



PROPOSING SECTOR: PROPERTY

NOTICE

Subject: ACT OF AMENDMENT OF THE TERMS RELATING TO THE NOTICE PUBLISHED ON 20/12/2024 AND NOT YET EXPIRED, HAVING AS ITS SUBJECT THE THIRD UNDERTAKING FOR THE SALE BY PUBLIC AUCTION OF THE REAL ESTATE COMPLEX "FORMER ORPHANAGE IN VIA TOMMASO GROSSI N. 2/4 VIA DANTE ALIGHIERI N. 70/72/74/76" OF MUNICIPAL PROPERTY INCLUDED IN THE "PLAN FOR REAL ESTATE DISPOSAL AND REDEVELOPMENT FOR THE YEAR 2023 AND THREE-YEAR PERIOD 2023/2025" - LOT 21. EXTENSION OF THE TERMS FOR THE SUBMISSION OF BIDS AND FOR THE PUBLIC SESSION FOR THE OPENING OF THE ENVELOPES.

The Manager

Having regard to:

- The notice published on 20/12/2024 entitled "*Notice of third undertaking for the sale by public auction of the real estate complex "former orphanage in via Tommaso Grossi n. 2/4 via Dante Alighieri n. 70/72/74/76" owned by the municipality included in the "Plan for real estate disposal and redevelopment for the year 2023 and three-year period 2023/2025" - lot 21*" referred to in ATTACHMENT 1;
- The Management Resolution no. 221 of 10/02/2025, which provided for an amendment of the terms for the submission of bids and the opening of envelopes relating to the real estate auction in question, extending by no. 60 days the terms originally set for 13/02/2025 at 17:00 for the submission of bids and 14/02/2025 at 10:30 for the opening of envelopes, and establishing as **new peremptory terms 14/04/2025 at 17:00 for the submission of bids under penalty of exclusion and 15/04/2025 at 10:30 for the public session for the opening of envelopes**;

MAKES KNOWN THAT

- 1) The notice published on 20/12/2024 regarding the third undertaking for the sale of the real estate complex located in Como, via T. Grossi n. 2-4 and via Dante n. 70-72-74-76, is amended as follows:
 - The text of Art. 5 "**Terms and Conditions for Submitting the Bids**" is replaced by the following text:

"The bid, accompanied by the documentation as indicated in Art. 3, must be submitted, by appointment, to the Auctioneer or to the Secondary Notary under penalty of exclusion, no later than 5:00 pm on 04/14/2025.

The delivery of the bid may also be made through a delegate with a valid identification document and written authorization, accompanied by a copy of the bidder's valid identification document.

In the event of a paper bid being deposited with the Secondary Notary, the obligation and risk that, for any reason, the same does not reach the attention of the Auctioneer by the date of the Auction remains the exclusive responsibility of the bidder and in this case nothing may be attributed to the Auctioneer or the Secondary Notary for the delay or failure to deliver by the chosen means of transmission.

After the expiry of the term indicated above, no bid will be accepted, even if it is a replacement or additional to a previous one; bids subsequent to the award are excluded, even if formulated within the terms and with the methods set out in Art. 584 of the Italian Code of Civil Procedure.

*The **paper bids**, closed and countersigned on the closing flaps, delivered to the Auctioneer or Secondary Notary, according to the methods described and within the indicated deadline, will be registered by the same, at the same time as the receipt and within the deadlines for the submission of the Bids, in the computer system of the National Council of Notaries (RAN), together with the personal details of the person delivering the bid.*

*The **digital bids** delivered to the Auctioneer or Secondary Notary, according to the methods described and within the indicated deadline, will be registered by the same, at the same time as the receipt and within the deadlines for the submission of the Bids, together with the personal details of the person delivering the bid, and uploaded to the computer system of the National Council of Notaries (RAN), which will apply the double encryption keys to the PDF file, thus guaranteeing its secrecy.*

*The **digitalized paper bids**, closed and countersigned on the closing flaps, delivered to the Auctioneer or Secondary Notary, according to the methods described and within the indicated deadline, will be registered by them, at the same time as receipt and within the deadlines for the submission of Bids, together with the personal details of the person delivering the bid in the computer system of the National Council of Notaries (RAN), which will apply double encryption keys to the PDF file, thus guaranteeing its secrecy. The paper package, together with the relative declaration, will be kept in the records with the Auctioneer or Secondary Notary.*

All Bids lacking the essential requirements set out in this Notice will not be accepted and in any case will be excluded".

The text of Art. 6.1 **"Opening of Bids and Provisional Award"** is replaced by the following text:

*"For the opening of the envelopes and the evaluation of the documentation of the bids submitted by the bidders, a public session is scheduled for **15 April 2025 at 10:30 am at the office of the Auctioneer Mario Mele located in Piazza della Pace n.1, Cermenate (CO) – 22072, tel: 031/778860 e-mail: mmele@notariato.it.***

The Secondary Notaries and the bidders who have deposited the bid with the latter will also participate in this session remotely.

The Auctioneer will verify the completeness and conformity of the bids with the provisions of this Notice.

The Auctioneer will proceed to exclude the bids that do not comply with the provisions of this notice and may eventually request further clarifications, documents and additions from the bidders that do not concern - in any case - the requirements requested by this notice under penalty of exclusion.

The auction will be held with the system of secret bids of a value at least equal to or greater than the auction starting price, according to the method referred to in Article 73, letter c) of the Royal Decree of 23 May 1924, no. 827 and the procedures referred to in Article 76, paragraph 2, of the same Royal Decree.

The award will be made to the bidder who has submitted the most advantageous bid, always if equal to or higher than the starting price of the auction, among those submitted in the auction.

The award will also take place in the presence of only one valid bid, pursuant to Art. 65, point 10, of Royal Decree no. 827/1924 and Art. 23, par. 3 of the Municipal Regulations.

The Auctioneer shall proceed:

- *In the event of the submission of a single valid bid, to the provisional award of the Lot in favour of the bidder;*
- *In the event of the submission of multiple valid bids, to the provisional award of the Lot in favour of the subject who is found to have submitted the valid bid of the highest value;*
- *Only in the case in which multiple valid bids of the same amount are submitted and placed ex aequo in first place in the ranking, to proceed with the auction, according to the procedures set out in Art. 6.2, among such bidders, pursuant to Art. 77 of Royal Decree no. 827/1924;*
- *In the event that no valid bids are received, the procedure will be terminated by declaring the Auction Not Awarded ("Deserted Auction").*

In the event of impediment, the Auctioneer will postpone the session to another suitable date,

promptly informing the Notary Auction Office (servizioaste@postacertificata.notariato.it) which will inform the Institution. In this case, a notice of postponement of the auction will be published on the websites of the National Council of Notaries and the Municipality of Como. In any case, it will be the responsibility of all interested parties to view any notices published on the aforementioned websites. It is the responsibility of the Bidders to find out about the outcome of the Auction."

- 2) The text of the notice published on 20/12/2024, with the exception of the above-mentioned amendments to Art. 5 and 6.1, remains unchanged. Below, the new text is reported in full with changes:

<https://www.notariato.it/it/ran/aste/bando-terzo-esperimento-comune-di-como-asta-unica-il-14-febbraio-2025/>