication from the Province
_____;

The undersigned, (name) _____ (surname) _____
born in _____
on _____, resident in _____, address _____,
telephone no. _____, fax no. _____, certified email

_____, for himself/herself or as legal representative of the company _____, taxpayer's code _____, VAT identification no. _____, with registered office in _____, address _____, telephone no. _____, fax no. _____ certified email _____, address for any communication from the Province _____;

FOR THE PURCHASE OF THE AFORESAID PROPERTY

Lot no. ____ (indicate the lot identification number) named

(indicate the name of the property)

OFFERS

*the amount of Euro _____ (_____ / _____)
(indicate the amount in figures and in words)*

accepts without exception and reserve, for all purposes, the terms and conditions set out in the auction notice, and undertakes to pay all the charges and contract costs for the final sale of the property, the auction costs, as well as any costs of parcelling and cadastral registration for the identification of the property being sold, as indicated in the public auction notice.

By signing this form, the Bidder **expressly declares** that he/she is not in a condition or situation of being unable to enter into agreements with the Public Administration, pursuant to the regulation in force.

This Offer is to be considered unconditional, binding, firm and irrevocable for all purposes, until the day the property is sold at auction, and with respect to the sole winning bidder, up until the final contract of sale is signed.

Place and date _____

Signature of the natural person
or stamp and signature of the legal representative of the legal
person _____

Please enclose a copy of the subscriber's ID.

Information pursuant to article 13 of Legislative Decree 196/03

Pursuant to Article 13 of Legislative Decree no. 196/03, the Provincial Administration hereby informs that:

- 1) the data requested are collected for the purposes of a public auction and, therefore, providing them is mandatory;
- 2) data will be processed electronically and/or manually.