

REAL ESTATE AUCTION
1831 SW Seabrook Avenue
Topeka, Kansas
Thursday, March 31st at 6:00 PM

TERMS AND CONDITION OF AUCTION – The property will sell in its present condition with all faults and without warranties provided by the seller or agent / auctioneer whatsoever. Immediately following the conclusion of the auction, the successful bidder will sign the real estate purchase contract & pay earnest money/down payment in the amount of 10% of the contract price. The down payment may be paid in the form of cash, personal check, or business check. The balance of the purchase price is due in certified funds at closing. **The earnest money/down payment is non-refundable.** The real estate is NOT being sold subject to buyer qualifying for financing. Seller WILL NOT pay any of buyer's loan costs. Seller reserves the right to refuse the last highest bid. **CLOSING** – Closing shall occur on or before May 2, 2016. Closing fees & title insurance will be split equally between seller & buyer. **POSSESSION** will be at closing. **REAL ESTATE TAX** – Seller shall pay 2015 taxes and all prior years. 2016 taxes shall be prorated to day of closing. **AGENCY** – United Country Heart of America Real Estate & Auction is functioning as the agent of the seller & will not be the agent of the buyer. Information given to the agent of the seller by the buyer will be disclosed to the seller. Each and every bidder is urged to inspect the property before submitting a bid on the property.

Notice to all prospective real estate bidders:

The property will sell in its present condition “as is” “where is” without any warranties, guarantees or inspections provided by the sell or Realtor/Agent/Auctioneer whatsoever. All prospective bidders are urged to inspect the property and have any and all inspections completed (at your expense) prior to auction day. Bidders you are urged to review all documents on file with the city, county, state of Kansas, and title reports prior to auction day.

All information is provided by others and is deemed reliable but not guaranteed by Realtor/Agent/Auctioneer. The high bidder accepts the property in its present condition without any inspections provided by the seller or Realtor/Agent/Auctioneer such as EPA , lead base paint, surveys, structural, mechanical, electrical, plumbing, (septic where applicable), mold, mildew, moisture damage, termite damage, EIFS, or code enforcement violations of applicable governing body. Bidders you should have completed these inspections prior to auction day to you satisfaction. Bidders, you should have completed your risk assessment inspection for the presence of lead base paint within 10 days prior to auction day on homes constructed prior to 1978. Purchaser agrees to sign a waiver to conduct a lead based pain inspection at the time of signing the real estate contract. (Contact auctioneer with questions concerning lead base paint.)

The seller and Realtor/Agent/Auctioneer make no other representation or warranties expressed or implied with respect to the compliance with the accessibility laws or the environmental condition of the premises and the surrounding properties. The property will be sold subject to restrictions, reservations, easement, assessments, community contracts, and zoning orders.

Bidders should satisfy yourselves with respect to all issues which you deem material to the transaction. Statements made the day of the auction takes precedent over anything printed or stated prior to auction day.

Seller(s) and/or Realtor/Agent/Auctioneers are not responsible for accidents or thefts.

Real Estate Licensees: A commission of 3% of the selling price will be paid at the time of closing to any real estate licensee representing a buyer on the day of auction. However, said real estate licensee must be with said buyer at the auction and be present at the closing in order to receive compensation. Seller will not offer sub-agency to any real estate licensee. All real estate licensees will represent the interests of the buyer and not the interests of the seller. Realtor/Agent/Auctioneers represent the seller and are agents of the seller.