

TERMS AND CONDITIONS OF SALE
REAL PROPERTY LOCATED AT
5585/5591 EKE ROAD, TOWN OF NORTH HARMONY,
COUNTY OF CHAUTAUQUA STATE OF NEW YORK
IDENTIFIED AS TAX PARCEL: SECTION 332.00 BLOCK 2 LOT 39
WILL BE OFFERED FOR SALE AT PUBLIC AUCTION
Online Only Auction
Bidding Opens: Monday, August 14, 2023 at 9 AM
Bidding Begins to Close: Saturday, August 19, 2023 AT 4 PM
This auction has a soft closing.
Open House: Thursday, August 17th 3 PM-6 PM
Opening Bid \$75,000

Auction Parcel: (All measurements & acreage is approximate)

All of tax parcel 332.00-2-39: 6 acres with an unfinished house w/ attached garage, and pole building.

Peterson Auction & Realty LLC and all of their representatives are employed by the Seller and work for the Seller as a seller's agent.

- (1.) This property is being offered for sale "AS IS, WHERE IS", with no guarantees or warranties of any sort, either actual or implied, including but not limited to the septic/sewer, water system, plumbing, heating, electrical, interior and exterior of all buildings, any fixtures, and the land. Purchaser will pay for a Chautauqua County health department septic and water test at closing and will pay for any and all repairs or updates required by Chautauqua County.
- (2.) All property boundaries are approximate, and no guarantees of any kind are given with respect to the acreage shown on tax maps or referred to in any existing deeds, surveys, or sale literature. If A land survey is desired or required prior to closing it is the responsibility of Purchaser to order and pay for it.
- (3.) Prospective Purchasers are responsible for inspecting the property, being knowledgeable about its physical condition and any existing zoning regulations, leases, easements, rights of way, or other restrictions regarding its use, and understanding closing costs and fees, PRIOR TO THE AUCTION. The property is currently rented on a month to month basis and will be vacant at time of closing.
- (4.) Upon completion of the auction the successful high bidder will immediately sign a Contract for Sale of Real Property and will place a deposit of \$5,000.00 towards purchase price of the property in the form of cash or good check with Peterson Auction & Realty LLC to be held in their escrow account until closing.
- (5.) Upon completion of the auction the successful high bidder is also responsible to pay a Buyer's Premium of \$ 2,000.00 which is on and above the bid price and due auction day to be held in Peterson Auction & Realty LLC escrow account until closing.

(6.) The sale will be subject to the approval of the Seller within 48 hours of the auction. The Seller reserves the right to accept or reject any and all bids, for any reason whatsoever.

(7.) The deposit and buyer's premium will NOT be refunded if the sale is not completed due to the default of the Purchasers for any reason and therefore will be forfeited to the seller and auction company.

(8.) The deposit and buyer's premium WILL be refunded in full to the Purchasers if the sale is not completed due to the default of the Seller for any reason.

(9.) The BALANCE will be due AT CLOSING, ON OR BEFORE October 19, 2023. POSSESSION will be granted at closing.

(10.) The Seller shall furnish a MARKETABLE TITLE to the Purchaser, free and clear of any liens or encumbrances, subject to any leases, easements, rights of way, or deed restrictions of record. Oil, gas and mineral rights will not transfer with property as they have been retained by former owner. House is currently hooked up to gas well on adjoining property and will be disconnected at closing. All seller's timber, wind and solar rights will be conveyed to the purchasers at time of closing.

(11.) CLOSING COSTS - The Seller will pay for title search. Purchaser's will pay for Revenue Stamps, TP 584 Filing Fee, Deed Recording Fee, RP5217 Filing Fee, and any costs in obtaining financing. Each will pay own attorney fees.

(12.) ALL PROPERTY TAXES will be PRORATED as of the CLOSING DATE.

(13.) Seller and/or Auctioneer reserve the right to cancel the auction for any reason prior to set auction date.

(14.) Michael W. Peterson is acting only as Sales Agent for the Seller, and has no personal interest in the property.

THE EXECUTED PURCHASE AGREEMENT WILL TAKE PRECEDENCE OVER ANY PRINTED MATERIAL USED FOR ADVERTISING AND PROMOTION OF PROPERTY AUCTION.

THE SELLER AND HIS SALES AGENTS WILL NOT BE HELD RESPONSIBLE FOR ANY ACCIDENTS SHOULD THEY OCCUR BEFORE, DURING, AFTER, OR BECAUSE OF THE AUCTION.

SELLER: Caroline M Adamson
Scottville, MI 49454

ATTORNEY: Randy Rhinehart
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Jamestown, New York 14701
716-483-1289

BROKER: Michael W. Peterson, Peterson Auction and Realty LLC.
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PROPERTY DESCRIPTIONS

Location: 5585/5591 Eke Road, Ashville, New York 14710

TAX PARCEL NUMBER: SECTION 332.00 BLOCK 2 LOT 39
Deed Book: 2017 Deed Page: 2315 Date: 3/30/2017

Full Market Value: \$130,600.00

Chautauqua Lake School District

2023 Taxes:

Total - \$ 2,852.89

County/Town: \$ 1,614.29 School: \$ 1,238.60

House with attached garage and pole building

Pole Building: 60 ft x 96 ft , 12 ft ceilings, concrete floor, electric

House: 816 sq ft living space

2 bedroom

1 bath

Kitchen

Living room

Septic and water well

Full basement

