



# CONDITIONS OF THE AUCTION #1307, MILLER ORCHARDS

## REALTY MARKETING/NORTHWEST AUCTION INFORMATION OFFICE

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## SUPPLEMENTAL INFORMATION PACKAGE, WITH BID DOCUMENTS

More detailed information is available on the Miller Orchards property. A Supplemental Information Package which includes maps, zoning information, detailed 2012 harvest information, well logs, water right certificates, list of equipment (not included in sale), Purchase and Sale Agreement and Bid Documents provided by Seller is available either in hard copy form, or by email. To request a copy of the Supplemental Information Package, please contact the Auction Information Office at 1-800-845-3524.

## PUBLISHED RESERVE

The property is being offered with a Published Reserve Price of \$995,000. When bidding reaches, or exceeds, the amount \$995,000, the Seller is committed to sell the property to the high bidder. Should the bidding fail to reach the amount of the Published Reserve Price, the Seller reserves the right to accept, counter or reject the high bid no later than five business days following the Sealed Bid due date of September 5, 2013.

## SEALED BID DUE DATE

Sealed Bids are due no later than 5:00 PM., Thursday, September 5, 2013.

## FINANCING

None - All Cash. Northwest Farm Credit Services is the preferred lender, and may have financing available to qualified parties. Please see Supplemental Information Package for details.



## COOPERATING BROKERS

Broker cooperation is invited. A commission of 2% will be paid to the real estate agent whose Buyer closes on the purchase of the Property. The real estate agent must be a broker currently licensed by his/her state of residence, or a salesperson licensed under such broker. Cooperating broker commission will be paid only upon close of escrow. Cooperating brokers will not share in any payment of liquidated damages.

No commission will be paid to any real estate agent participating as a principal in the purchase of the property. The commission will be earned and paid only upon full and final closing by the Buyer on the conveyance of the property and the receipt of the full purchase price by Seller.

## CLOSING

Closing must occur no later than October 11, 2013, unless extended by the Seller in writing. Prior to making a bid, refer to the Supplemental Information Package with regard to customary closing costs including, but not limited to, recording fees, normal prorations, title fees, transfer and/or excise taxes (if applicable), sales tax on personal property (if applicable), local improvements and irrigation district assessments (if applicable), and document preparation fees. Buyers will be responsible for any real estate compensation taxes or rollback taxes and penalties as a result of a change in use or designation of the property including, but not limited to, a change from open space, agriculture, forest land or recreation.

## ADDITIONAL CONDITIONS

(A) No claim will be considered for allowance, adjustment or rescission based on failure of the property to correspond to any particular expectation or standard, except for the Preliminary Title Report.

(B) Title insurance is available, ensuring title of the property to be in fee simple, subject to no encumbrances except current taxes and assessments, easements, right of ways, reservations, covenants, conditions and restrictions of record, purchase money financing and printed exceptions in the standard form Owner's Title Policy. A copy of the Preliminary Title Report for the property should be inspected prior to the Auction.

(C) To the extent permitted by law, the property will be sold "As Is". Prospective buyers should examine the property and all supporting documentation carefully. Each bidder is responsible for evaluating the property and shall not rely on the Seller or sales agents. All buyers will take possession at close of escrow.

(D) Sizes and square footages set forth are approximations only, based on the best information available, but the actual sizes and square footages may be different. All sketch plans are conceptual in nature and neither Seller nor its agents have submitted plan or made applications to any public agency.

(E) Agency Disclosure. The selling and listing agent, Realty Marketing/Northwest and RE/MAX REAL ESTATE TEAM Patty Glaze, Broker Licensed in Oregon, represent the Seller in this transaction.

(F) Seller has the right to postpone or cancel the Auction in whole or in part, at its sole discretion, and to modify or add any terms and conditions of sale.

(G) Offer void where prohibited. Catalog will not be mailed to the residents of any state in which this offering is not in compliance with the real estate laws or other laws of that state.

(H) The information contained herein has been gathered from sources deemed reliable; however, Realty Marketing/Northwest makes no warranties expressed or implied as to the accuracy of the information contained herein.

## Need Help?

Realty Marketing/Northwest prides itself on the quality of its service. If at any time you need assistance please contact John Rosenthal, President, at (800) 845-3524 or (503) 228-3248.

www.rmnw-auctions.com