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TERMS & CONDITIONS

AUCTION BIDDING PROCESS

BID CERTIFICATION 1

Bidder Registration Realtor Form

**Live auction site**: Cree Meadows Country Club - 301 Country Club Dr, Ruidoso, NM 88345

**Property Location:** 431 White Mountain Meadows Dr, Ruidoso, NM 88345

DISCLAIMER: All Information contained is believed to be accurate and from accurate resources. However, buyers are encouraged to do their own due diligence. United Country | Burton Realty & Auction assumes no liability for the information provided. United Country | Burton Realty & Auction assumes no liability for the information provided.

Auction Manager - SCOTT BURTON 575-760-8088

**LOCATION:** 301 Country Club Drive, Ruidoso, NM 88345

**TERMS & CONDITIONS** *OF THE AUCTION*

All bidders and participants in this auction sale hereby agree that they have read and fully understand the following terms. By participating in this auction sale, bidders and participants further agree to be bound by the terms and conditions of auction contained herein. AUCTION DATE & TIME: Auction will close August 30th after the live bidding ends. Bidding will become live and in person on August 30th 2025 at 10:00am MST. AUCTION LOCATION: 301 Country Club Drive
Ruidoso, NM 88345. Burton Realty & Auction Office. METHOD OF SALE: Online and in person auction SUBJECT TO PRIOR SALE: All pre-auction offers must be submitted to United Country – Burton Realty & Auction. BUYERS PREMIUM: There will not be a buyer’s premium for this specific auction. DOWN PAYMENT: A down payment of TEN PERCENT (10%) of the final bid price must be paid by the successful bidder by direct wire transfer or check within 72 hours of acceptance of the auction contract by the sellers. Down payment will be payable to The Title Company Mechem Dr, Ruidoso, NM 575-257-5555. The down payment deposit will be non-refundable; your bidding is not conditional upon financing, so be sure you have arranged financing if needed, and are capable of paying cash at closing. The balance of the purchase price will be due via a wire transfer or check to the closing company, on delivery of insurable title on or before close of business. A promissory note will be signed along with the down payment.

**NOT SUBJECT TO FINANCING:** The real estate purchase agreement is NOT subject to the Bidders ability to obtain financing, so all Bidders must have any needed financing arranged prior to bidding at the auction. Down Payment deposits are “non-refundable” in the event a Bidder cannot complete closing.

ACCEPTANCE OF BID PRICES: Any successful bidder will be required to enter into Purchase Agreement immediately following the close of the auction. EVIDENCE OF TITLE: A current Owners Title Policy will be provided by the seller at seller’s discretion. DEED: Title shall transfer by Warranty Deed CLOSING: The balance of the real estate purchase price is due at closing, which will take place on or before close of business September 12th, 2025. Closing will be held at Title Company Closing and Recording fees to be paid by the buyer. POSSESSION: Possession stated herein is subject to successful closing and transfer of title. REAL ESTATE TAXES: All real estate taxes will be prorated to day of closing

**TERMS & CONDITIONS** *OF THE AUCTION*

PROPERTY INSPECTION: Auctioneer strongly recommends that any prospective Bidder personally inspect the Property prior to the Auction. Each potential Bidder is responsible for conducting, at their own risk, their own independent inspections, investigations, inquiries, and due diligence concerning the property. Inspection dates have been scheduled and will be staffed with auction personnel. Further, Seller disclaims any and all responsibility for Bidders safety during any physical inspection of the property. No party shall be deemed an invitee of the property by virtue of the offering of the property for sale. Preview dates: By appointment only. Contact Scott Burton at 575-760-8088 to schedule showing.

**ACREAGE:** All acreage, dimensions, and proposed boundaries are approximate and have been estimated based on current legal descriptions and/or aerial photos and mapping program.

**SURVEY:** Buyer will be responsible for any survey requirements.

AGENCY: United Country | Burton Realty & Auction and its representatives are exclusive agents of the Seller. ONLINE AUCTION TECHNOLOGY DISCLAIMER: Under no circumstances shall bidder have any kind of claim against United Country – Burton Realty & Auction, broker of record or anyone else if the internet service fails to work correctly before or during the auction. Online bidding is subject to technology faults and issues which are outside the control of the auction company. Bidder(s) are encouraged to use the “Maximum Bid” feature on the bidding platform and lock in their maximum bid amount If they are concerned about technology failure during the auction. The SELLER and/or Auction Company reserves the right to (pause) the online auction bidding in the event of any internal or external technology failure, to preserve the integrity of the auction event and maintain a fair and impartial bidding environment. SELLER DISCLAIMER AND ABSENCE OF WARRANTIES: All information contained in the bidder’s packet, brochure and all related materials are subject to the terms and conditions outlined in the Purchase Agreement. The property is being sold on an AS IS, WHERE IS basis, and no warranty or representation, either expressed or implied, concerning the property is made by the Seller or the Auction Company. All sketches and dimensions in the PIP and brochure are approximate. Each potential bidder is responsible for conducting his or her own independent inspections, investigations, inquiries, and due diligence concerning the property. The information contained in this brochure is subject to verification by all parties relying on it. No liability for its accuracy, errors, or omissions is assumed by the Seller or the Auction Company. Conduct of the auction and increments of bidding are at the direction and discretion of the Auctioneer. The Seller and Selling Agents reserve the right to preclude any person from bidding if there is any question as to the persons credentials, fitness, etc. All decisions of the Auctioneer are final. ANY ANNOUNCEMENTS MADE THE DAY OF THE SALE SHALL TAKE PRECEDENCE OVER PRINTED MATERIAL OR ANY OTHER ORAL STATEMENTS MADE. For questions call: United Country | Burton Realty & Auction – Scott Burton 575-760-8088.

