

**TERMS AND CONDITIONS OF SALE**  
**REAL PROPERTY LOCATED AT**  
**12838 U.S. ROUTE 62, TOWN OF CONEWANGO,**  
**COUNTY OF CATTARAUGUS, STATE OF NEW YORK,**  
**IDENTIFIED AS TAX PARCEL: SECTION 51.004 BLOCK 1 LOT 8.2**  
**WILL BE OFFERED FOR SALE AT PUBLIC AUCTION**  
**ON SATURDAY, OCTOBER 13, 2018. BIDDING TO BEGIN AT 5:00 PM**

The auction will be held on location at the property.

**Auction Parcel:**

Approximately 3.2 +/- acres of land, a manufactured home w/ additions, barn, shop, and several sheds.

(1.) This property is being sold "as is, where is" with no guarantees or warranties of any sort, either actual or implied, including but not limited to plumbing, heating, electrical, interior and exterior of all buildings, any fixtures, and the land. Seller will warrantee the septic system and water quality to meet Cattaraugus County health department septic and water requirements and will pay for any required testing and any and all repairs or updates if required by Cattaraugus County. The Seller will place \$7,500.00 in escrow to allow for this if not done before closing.

(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 required or desired, it is the responsibility of Purchaser to order and pay for prior to closing.

(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.**

(4.) 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.

(5.) The successful high bidders will immediately sign a Contract for Sale of Real Property and will place the following deposit of \$5,000.00 in the form of cash or good check with Mike Peterson Auction & Realty Service to be held in their escrow account until closing.

(6.) The deposit 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.

(7.) The deposit WILL be refunded in full to the Purchasers if the sale is not completed due to the default of the Seller for any reason.

(8.) The BALANCE will be due AT CLOSING, ON OR BEFORE December 13, 2018. POSSESSION will be granted at closing.

(9.) The Seller shall furnish an INSURABLE 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. All sellers' oil, gas, mineral, & timber rights will be conveyed to the purchasers at time of closing.

(10.) CLOSING COSTS - The Seller will pay for the Title Search update. Purchaser 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.

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

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

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

ANY ANNOUNCEMENTS MADE BY THE AUCTIONEER ON THE DAY OF THE SALE WILL TAKE PRECEDENCE OVER ANY PRINTED MATERIAL.

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: David J. Green  
482 Maple Street  
Cherry Creek, New York 14723

ATTORNEY: Dean Drew (716) 885-1151  
159 Linwood Avenue  
Buffalo, New York 14209

BROKER: Michael W. Peterson, Mike Peterson Auction and Realty Service  
164 Ivory Street, Frewsburg, New York 14738  
Telephone: 716-665-0668  
E-mail: [peteauction@hotmail.com](mailto:peteauction@hotmail.com) Web Site: [www.petersonauction.com](http://www.petersonauction.com)

## PROPERTY DESCRIPTION

Location: 12838 U. S. Route 62, Conewango Valley, New York 14726

TAX PARCEL NUMBER: Section 51.004 Block 1 Lot 8.2

FULL MARKET VALUE: \$ 56,140.00

TAXES: Total \$ 1,528.50

School 2018-19: \$ 575.90

Town & County 2018: \$ 952.60

SCHOOL DISTRICT: Randolph Central School

### ALL MEASUREMENTS ARE APPROXIMATE

LAND: Approximately 3 acres

HOUSE: Manufactured home w/ additions, patio

BARN: 24' X 48', pole building w/ hip roof, steel roof & siding, dirt floor

SHOP: 20' x 24', electric, wood floor, lean too off back

3 Sheds, swingset, & above ground pool

HEATING: Propane, forced air Miller furnace

ELECTRICAL: 100 amp w/ breakers

SEPTIC: private

WATER: private

HOT WATER HEATER:

ROOF: steel

SIDING: vinyl

WINDOWS: standard manufactured home

FOUNDATION: on piers

ENTRY COVERED PORCH: 8' x 18'

ENCLOSED COVERED PORCH: 15' x 20'

1st FLOOR:

KITCHEN: 14' x 14', vinyl flooring, ceiling light w/ fan, pressboard cupboards, Formica countertops, refrigerator, stove, dishwasher

LAUNDRY ROOM: Samsung Active Wash washer & Samsung electric dryer

DINING ROOM: 14' x 14', hardwood flooring, ceiling light w/ fan

LIVING ROOM: 14' x 17', carpet, wood stove, ceiling light w/ fan

2<sup>nd</sup> ENTRY ROOM/OFFICE: 12' X 14', carpet, ceiling light w/ fan

FULL BATHROOM: 7' x 10', tile floor, step in shower stall, bathtub, toilet, sink  
1<sup>st</sup> MASTER BEDROOM (14' X 14') & CLOSET SITTING ROOM (14' x 14'): laminate  
& hard wood floors, ceiling light w/ fans, door to enclosed covered porch  
2<sup>nd</sup> BEDROOM: 8' x 12', carpet, small closet  
3<sup>rd</sup> BEDROOM: 9' x 10', small closet