

**POZNAN UNIVERSITY OF TECHNOLOGY**

**pl. M. Skłodowskiej-Curie.**

**60-965 Poznań**

**announces:**

XII open written tender for the sale  
of a property located in Poznań at ul. Ogrodowa 11

The subject of the tender is a built-up land property owned by Poznan University of Technology, covering an area of 1 523 m<sup>2</sup>, located in Poznań, designated as plot number 48, map sheet 41, for which the District Court Poznań – Old Town in Poznań, V Land and Mortgage Register Department keeps a land and mortgage register No. PO1P/00000141/4. The property includes land which is built up:

- at the front, with a five-storey residential-commercial building (tenement house), with a basement, made in traditional technology, compact downtown development; the usable area of the building is 1 604.68m<sup>2</sup>;
- in the rear part, with an outbuilding of a multi-functional character – residential, commercial and warehouse-workshop type; the usable area of the outbuilding is 1 201.39m<sup>2</sup>.

The total usable area of the buildings is 2 806.07m<sup>2</sup>.

**The starting price of the property is PLN 14 384 000.00 net (say: fourteen million three hundred and eighty-four thousand zlotys zero grosz).**

The sale is exempt from VAT. The tax on civil law transactions is borne by the buyer.

The condition for participation in the tender is the deposit of a tender bond, which amounts to PLN 750 000.00 (say: seven hundred fifty thousand zlotys zero grosz) to the bank account of Poznan University of Technology: 39 1090 1362 0000 0001 4382 6909, SANTANDER BANK POLSKA SA with an indication of the payment aim - "XII tender for the sale of a property located in Poznań at ul. Ogrodowa 11". The tender bond deposited by the buyer will be credited towards the purchase price. The tender bond will be forfeited if the bidder whose bid has been accepted evades signing a conditional agreement or an agreement to transfer the ownership of the property, and the tender will be deemed null and void.

The acceptance of the offer does not constitute the conclusion of the property sale agreement.

The sale of the property will take place in accordance with Article 423 section 2 of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws of 2023, item 742, as amended) and Articles 30a – 30c of the Act of 20 July 2017 on the National Property Holding (Journal of Laws of 2023, item 1054, as amended), i.e. it requires the prior consent of the President of the State Treasury Solicitors' Office of the Republic of Poland and the Poznan University of Technology Council, as well as not exercising the right of pre-emption by the President of the National Property Holding. Poznan University of Technology draws attention to the content of Article 423 section 2 of the Act on Higher Education and Science in the following wording: *On the terms set out in Articles 38-41 of the Act of 16 December 2016 on the Principles of Managing State Property, the performance by a state-funded institution of higher education of a legal action in the scope of disposing of fixed asset components, 2within the meaning of the accounting regulations, and the performance by a state-funded institution of higher education of a legal action in the scope of handing over these components to another entity for its use, for a period longer than 180 days in a calendar year, requires the consent of the President of the State Treasury Solicitors' Office of the Republic of Poland, in cases where the market value of these components or the market value of the subject of the legal action exceeds the amount of PLN 2 000 000. The application for consent should be accompanied by the consent of the University Council.*

The entity whose bid has been accepted will be obliged to initial the drafts of a conditional agreement and an agreement to transfer ownership, which is indispensable for Poznan University of Technology in order to submit to the President of the State Treasury Solicitors' Office of the Republic of Poland an application for consent referred to above, within 7 days from the date of the request.

After obtaining the required approvals of the President of the State Treasury Solicitors' Office of the Republic of Poland and the University Council, a **conditional sales agreement** will be concluded with the entity whose bid has been accepted. The **right of pre-emption** for the property is granted to the President of the National Property Holding pursuant to Article 30a and of the Act of 20 July 2017 on the National Property Holding. If the authorized entity does not exercise the right of pre-emption, an agreement to transfer the ownership of the property will be concluded with the entity whose bid has been accepted.

In accordance with the local spatial development plan "In the area of the Apollo passage" approved by Resolution No. XXXIII/549/VIII/2020 of the Poznan City Council of 14 July 2020, the plot in question is located in the area marked as: Mw/U – multi-family residential or commercial areas.

Encumbrances on the property:

- unit number 10 is occupied on the basis of a decision by the Head of the Residential and Commercial Property Department of the City Council in Poznań dated 21 March 1990,
- unit number 11 is occupied on the basis of a lease agreement for an indefinite period of time dated 15 July 2007.

Regarding the above-described property, there are proceedings pending against: 1. Poznan University of Technology, 2. State Treasury – the Mayor of the City of Poznań, before the District Court in Poznań, XII Civil Division (reference number XII C 1007/16) for:

- determining that the defendant Poznan University of Technology did not acquire by virtue of law (pursuant to Article 182 of the Act of 12 September 1990 on Higher Education) perpetual usufruct on the property located in Poznań at ul. Ogrodowa 11 and before the date of entry into force of the Property Management Act of 21 August 1997, i.e. before 1 January 1998, the right of perpetual usufruct on the property in question was not established for the benefit of Poznan University of Technology,
- determining that, as a consequence of the above, Poznan University of Technology did not acquire by virtue of law, i.e. pursuant to Article 256 section 1 of the Act of 27 July 2005 - Law on Higher Education, ownership of the property located in Poznań at ul. Ogrodowa 11.

The proceedings before the District Court in Poznań were suspended due to the plaintiff's death.

Written offers, in sealed envelopes, should be submitted to the Chancellor's Secretariat of Poznan University of Technology, at pl. M. Skłodowskiej-Curie 5 in Poznań, Room No. 205, by **27 May 2024, by 10:00**

An offer should include:

- 1) first name, surname and address or name (firm) and registered office of the bidder,
- 2) certified true copies of:
  - a civil law partnership agreement (in case of conducting business in such a form),
  - a duplicate or information from the relevant register (in case of a bidder being a legal person or commercial partnerships),
- 3) a promissory note by the Minister competent for internal affairs to issue a permit for the acquisition of the property by a foreigner (if required),
- 4) date of drawing up the offer,
- 5) a statement that the bidder has read the Rules of the tender and accepts provisions contained therein without reservations,
- 6) the bid price, subject to § 14 section 8 of the Rules,
- 7) an attached proof of payment of the tender bond.

The Announcement and the Rules constitute an integral whole, and the Rules specify and clarify the terms and conditions of the tender within the meaning of Article 70<sup>1</sup> § 2 of the Civil Code.

Before taking part in the tender, it is necessary to read the Rules of procedure, which are an integral part of this Announcement. The Rules of procedure have been placed on the notice board at Poznan University of Technology at pl. Skłodowskiej-Curie 5 in Poznań and on the website of Poznan University of Technology [www.put.poznan.pl](http://www.put.poznan.pl) in the Public Information Bulletin (BIP).

More information can be obtained on the phone No. 61 6653524.

Poznan University of Technology reserves the right to close the tender without selecting any of the bidders or to cancel the tender after accepting the offer without giving any reasons.

The public part of the tender will take place on **27 May 2024** at pl. M. Skłodowskiej-Curie 5 in Poznań, Room No. **209**, at **11:00**.