

## General information on the Call for Bids

# IN VIEW OF THE SALE BY THE FRENCH STATE (AGRASC) OF AN EXCEPTIONAL PROPERTY LOCATED IN ANTIBES (06600), Chemin des Contrebandiers and Chemin de la Croé.



## Object of the call for bids

The FRENCH STATE represented by the Agency for the Management and Recovery of Seized and Confiscated Assets (*l'Agence de Gestion et de Recouvrement des Avoirs Saisis et Confisqués* - AGRASC) (hereinafter referred to as the Owner), is disposing of a property located in ANTIBES (06600), Chemin des Contrebandiers and Chemin de la Croé (hereinafter referred to as the Property).

## Brief description of the Property

A property located in ANTIBES (06600), Chemin des Contrebandiers and Chemin de la Croé, composed of:

- a mansion called "*Château de la Garoupe*", consisting of a basement level, a ground floor and a first floor with an attic space, with a total floor area of approximately 1300 m<sup>2</sup>,
- five other buildings used as annexes or living quarters, some of which are in poor condition, with a total constructed area of more than 630 m<sup>2</sup>,
- a landscaped park of about ten (10) hectares including a swimming pool, a jacuzzi and a tennis court,

The precise plot of land of the Property which will be about 10 hectares 36 ares and 00 centiares, shall be established before the signature of the notarial Deed of Sale, by means of subdivisions resulting from a survey document established from the parcels currently appearing in the land register, namely:

Section	N°	Location	Surface
CD	133	CHE DES CONTREBANDIERS	00 ha 10 a 50 ca
CD	136	CHE DES CONTREBANDIERS	10 ha 39 a 00 ca

The separated parcels correspond to part of the coastal trail accessible to the public.

This description is factual and does not assume the regularity and compliance of the Property with regards to its dimensions and urban planning regulations.

### Process of the call for bids

The disposal will take place by means of a call for bids which is composed of two phases:

- **First phase of the call for bids:** the objective of this phase is to collect letters of application from incorporated entities, accompanied by civil, financial, and legal information from the candidates for acquisition (Cf. § Content of the application file below). At the end of this first phase, the Owner will select, at its sole discretion, the legal entities who will be granted access to the Consultation File.

During the first phase of this call for bids, the Owner shall not communicate any information about the Property being sold, except for general information about the context of the sale and the process of the call for bids, as described herein.

During this first phase, the analysis of the applications shall be based mainly on the information submitted by the applicants on their own initiative, in terms of their main activities, past comparable operations, financial capacity, and the reasons for their interest in this Property.

Applicants who are not selected for the second phase are hereby informed that the Owner reserves the right not to justify its choice and hereby acknowledge that they shall have no recourse whatsoever.

The candidates selected by the Owner to submit an offer shall have access to the electronic Consultation File and to the Property by means of a visit.

- **Second phase of the call for bids:** the objective of this phase is to collect the binding offers that will be issued by the selected candidates, after their review and analysis of the Consultation File.

Applicants whose binding offers are not selected are hereby informed that the Owner reserves the right not to justify its choice and hereby acknowledge that they shall have no recourse whatsoever.

It is hereby clarified that the Property will be sold as is without any condition precedent other than that relating to the waiver of the right of pre-emption if any, and the waiver of any priority rights, as applicable.

### Content of the application file (first phase of the call for bids)

Interested candidates must send in digital format (.pdf) only to the following e-mail address [acagaroupe@cheuvreux.fr](mailto:acagaroupe@cheuvreux.fr) an application file containing at least:

- A head-letter signed by the legal representative of the candidate, an incorporated entity, stating that it agrees with the terms of this call for bids and mentioning its main activities, past comparable operations, if any, their financial capacity, and the reasons for their interest in this Property.

- A file containing the following information:

- Name(s) of the manager(s) and legal representative(s), or of the duly authorized person(s).
- In case of affiliation to a group: name and organizational chart of the group.
- In the case of a consortium: name of the representative.
- In the case of a listed company, the identity of the shareholders holding at least 5% of the capital and a copy of their national identity card or any other valid official document with a photograph.

