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| STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION | EXHIBIT |
| **OPTION AGREEMENT - ACCESS TO LANDLOCKED EXCESS LAND** | 16-EX-5 |
| (Form #) | Page 1 of 2 |

This Agreement made and entered into by and between , hereinafter called Optionor, and the State of California, Department of Transportation, hereinafter called Optionee.

In consideration for the sum of dollars ($ ) paid to Optionor, the receipt of which is hereby acknowledged, Optionor hereby grants to Optionee or its assigns the exclusive right and option to purchase the following described real property in the County of , in the State of California, to wit:

(Insert Legal Description)

for the sum of dollars ($ ), which shall be paid upon the delivery of a deed, as hereinafter provided.

Written notice exercising this option shall be given on or before , 19 , upon receipt of said notice and receipt of the sums herein provided, Optionor shall delivery to Optionee, or a mutually acceptable escrow agent, a Grant Deed to said real property.

shall furnish a policy of title insurance of said real property.

All taxes, liens, or assessments shall be prorated between the parties to the date of delivery of the deed of conveyance.

All notices provided for herein shall be deemed to have been duly given if and when deposited in the United States mail, properly stamped and addressed to the party for whom intended at the party's above listed address, or when delivered personally to such party.

This contract shall be binding upon and shall inure to the benefit of the parties hereto and to their respective heirs, successors, or assigns.

It is understood, by and between the parties hereto, that the Optionee intends to assign this option to the purchaser of the landlocked State owned property which lies adjacent thereto, and that said purchaser shall have the right to exercise this option in accordance with the terms and conditions set forth herein.

Executed this day of , 19 .

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| Optionor |

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| **OPTION AGREEMENT - ACCESS TO LANDLOCKED EXCESS LAND (Cont.)** | EXHIBIT |
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**Instructions:**

1. Fill in name and address of the vested owner of the property over which the access will be obtained.
2. Insert the address of the District Office of Right of Way.
3. Insert the written amount of the total sum to be paid for the option only by the State, followed by the numerical amount.
4. Insert the County wherein the property is located.
5. A full description of the property optioned will be included, and will be exactly as proposed to be acquired. This description will be prepared by District Right of Way Engineering. It may also be attached as an exhibit by reference.
6. Insert the total amount to be paid by the optionee for the property being purchased, exclusive of the consideration paid by the State for the option itself. The written and numerical amounts will be included.
7. The number of days to exercise the option will be inserted here. Care should be taken to allow successful bidder (assignee of the option) sufficient time to exercise the option (usually no longer than 90 days, or variable with the main parcel's option period).
8. This period, usually 30 days, will allow the optionor to deposit a good and sufficient grant deed into escrow or to the optionee.
9. Insert either "optionor", "optionee", or its "assigns", as indicated by local real estate custom. In no way, however, will the State pay for these title fees.
10. At the time of execution of the option agreement by the optionor, the date should be filled in.

**NOTE:** This agreement assumes the conveyance of fee simple, unimproved properties for cash. Modification of the option agreement will be necessary if a different conveyance is contemplated.