

AUCTION TERMS & CONDITIONS

PROCEDURE: The property will be offered in 4 tracts, any combination of the 3 tracts or as a total unit as part of a Multi-Tract auction. There will be open bidding on all tracts & combinations during the auction as determined by the auctioneer. Bids on the tracts & the total property may compete. The property will be bid in the manner resulting in the highest total sale price.
DOWN PAYMENT: 10% Cash down payment at close of auction for individual tracts or combination of tracts. The down payment may be made in the form of Cash or cashier's check or a personal or corporate check immediately negotiable. **YOUR BIDDING IS NOT CONDITIONAL UPON FINANCING, SO BE SURE YOU HAVE ARRANGED FINANCING, IF NEEDED & ARE CAPABLE OF PAYING CASH AT CLOSING.**

APPROVAL OF BID PRICES: At the close of the auction, Buyer(s) will be required to execute an Agreement to Purchase Real Estate & Addendum. The terms of this agreement & addendum are non-negotiable. All final bid prices are subject to the Seller's acceptance or rejection.

DEED: Seller shall provide a Trustee's deed. Real Estate sold subject to all rights of way, legal highways, leases, & easements of public road & utilities.

EVIDENCE OF TITLE: Seller agrees to provide marketable title to the property, subject to matters of record. It shall be the Buyer's option to purchase Title Insurance if desired. The cost of the Owner's Title Insurance will be the responsibility of the Buyer(s).

CLOSING: Balance of purchase price is due in cash at closing, which will take place approx. 30 days after the auction, on or before Jan. 13, 2023. The cost for an insured closing will be shared 50/50 between Buyer & Seller. All lenders costs shall be paid by the Buyer(s).

POSSESSION: Possession of farm land is at closing.

REAL ESTATE TAXES: The Sellers will pay the 2022 Real Estate Taxes due in 2023. The Buyer(s) shall pay all thereafter.

CAUV: If usage of property is changed, the Buyer is responsible for CAUV recoupment. Sellers have heretofore used property for agricultural purposes & its real estate taxes have been levied & paid upon a reduced Current Agricultural Use Valuation (CAUV). The Buyer's inability or failure to qualify w/ the local County Auditor for the CAUV valuation for the future will result in a CAUV recoupment of the past real estate tax savings. Buyer shall be wholly responsible for & pay any CAUV recoupment to become due by Buyer's conversion of the property to a non-agricultural or non-qualifying use (within the definition of Current Agricultural Use Property).

DITCH ASSESSMENTS: Buyer(s) shall pay all ditch assessments due after closing.

ACREAGE: All tract acreage, dimensions & proposed boundaries are approx. & have been estimated based on current legal descriptions &/or aerial photos.

SURVEY: The Seller shall provide a new survey where there is no existing legal description or where new boundaries are created by the tract divisions in the auction. Any need for a new survey will be determined solely by the Seller. The cost of the survey will be split 50/50 between Buyer & Seller. The type of survey performed shall be at the Seller's option & sufficient for providing title insurance. Closing prices shall be adjusted to reflect any difference between advertised & surveyed acres. In the event that the entire property sells to one buyer there shall be no survey.

PROPERTY INSPECTION: Each potential Bidder is responsible to conduct, at

their own risk, their own independent inspections, investigations, inquiries, & due diligence concerning the property. Inspection dates have been scheduled & will be staffed w/ auction personnel. Please feel free to inspect the land at any other time at your own risk & being careful to respect the tenant farmers' growing crops.

EASEMENTS: All real estate is being sold subject to any existing recorded easements. Existing recorded leases, if any will be assigned to the Buyer.

BUILDING SITES: None of the auction tracts &/or potential sell-offs have been reviewed or pre-approved by the Paulding County Plan Commission. Each Buyer assumes all responsibility for satisfying the requirements of the local authorities in connection w/ any future use, improvement or development of the purchased tract(s), including any requirement for lot or plat approval or any other approval or permit from the plan commission, planning department, building department and/or health department. Sellers & Auction Company shall have no obligation or responsibility before or after closing w/ respect to any permit or approval that Buyer may need in connection w/ any prospective use or improvement. Buyer's obligation to acquire the purchased tract(s) is not contingent upon obtaining any such permit or approval.

