

# NOTICE OF INVITATION

## TO BID AT PUBLIC AUCTION

### FOR AGRICULTURAL LEASE

The Commissioners of the Land Office of the State of Oklahoma ("CLO") invites bids on an agricultural lease at public auction on December 16, 2015, at 11:00 a.m., at the front steps of the Pawnee County Courthouse, Pawnee, OK, on the described lease:

All Lease terms are for 5 years unless otherwise indicated			Est	Est	Est	Est	Minimum
Contract No	Lease No	Legal and Location Description	Cow Units	Acres Pasture	Acres Crop	Non Usable	Annual Bid
14108	106149	SE/4 & S/2NE/4 SEC 33 & NW/4 SEC 34-21N-4EIM >>>> From intersection of Hwys 64 & 108, 4 miles South and 3 miles East to NW corner of property <<<<	23.00	263.00	137.00	0.00	\$11,100.00

The terms and conditions are listed below. All bidders are required to register at the auction before submitting bid at public auction. Lease term is January 1, 2016 through December 31, 2020.

A lease contract ("Lease") shall be awarded upon the approval of CLO to the person(s) or entity(ies) bidding the highest annual cash rental. CLO reserves the right to reject any or all bids and may refuse, in its sole discretion, to accept any bid on an agricultural lease where the party placing the bid is in default of any other lease with the CLO.

CLO reserves the right to require financial disclosures and CLO may refuse to accept any bid or award any Lease where the interested party cannot show adequate creditworthiness as determined by the CLO.

A bid less than the advertised minimum acceptable bid will not be considered.

On the date of auction, the successful bidder must pay in full the annual bid rental. Rent for succeeding years of the contract will be due on or before January 2 of each year. Failure to comply with the terms of this invitation to bid notice will be cause for the cancellation of the award of the Lease. CLO retains the option to proceed to collect for the entire amount that would be owed under the Lease. Leases not executed on the date of the auction are to be returned to CLO not later than fifteen (15) days after the date of the auction. Lease payments must be mailed to the: Commissioners of the Land Office, Lockbox Account, P.O. Box 248896, Oklahoma City, OK 73124-8896.

Corporations, Partnerships, Limited Liability Companies, Joint Ventures and Business bidders must be agricultural businesses to bid. Limited partnerships or limited liability companies must be able to show that they are agriculture partnerships, meaning at least 65% of total annual gross receipts are derived from farming, ranching and mineral income. All entities must provide its officers and/or partners' full names and addresses printed, in legible format on the lease, and a service agent address for notices. Corporations, foreign or domestic, and companies must be registered as agricultural with the Oklahoma Secretary of State and in good standing, and provide its Federal Employee ID number. A partner bidding for a partnership must be able to show their authority to contract and bind all members of the partnership. If bidding through an agent, the agent must show its name, address and authority to sign the Lease as agent for the Lessee(s) and provide all necessary financial, contracting authority, verification and contact information of the Lessee(s) to contract at auction. Successful bidders must provide each lessee's full name and Social Security number to execute a Lease with the CLO.

Improvements located on the leasehold property that are considered movable without any manifest injury to the land are subject to being removed or otherwise disposed of by the lawful owner(s). Any fences required by agreement or by operation of law shall be constructed and paid for by lessee. Such improvements must be removed or disposed of within sixty (60) days after the expiration of the Lease. If there is a growing wheat crop on leased property, irrigation pumps and motors may be left in place until April 1 of the year following the expiration of the Lease. Possession and/or use of a well present upon the leased land will be surrendered to the new lessee no later than April 5 following the expiration of the Lease term.

Improvements located on offered leasehold property considered not movable without manifest injury to the land (i.e. ponds, dams, terraces, water wells, waterways, and other conservation structures, etc.) are a permanent part of the land and are the exclusive property of CLO.

Irrigation permits may be issued to agricultural lessees for the purpose of irrigating CLO lands. The permit fee shall be determined by the market value rental amount for irrigated acres for comparable deeded land. The permit shall have an annual delinquency interest rate of 12%. Term of the permit will be for one year.

This lease is awarded subject to existing restrictions, reservations, easements and all matters of record.

The Lease term will be specified in the auction notice and the Lease. The effective date will be date of approval, unless otherwise specified.

Lessee may be a non-resident of Oklahoma.

Small grains planted during the last year of the Lease may be harvested in the next year if the Lease is paid in full, but land must be surrendered immediately after harvest or not later than July 1, 2016, whichever is sooner. Extensions may be granted at the discretion of CLO. In the event small grain crop is pastured out and not mechanically harvested, land shall be surrendered no later than June 1, or when cattle are removed, whichever is sooner, in the year following the expiration of the Lease term. If small grain is mowed and baled for hay, those acres must be surrendered when the bales are removed or no more than ten (10) days after baling, but no later than June 1, 2016. All pasture land, including water thereon, must be surrendered December 31st of the final year of the Lease.

The written Lease shall contain the terms and conditions of the agreement between the CLO and lessee(s), and shall be subject to applicable rules and regulations of CLO and statutes of the State of Oklahoma now in force, or hereafter adopted. All bidders are hereby notified to retain this page as it will be incorporated into the Lease.

By submitting a bid, the bidder acknowledges and accepts the terms and conditions of the Lease. In the event of a conflict between the terms contained herein and the terms contained in the Lease, the terms of the Lease shall prevail. Prospective bidders are responsible to inspect the leasehold property and review the Lease prior to the date of auction and contact the Farm Service Agency (FSA) office for allotments, applicable farm program requirements, and eligibility of entering leases into government farm programs after expiration of the Lease term and highly erodible land (HEL) requirements.

~~In order to expedite receive your FSA payments, we recommend that you sign your agricultural lease(s) the same way your government contracts are issued. Our records and their records must match FSA requires their records and agricultural lease(s) records ours match.~~

**ANNOUNCEMENTS AND CORRECTIONS AT THE TIME OF AUCTION MAY SUPERSEDE THIS NOTICE.**

Dated this 17th day of November, 2015.

HARRY W. BIRDWELL, SECRETARY  
COMMISSIONERS OF THE LAND OFFICE  
STATE OF OKLAHOMA

FOR INFORMATION CALL: 1-888-35-LANDS (1-888-355-2637) OR 1-405-521-4000  
OR visit our Website: [www.clo.ok.gov](http://www.clo.ok.gov)