

TERMS & CONDITIONS

Owner: Robbin Adams

HALDERMAN
REAL ESTATE
SERVICES

HLS# TML-11378 (13)

800.424.2324 | www.halderman.com

METHOD OF SALE: Halderman Real Estate Services, Inc. (HRES, IN Auct. Lic. #AC69200019) will offer the Robbin Adams property, containing 26.63 acres, more or less, located in Monroe and Brown Townships of Morgan County, by sealed bid auction on December 31, 2013. Bids must be either be postmarked by December 27 or delivered in person or faxed no later than 5:00 PM on December 31, 2013. This property will be offered as one single unit. Each bid shall constitute an offer to purchase and the final bid, if accepted by the Seller, shall constitute a binding contract between the Buyer(s) and the Seller. The auctioneer will settle any disputes as to bids and his decision will be final.

BID FORMAT: All bids must be mailed or delivered to Todd Litten, Halderman Real Estate Services, Inc., 8259 N. Mt. Tabor Road, Ellettsville, IN, 47429 or faxed to 812-876-1047. All bids must contain the bidder's name, address, phone numbers, email address, amount of bid and signature(s).

ACREAGE: The acreages listed in this brochure are estimates taken from the county assessor's records, FSA records and/or aerial photos.

SURVEY: The Seller reserves the right to determine the need for and type of survey provided. If an existing legal description is adequate for title insurance for the tract, no new survey will be completed. If the existing legal description is not sufficient to obtain title insurance, a survey will be completed, the cost of which will be shared 50/50 by the Seller and the Buyer(s). The Seller will choose the type of survey to be completed and warrants that it will be sufficient to provide an owner's title insurance policy for the tract. If a survey is completed, the purchase price for the surveyed tract will be adjusted, up or down, to the exact surveyed acres. The price per acre will be the auction bid price for the tract, divided by the tract acreage estimated in the auction brochure.

DOWN PAYMENT: 10% of the accepted bid down on the day of the auction with the balance due at closing. The down payment must be in the form of personal check, cashier's check, cash or corporate check. **YOUR BIDDING IS NOT CONTINGENT UPON FINANCING. BE SURE YOU HAVE FINANCING ARRANGED, IF NECESSARY, AND ARE CAPABLE OF PAYING CASH AT CLOSING.**

APPROVAL OF BIDS: The Seller reserves the right to accept or reject any and all bids. The successful bidders must enter into a purchase agreement the day of the auction, immediately following the conclusion of the bidding. Bids will be opened no later than 5 PM on January 2, 2014. The successful bidder, if any, will be notified by 5 PM on January 3, 2014, and at that time, said bidder will be given 24 hours to submit the required 10% down payment. Notification will only be given to the successful bidder and may be done by email, phone, voicemail, or in person.

DEED: The Seller will provide a Warranty Deed at closing.

EVIDENCE OF TITLE: The Seller will provide an Owner's Title Insurance Policy to the Buyer(s). The Buyer is responsible for a Lender's Policy, if needed. If the title is not marketable, then the purchase agreement(s) are null and void prior to the closing and the Broker will return the Buyer's earnest money.

EASEMENTS: The sale of this property is subject to any and all easements of record.

CLOSING: Closing shall be on or about January 31, 2014. However, the Seller has the choice to change this date if necessary.

POSSESSION: Possession of land will be at closing. Possession of buildings will be 30 days after closing.

REAL ESTATE TAXES: Real estate taxes for 2012 payable in 2013, were \$1,698.60. Taxes will be prorated to the date of closing.

MINERAL RIGHTS: All mineral rights owned by the Seller will be conveyed to the Buyer(s).

INSPECTION DATE: The property will be available for inspection on Sunday, December 15, 2013, from 1:00 – 4:00 PM.

PROPERTY INSPECTION: Each potential Bidder is responsible for conducting, at their own risk, their own independent inspections, investigation, inquiries and due diligence concerning the property. Further, Seller disclaims any and all responsibility for bidder's safety during any physical inspections of the property. No party shall be deemed to be invited to the property by HRES or the Seller.

AGENCY: Halderman Real Estate Services, Metzger Property Services LLC, Auctioneer, and their representatives, are exclusive agents of the Seller.

DISCLAIMER: All information contained in this brochure and all related materials are subject to the Terms and Conditions outlined in the purchase agreement. This information is subject to verification by all parties relying upon it. No liability for its accuracy, errors or omissions is assumed by the Seller or HRES. All sketches and dimensions in this brochure are approximate.

ANNOUNCEMENTS MADE BY HRES AND/OR THEIR AUCTIONEER AT THE AUCTION DURING THE TIME OF THE SALE TAKE PRECEDENCE OVER ANY PREVIOUSLY PRINTED MATERIALS OR ANY OTHER ORAL STATEMENTS MADE. The property is being sold on an "AS IS, WHERE IS" basis, and no warranty or representation, either express or implied, concerning the property is made by the Seller or HRES. Each prospective bidder is responsible for conducting his/her independent inspections, investigations, inquiries and due diligence concerning the property. Except for any express warranties set forth in the sale documents, Buyer(s) accepts the property "AS IS," and Buyer(s) assumes all risks thereof and acknowledges that in consideration of the other provisions contained in the sale documents, Seller and HRES make no warranty or representation, express or implied or arising by operation of law, including any warranty for merchantability or fitness for a particular purpose of the property, or any part thereof, and in no event shall the Seller or HRES be liable for any consequential damages. Conduction of the auction and increments of bidding are at the direction and discretion of HRES and/or the auctioneer. The Seller and HRES reserve the right to preclude any person from bidding if there is any question as to the person's credentials, fitness, etc. All decisions of HRES and/or the auctioneer are final.