I do hereby agree to these Auction Terms & Conditions.

Buyer\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Buyer\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**AUCTION BIDDING** *PROCESS*

*• Go to Website* [www.sburtonrealty.com](http://www.sburtonrealty.com)

* *Click on the auction tab.*

*• Move down to the page to White Mountain Development auction.*

*• Click on “Bidding open”*

*• A new page will open, and you will then see (to the right and down of photo) “Register to bid”. Click on that. You will then be asked to create a login and password. (Note: Please keep this login and password information in a safe place so you can remember it for future login needs.)*

*• Once you have created an account and successfully logged in and registered for the auction you will receive an email with Terms and Conditions and a bid certification form. (These forms will be electronically, and your bids will show pending until these forms are completed.)*

*• Once forms have been successfully signed and submitted you will be approved for bidding.*

*• The auction will close August 30th 2025, at 10:00am MST*

*• For any bidding questions please contact: Scott Burton 575-760-8088.*

**BID CERTIFICATION** *DOCUMENT*

By signing this certification and returning it to the offices of United Country | Burton Realty & Auction or an employee therein. I hereby certify that: 1. I have read the auction rules and bidding format as set out by the Auctioneers and contained in the terms and I completely understand them. 2. I understand that the terms and rules of the auction will be strictly enforced and that there will be no exceptions. 3. I currently have sufficient funds to meet the “Deposit” and “Further sum” requirements as called for by the agreement of purchase and sale. 4. I have examined the proposed agreement of purchase and sale given to me as part of the bidders packet and understand that it is a legally binding contract and is not contingent upon financing or anything else. 5. I understand that if I am the successful bidder, I will be required to sign the agreement of purchase and sale immediately upon notice of being the successful bidder. I agree to complete and sign the agreement of purchase and sale immediately upon such transmitted notice. 6. I understand that a 10% Buyers Premium will be added to my final bid and is due in addition to my final bid to complete the final purchase price. 7. I understand that the Auctioneers are working for the Seller and there is no relationship of Intermediary. 8. I understand that my registration for the auction will not be accepted without providing ALL of the information below and signing and returning a copy of the Terms & Conditions of this auction and by doing so you are agreeing to the terms of the auction. 9. I understand that I am responsible for the down payment and that the wire transfer must be received by the time stated on the terms and conditions of the auction.

Property Address: 301 Country Club Drive, Ruidoso, NM 88345

Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Bidder Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Return to: Burton Realty & Auction - 575-760-8088

**🏞 LAND AUCTION – BIDDER REGISTRATION FORM (REAL ESTATE AGENTS)**
*Auction Date:* August 30, 2025
*Location:* Ruidoso, New Mexico

**🔹 1. REGISTERING AGENT INFORMATION**

* **Agent Full Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **Real Estate License Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **Brokerage Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **Phone Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **Email Address:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Note: To qualify for commission, agent must submit this form at least 2 days prior to the auction and accompany their buyer on auction day.*

**🔹 2. BIDDER (CLIENT) INFORMATION**

* **Full Name(s):** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **Mailing Address:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **Phone Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **Email Address:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **Are you a cash buyer?** □ Yes □ No
* **Have you reviewed the auction terms and property details?** □ Yes □ No

**🔹 4. SIGNATURES**

**Agent Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Bidder Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**🔹 Submit Form To:**

📧 kaylee@sburtonrealty.com & scott@sburtonrealty.com together please.
📠 575-760-8088

*A realtor must have confirmation that form is received by August 28, 2025 at 5:00 PM MST in order to qualify for commission.*

# Additional Legal Clauses for Completeness

## Absolute Auction Clause

The property will be sold absolute with no reserve.

## Financing Clause (Explicit)

Final closing is NOT contingent upon financing.

## Closing Location Flexibility

Closing shall take place at the Title Company office on sale day or by appointment within 10 days of closing.

## Plats and Drawings Disclaimer

Auction plats and drawings are not to be relied on and are for representation purposes only. Its accuracy is not warranted in any way.

## Agent Exclusivity (Corrected)

United Country – Burton Realty & Auction and its representatives are exclusive agents of the Seller.

## Viewer Risk Clause

The viewing of the property will be at the viewer’s own risk. The Seller, Auctioneer, or Listing Agency may not be held responsible for accidents.

## Bidder Signature Correction

I do hereby agree to these Auction Terms & Conditions.

Bidder \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_