FAIR HOUSING: It is illegal, pursuant to the Ohio Fair Housing Law, Division (H) of Section 4112.02 of the Revised Code & the Federal Fair Housing Law 42 U.S.C.A. 3601, to refuse to sell, transfer, assign, rent, lease, sublease, or finance housing accommodations, refuse to negotiate for the sale or rental of housing accommodations, because of race, color, religion, sex, familial status, as defined in Section 4112.01 of the Revised Code, ancestry, military status as defined in that section, disability as defined in that section, or national origin or to so discriminate in advertising the sale or rental of housing, in

the financing of housing, or in the provision of real estate brokerage services. **DISCLAIMER & ABSENCE OF WARRANTIES:** All info contained in this brochure & all related materials is subject to the Terms & Conditions outlined in the Purchase Agreement. Your bids are to be based solely upon your inspection. All real estate is sold "as is" without physical warranty. Seller & agent are not assuming any responsibility for warranty of any specific zoning classifications, location of utilities, assurance of building permits, driveway permits or water & septic permits. The property is being sold on an "AS IS, WHERE IS" basis, & no warranty or representation, either express or implied, concerning the property is made by the Seller or the Auction Company. The info 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. All sketches & dimensions in this brochure are approx. Except for any express warranties set forth in the sale documents, purchaser(s) assumes all risks thereof & acknowledges that in consideration of the other provisions contained in the sale documents, Seller & the Auction Company make no warranty or representation, express or implied or arising by operation of law, including an warranty of merchantability or fitness for a particular purpose of the property, or any part thereof, & in no event shall Seller or the Auction Company be liable for any consequential damages. Conduct of the auction & increments of bidding are at the direction & discretion of the auctioneer. The Seller & Auction Company reserve the right to preclude any person from bidding if there is any question as to the person's credentials, fitness, etc. All decisions of the auctioneer are final. **ANY ANNOUNCEMENTS MADE THE DAY OF THE SALE TAKE PRECEDENCE OVER PRINTED MATERIAL OR ANY OTHER ORAL STATEMENTS MADE.**

PAULDING COUNTY, OH

LAND AUCTION

DECEMBER	Su	M	Tu	W	Th	F	Sa
					1	2	3
	4	5	6	7	8	9	10
	11	12	13	14	15	16	17
	18	19	20	21	22	23	24
25	26	27	28	29	30	31	

97± Acres

Offered In 4 Tracts, Combinations & as a Whole

PAULDING COUNTY, OH

LAND AUCTION

- Mostly Tillable Land
- Quality Productive Soils

97± Acres

Offered In 4 Tracts, Combinations & as a Whole

Monday, December 12 • 6pm



Corporate Headquarters: 950 N Liberty Dr, Columbia City, IN 46725
 260.749.0445 • 866.340.0445
 800.451.2709 • SchraderAuction.com



AUCTION MANAGER: Jerry Ehle • 260.410.1996 #SAL.2006001035, #2013000026
Schrader Real Estate & Auction Company, Inc. #REC.0000314452 (Jeffersonville, OH), #BBB.2010001376 (Irwin, OH), #63198513759



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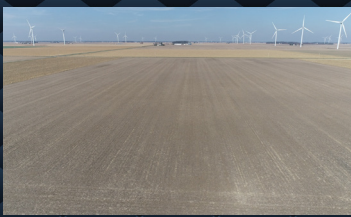
PAULDING COUNTY, OH

