

## FALL CLASSIC TERM AND CONDITIONS

### **REAL ESTATE TERMS**

**PARTIES:** ReMax Results, Joel Upchurch of LaGrange, Ga. Real Estate Broker, Bowers and Burns, Buddy Burns Real Estate Broker of Newnan, Ga. and The Auction Way Company/Gerald A. Bowie, Auctioneer/Real Estate Broker of LaGrange, Georgia, herein after called Auctioneers.

**REPRESENTATIVES:** Auctioneers represent the Owner/Seller by separate agreement.

**DISPUTES:** The auctioneer in charge will settle any disputes as to bids. Auctioneer's decision on such matters will be final.

**ANNOUNCEMENTS:** Announcements from the auction box will take precedence over the information received from any prior written or oral information.

**RESTRICTIONS:** Buyer will take title to any property purchased at the auction subject to: Any and all (i) zoning, easements, covenants, conditions, restrictions, leases, rights-of-way, reservations, and any other encumbrances that are imposed by governmental authority, and/or recorded in the real property records and all other official records of the county in which the bid property is located, (ii) all matters appearing on the plat or otherwise common to the property; and (iii) all matters that are visible or may be apparent on the bid property itself.

**LIABILITY:** All persons who attend the auction do so at their own risk. Neither the Sellers nor Auctioneers nor any other person connected with the auction assume any liability, legal or otherwise, for any accident, which may occur. Auctioneers are acting as selling agent only.

**BUYER'S PREMIUM:** Ten (10) percent Buyer's Premium will be added to the final bid on all sales, for the contract's final total.

**SURVEY:** If Buyer needs a survey to close, it will be at the Buyer's expense.

**TERMS OF SALE:** Parcels 1, 2, 4 sell subject to sellers confirmation. Parcel 3 sells absolute.

**REAL ESTATE EARNEST MONEY:** Ten (10) percent of total contract price earnest money deposits the day of auction; we will take your good check, remaining balance in full due at closing. Escrow Deposits will be placed in the escrow account of Thornton and Graham PC, 200 Church St. LaGrange, Ga. 30240; 706-884-2727; titles and closing agent.

**CONTINGENCY:** There is no contingency for financing, nor any other contingencies. Property is selling "as is" with no warranties, express or implied.

**CLOSING:** Must occur on or within 30 days of auction.

**TITLE INSURANCE:** At the Buyer's expense.

**POSSESSION:** Possession of premises will be granted at the time of closing.

**TAXES:** All property taxes and insurance to be prorated as of the closing date.

**GUARANTEE:** The property shall be auctioned and sold in its present "as is" condition, with all faults, and without any warranties or representations whatsoever except for a warranty of title in the deed from the Seller to each Buyer. The Warranty Deed from Seller to Buyer is to be executed by both Seller and Buyer, which deed shall specifically state that the Bid Property is accepted by buyer in its present "as is" condition, with no warranties or representations whatsoever except for the warranty of title set forth in the deed.

**SALES CONTRACT:** A copy of the contract Buyer will be required to sign is located on our website or by request. This is a legal and binding document. Please review before bidding and be prepared to sign and have earnest money deposit (we will take your good check) the day of the auction.

**ANNOUNCEMENTS:** From the auction box, auction day, will take precedence over any printed information contained herein and/or any other forms of advertisements.

**CONTRACT:** The real estate terms stated herein will form a portion of the contract between the buyer and the seller and are binding on both.

### **EQUIPMENT TERMS**

**HOW SELLING:** Absolute. Condition "AS IS, WHERE IS, NO GUARANTEES."

**BUYER'S PREMIUM:** Ten (10) percent Buyer's Premium will be added to the final bid for total sales price.

**TERMS:** Payment in full auction day. We will take cash or your good check made out to The Auction Way Company. No credit cards.

**EQUIPMENT CHECKOUT:** After the auction.

**ANNOUNCEMENTS:** From the auction box, auction day, will take precedence over any printed information contained herein and/or any other forms of advertisements.

**CONTRACT:** The equipment terms stated herein will form a portion of the contract between the Buyer and the Seller and are binding on both.

**ALL INFORMATION IN THIS CATALOG OR ANY OTHER ADVERTISEMENTS WERE FURNISHED TO US BY SOURCES BELIEVED TO BE RELIABLE, BUT INFORMATION IS NOT GUARANTEED. BUYERS ARE RESPONSIBLE FOR THEIR OWN FINAL DUE DILIGENCE.**

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