

containing provisions set forth in 24 CFR 290.202 for selling nonperforming, unsubsidized mortgage loans. The first auction of these mortgage loans is scheduled for March 28, 1995 and involves the sale of mortgage loans secured by properties located in the Southeastern United States ("Southeast Auction"). The sale was announced by a notice published in the **Federal Register** on January 13, 1995 (60 FR 3255).

This notice sets forth the sale procedures and other information relevant to the sale scheduled for March 28, 1995. The following are changes, modifications and/or amplifications to those sale procedures previously published. Except as expressly set forth below, the procedures set forth in the **Federal Register** on January 13, 1995 remain effective.

Ineligible Bidders. The following individuals and entities (either alone or in combination with others) are ineligible to bid on any one or combination of the mortgage loans included in the Southeast Auction:

- (1) Any employee of the Department;
- (2) Any individual or entity that is debarred from doing business with the Department pursuant to 24 CFR part 24;
- (3) Any contractor, subcontractor and/or consultant (including any agent of the foregoing) who performed services for, or on behalf of, the Department in connection with the Southeast Auction;
- (4) Any individual that was a principal and/or employee of any entity or individual described in paragraph (3) above at any time during which the entity or individual performed services for, or on behalf of, the Department in connection with the Southeast Auction;
- (5) Any entity or individual that served as a loan servicer or performed other services for, or on behalf of the Department, with respect to any of the mortgage loans included in the Southeast Auction at any time during the two-year period prior to March 28, 1995; and
- (6) Any individual that was a principal and/or employee of any entity or individual described in paragraph (5) above at any time during the two year period prior to March 28, 1995, except, however, any entity or individual described in paragraphs (5) and (6) shall be permitted (subject to the terms and conditions of any agreement the entity or individual has previously entered into in connection with the Southeast Auction and/or other agreements entered into with, or on behalf of, the Department), to:

(i) Perform services as a consultant and/or advisor to any bidder who is eligible to bid at the Southeast Auction,

provided that such services do not involve the use of any materials or information not otherwise available to the general public that were produced or developed for, or on behalf of, the Department; and

(ii) Bid on any of the mortgage loans included in the Southeast Auction that were not serviced by such entity or individual described in paragraphs (5) or (6) at any time during the two year period prior to March 28, 1995.

Number of Bids. A bidder may bid on as many individual mortgage loans as the bidder chooses. However, no bidder may bid on more than ten (10) pools of mortgage loans (i.e., combinations of two or more mortgage loans).

Timely Bids and Deposits. Each bidder assumes all risks of loss relating to its failure to deliver, or cause to be delivered, on a timely basis and in the manner specified by the Department, each bid form, earnest money deposit and loan sale agreement required to be submitted by the bidder.

Ties for High Bidder. In the event there is a tie for a high bid, the Department, through its financial advisor, will contact the parties with the tie bid and afford each of them an opportunity to offer a best and final bid. The successful bidder will be the one with the highest bid. If a tie continues after the best and final offers are submitted or the bidders do not respond, or do not respond within the time period established by the Department, the successful bidder will be determined by lottery. Notwithstanding the above, the Department reserves the right to withdraw any mortgage loan(s) subject to a tie bid.

Nonperforming Status of Mortgage Loans. Almost all of the mortgage loans included in the Southeast Auction are nonperforming. However, some of the mortgage loans may become performing on or before the date that title to the mortgage loan(s) is transferred to the successful bidder.

Dated: March 13, 1995.

Jeanne K. Engel,

General Deputy Assistant Secretary for Housing-Federal Housing Commissioner.
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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR-130-1220-00; GP5-082]

Notice of Public Lands Closure/ Restrictions, Grant County, Washington

AGENCY: Bureau of Land Management, Wenatchee Resource Area, Spokane District.

ACTION: Emergency closure of public lands; Washington.

SUMMARY: Closure and restriction order. Under the authority identified in 43 CFR 8364.1 (a.) Fifty acres of public lands located on Saddle Mountains, (S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12, T. 15 N., R. 23 E. Willamette Meridian), are closed to surface disturbing activities including OHV riding and digging of petrified wood. The existing road and jeep trail are not affected by this closure. This closure/restriction is effective immediately upon publication of this notice and will remain in effect year round or until rescinded. This order is necessary to provide protection for sensitive plant species habitat. Authorized BLM personnel conducting habitat restoration activities, and personnel operating fire fighting and/or emergency vehicles or operations including search and rescue activities, are exempt from this order.

Any person who fails to comply with a closure or restriction order issued under this subpart may be subject to the penalties provided in 43 CFR 8360.0-7. These penalties are as follows. Violations are punishable by a fine not to exceed \$1,000 and/or imprisonment not to exceed 12 months.

FOR FURTHER INFORMATION CONTACT:

James Fisher, Area Manager, BLM, Wenatchee Resource Area Office, 915 N. Walla Walla Street, Wenatchee, Washington, 98801-1521; 509-665-2100.

Dated February 28, 1995.

James F. Fisher,

Wenatchee Resource Area Manager.

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