

## **TERMS & CONDITIONS**

The terms and conditions of the sale are generally set forth in this document. The information set forth herein is believed to be accurate, however the owner of the property and Vander Werff and Associates, Inc. make no warranties or guarantees expressed or implied. Information contained in this document was collected from sources deemed to be reliable and is true and correct to the best of this writer's knowledge. Auctioneers and owners will not be held responsible for advertising discrepancies or in accuracies.

### ***All announcements on auction day take precedents over previously advertised information.***

Prospective buyers are advised to consult with an attorney of their choice with respect to the purchase of any real property including but not limited to seeking legal advice from their own attorney regarding disclosures and disclaimers and other documents.

The successful bidder will be required to sign a purchase agreement disclosing the full terms of this auction and deposit a down payment as announced and stated within this purchase agreement immediately upon the close of the auction. Unless otherwise stated these funds will be placed in Vander Werff and Associates, Inc. trust account as good faith money until closing. Purchasers who are unable to close because of insufficient funds will be in default and the deposit money will be forfeited.

Sellers will provide up to date abstracts at their expense and will convey property by Court Officer and/or Warranty Deed unless otherwise stated. The properties sale as is with no warranties expressed or implied. The property sells subject to owner's confirmation.

### **Properties Sold Without Warranty:**

All descriptions provided within this advertisement are based on the best information available and are subject to change. Sketches may not be drawn to scale, photographs may not detect the current condition of the property. Bidders are encouraged to inspect the property as well as review all court and documents information available including FSA supplied data. Each bidder is responsible for evaluation of the property and shall not rely upon the seller, broker, or auctioneer, their employees or agents. The property sells "as is" without any warranties or representations expressed or implied.

### **Bidder Approval:**

All bidding is open to the public and the property is offered to qualified purchasers without regards to sex, race, color, religion, natural origin, or handicap.

### **Successful Bidder:**

The successful bidder of the property shall be determined by competitive bidding. Should any dispute arise between bidders, the auctioneer shall have the right to make the final decision to either determine the successful bidder or to re-offer the property that is in dispute. The auction will be recorded and the auctioneer's records shall be conclusive in all respects.

### **Sellers Performance:**

The seller has agreed to the terms of sale as published, however the broker and auctioneer make no warranties or guaranties as to the sellers performance.

### **Agency Disclosure:**

Vander Werff and Associates, Inc. represent the Seller in this transaction and will be paid by the seller.

### **Possession:**

Unless otherwise stated possession at closing.

### **MINERAL RIGHTS**

All mineral rights, if any held by Seller will be transferred upon closing. However, the seller does no warranty amount or adequacy of the mineral rights.

### **Environmental Disclaimer:**

The Seller, Broker and Auctioneers do not warrant with respect to the existence or nonexistence of any pollutants, contaminates or hazardous waste prohibited by federal, state or local law. Buyer is responsible for inspection of the property prior to purchase for conditions including but not limited to water quality, and environmental conditions that may affect the usability or value of the property. No warranties are made as to the existence or nonexistence of water wells on the property, or the condition of any wells.

### **EASEMENTS AND SURVEY:**

The property to be sold is subject to any restrictive covenants or easements of record and any results that an accurate survey may show.

***SALE BROCHURES, PLAT MAPS, AND OTHER DATA ARE AVAILABLE FROM  
VANDER WERFF & ASSOCIATES, INC.***

***Please call (712729-3264), E-mail ([auctions@vanderwerffandassociates.com](mailto:auctions@vanderwerffandassociates.com)), or  
View web site ([www.vanderwerffandassociates.com](http://www.vanderwerffandassociates.com)).***