- Up-to-date articles of association certified as true by the applicant and up-to-date certified articles of association of all legal entities holding directly or indirectly the capital or voting rights of the acquiring applicant.
- Complete identity and copy of any valid official document with photograph, for each beneficial owner of the operation as defined by the French Monetary and Financial Code.
- Copy of the document relating to the beneficial owner as defined by the French Monetary and Financial Code, dated, signed, and deposited at the clerk's office of the Commercial Court.
- A certified copy of the powers of attorney of the person representing the applicant and signing the application letter.  
These powers must allow the signatory to validly bind the candidate.
- Financial aspects: a declaration concerning the financial and economic situation for the last three financial years, describing at least the equity, the level of indebtedness, the revenues, and the profits. If there is a consortium, the balance sheet of the parent companies.
- If applicable, professional know-how and experience: presentation of a list of operations in which the candidate has participated over the last five years (if any), specifying their nature and value.
- Recent (no older than a month) definitive K-bis extract
- Recent (no older than a month) certificate of non-bankruptcy.
- Sworn statement that the applicant has fulfilled all tax and social security obligations for the last three years or the last three fiscal years.
- Elected domicile for the purpose of following up on the present application, which must necessarily be in metropolitan France.
- The surnames, first names, position, company, e-mail address and telephone number (direct line) of the applicant's advisers who will request access to the electronic consultation file if the application is accepted.

For foreign companies:

- All the documents mentioned above (as per the regulations applicable in the country of registration of the applicant company).
- A legal opinion drawn up by a lawyer registered at the bar in the applicant's country of residence, accompanied by all its annexes and its translation into French, legalized or with an apostille, attesting that the applicant and the person signing the application have the capacity and powers to carry out the operation and to validly commit the applicant; an unsatisfactory legal opinion may result in the application and, where applicable, the subsequent binding offer being inadmissible. It is specified that if the candidate is a company, the legal opinion must also confirm that it has been validly constituted and that it has legal personality.

#### **Access to the electronic Consultation File – data room (second phase of the call for bids)**

The Owner shall notify the selected candidates at the end of the first phase of the call for bids of their admission to access the Consultation File.

The access to the electronic documentation will be provided by means of a protected internet access on the Notary Space of the Chamber of Notaries of Paris set up by Mme Séverine LÉBOVICI, Notary Associate of the CHEUVREUX firm.

Prior to accessing the Consultation File, the selected candidates shall accept the clauses of the confidentiality agreement and of the Consultation Regulations which will be provided to them upon notification of their acceptance to participate in the second phase, as well as the complete list of the persons from their team who shall have access to the electronic Consultation File (surname - first name - position - company - professional postal address - e-mail address - telephone number).

The visiting period and the modalities of written questions and answers will be determined by the Consultation Regulations.

### **Preliminary timeline for the consultation process**

- *First phase of the call for bids:*

Submission of applications by the candidates: **from the date of publication until July 17, 2023, at 12h00 at the latest (local time in Paris).**

- *Second phase of the call for bids (tentative dates):*

Opening of access to the Consultation File: 4 September 2023

Visiting period: from 4 September to 15 September 2023

End of questions in the Consultation File: 29 September 2023 at 12h00

**Deadline for the reception of firm offers: October 6, 2023, at 12h00**

**Target date for signing the deed of sale: December 15, 2023**

### **Visits**

All visits to the Property shall take place for a maximum of 4 hours from September 4 to September 15, 2023.

The company BLUEBIRD IMMOBILIER shall contact the candidates selected for the tender phase to arrange a visiting slot with them.

### **Information on the processing of personal data**

Etude CHEUVREUX, the Owner's Notary, operates a data processing system for the performance of notarial activities, in particular deed formalities, in accordance with Ordinance no. 45-2590 of November 2, 1945.

The information concerning the applicant mentioned in the section "Contents of the application file (first phase of the call for bids)" above shall be processed in the benefit the French State and the AGRASC. The personal data processed is reserved for use by the French State and the AGRASC and may only be passed on to service providers involved in managing the call for bids with the potential buyers. Under no circumstances will this data be used for commercial transactions with third parties.

Personal data is processed for the purpose of carrying out the transaction in question, and to comply with our legal and regulatory obligations. The data is kept for a period of six (6) months from the completion of the service that is the subject hereof.

In accordance with Regulation (EU) 2016/679 of April 27, 2016, the parties concerned may access the data that directly concerns them by contacting the Data Protection Officer at the following address: [cil@notaires.fr](mailto:cil@notaires.fr).

Where applicable, concerned parties may also obtain rectification, deletion of the data concerning them or object on legitimate grounds to the processing of such data, except in cases where the regulations do not allow the exercise of these rights. Any complaint may be lodged with the *Commission Nationale de l'Informatique et des Libertés (CNIL)* - [www.cnil.fr](http://www.cnil.fr) - 3 place de Fontenoy 75007 Paris.