LAND AUCTION

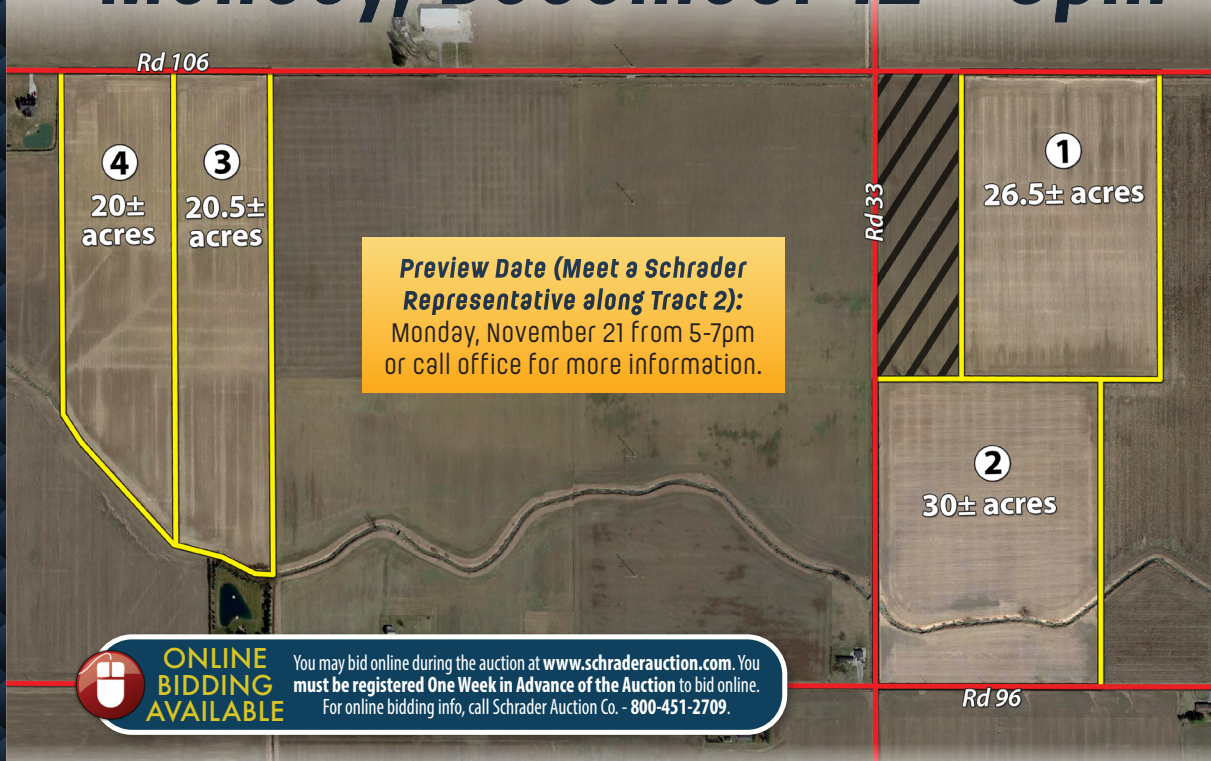
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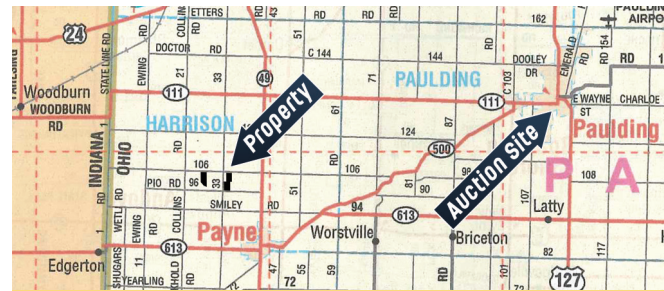
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ONLINE BIDDING AVAILABLE

You may bid online during the auction at www.schraderauction.com. You must be registered **One Week in Advance of the Auction** to bid online. For online bidding info, call Schrader Auction Co. - 800-451-2709.

AUCTION MANAGER'S NOTE: John Kuhn took a lot of pride in this farm. With quality productive soils, these tracts will make a nice compliment to anyone's farm operation. Located in easy proximity to Payne, Ohio! Take advantage of this opportunity to purchase a portion, or all of this farm, to suit your needs!!



Auction Location: The Paulding County Fairgrounds, 501 Fairground Dr, Paulding, Ohio

Property Location: Harrison Township, Road 106, Road 33 & Road 96, Located North of Payne, Ohio (between Payne, OH & Woodburn, IN) & .75 of a Mile West of SR 49

TRACT 1 - 26.5± ACRES: This Tract has approximately 800' of road frontage along Road 106. This runs south down to Tract 2. The soils are a combination of Hoytville silty clay & Nappanee loam.

TRACT 2 - 30± ACRES: This Tract has approximately 1300' of road frontage along Road 33 & approximately 900' of frontage along Road 96. The soils are also mostly Hoytville silty clay w/ some Nappanee silty clay. The Wildcat drain runs across the southern part of this tract. The land south & some land north of the drain is in floodplain.

TRACT 3 - 20.5± ACRES: This Tract has approximately 400' of road frontage along Road 106. It runs to the

south to the Wildcat drain. The soils are a mixture of Nappanee silty clay to the north, some Nappanee loam to the southeast & Hoytville silty loam & clay mixed. This tract offers a great opportunity for a mini farm or estate site!! Some of this tract is in floodplain along the drain.

TRACT 4 - 20± ACRES: This Tract has approximately 500' of road frontage along Road 106. It also runs south to the Wildcat drain. The soils are Nappanee silty clay to the north & mostly Hoytville silty clay to the south. This tract also offers a great opportunity for a mini farm or estate site!! Some of this tract is in floodplain along the drain.

Seller: John & Phyllis A. Kuhn Trust | **Auction Manager:** Jerry Ehle • 260.410.1996

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