



P.O. Box 225, Burlington, KS 66839 ♦ Phone: (620) 888-3040 ♦ Fax: (620) 888-3044 ♦ Email: info@VaughnRoth.com ♦ Website: VaughnRoth.com

TERMS AND CONDITIONS OF SALE

SELLER: Ronald D. Wessel and Charlotte A. Wessel Trust

ACREAGE: Selling as 160 acres more or less.

PROPERTY DESCRIPTION: This beautiful rolling parcel is located in the large open expanses of the Flint Hills in eastern Morris County. Vaughn-Roth Land Brokers is honored to represent the Ronald and Charlotte Wessel Trust with the sale of the property via online auction. The property is an attractive unit providing desirable attributes for ranchers, hunters, and those looking for a beautiful location near Council Grove to build a home in the Flint Hills.

The property totals 160-acres in size and is located just northeast of Council Grove in eastern Morris County. The tract offers a nice mixture of pasture, hay meadow, and recreational appeal being highly desirable to multiple buyer types. HWY 56 is located 2.5-miles south of the property with S 300 Rd running along the eastern side of the tract and P Ave running along the northern border of the tract. The property lays gently to moderately rolling with multiple timbered draws running through portions of the tract that then converge to run to Rock Creek to the southeast. The parcel includes great views of the Flint Hills in multiple directions with rolling hills and draws with over 75' of topography change as you move across the property.

This parcel is composed primarily of native grass pasture on limestone-based soils that have made the Flint Hills famous for providing excellent cattle gains. The property would make a good unit for either a stocker or cow-calf operation with good open native grasses combined with wooded draws for winter protection. The property includes two ponds with a nice large pond located towards the northern end of the tract that has had ducks and geese on it most times when viewing the parcel. The property additionally includes a fenced-out hay meadow in the southwest portion of the tract that includes a small creek drainage, mature cottonwood trees, and productive Mason and Reading class I soils. This area totals roughly 12-acres and includes a combination of cool season and native grasses. Overall, this is a nice grazing parcel for the area with trees and brush primarily contained in the draws with the remainder of the property being composed of open clean native grasses.

In addition to the agricultural attributes of the property the tract also includes recreational appeal. The property includes three timbered draws that converge south of the property and head east to Rock Creek from there. Deer sign is located throughout the draws on the parcel with the draws additionally offering quail hunting potential. Additionally, ducks and geese were seen multiple times on the northern pond when viewing the property offering good waterfowl hunting opportunities.

If you are looking for a location to build your forever home in the country, this property should not be

overlooked. With over 75' of elevation change and nice Flint Hills views this parcel is appealing to the eye. The tract is located within 2.5-miles of pavement offering good access to town. The property already has a rural water meter in place along its western border and electrical service is also located along the border of the parcel.

You aren't going to want to miss your opportunity to purchase this attractive Morris County parcel. Properties near Council Grove with good Flint Hills views, good grazing, hunting opportunities, and utilities already beside the parcel rarely hit the open market. Please call Henry Ott at 620-437-7340 to set up your property showing today!

BRIEF LEGAL DESCRIPTION: The NW 1/4 of Section 35, Township 15 South, Range 9 East of the 6th P.M., Morris County, Kansas. (Surface Rights Only)

RESTRICTIONS: This real estate sells subject to (1) all County and State laws, ordinances, and regulations and (2) any easements, encumbrances, leases, and restrictions applicable to the property.

EARNEST DEPOSIT: Earnest money in the amount of \$35,000.00 payable to Morris County Title is due on auction day and upon signing the purchase contract. The earnest deposit can be paid in the form of personal or business check, cashier's check or certified check. The Buyer's earnest deposit is non-refundable unless the Seller fails to close on this transaction due to the Seller's inability to deliver marketable title.

DISCLOSURES: There may be sericea lespedeza on this property. There is active oil production on this parcel.

MINERALS: Property sells Surface Rights only.

POSSESSION AND TENANCY: Full possession shall be at closing.

TAXES: Property taxes will be pro-rated to the date of closing. Taxes for any previous years are to be paid by the Seller. The 2023 real estate taxes were \$730.50.

TITLE/CLOSING COSTS: Seller and Buyer shall share equally in the cost of owner's title insurance and escrow closing fee. A preliminary title policy has been prepared by Morris County Title and will be updated with Buyer information prior to closing. Buyer is responsible for cost of any lender's policy.

TITLE EVIDENCE/DEED: Seller will deliver to Buyer an insurable deed for the property at time of closing, conveying clear and marketable title to said property, free of all encumbrances, liens and judgment, except for those lawful conveyances and restrictions that exist on record before the date of the auction as noted in the title insurance commitment.

PROPERTY SOLD "AS IS, WHERE IS, WITH ALL FAULTS" WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND: This real property shall be sold subject to conditions, restrictions, right-of-way easements, and reservations, if any, of record, filed and untitled mechanic's and material liens.

CLOSING: Buyer must close the transaction for this real estate on or before March 28, 2024. The balance of the purchase price must be paid by cashier's check or wired funds at closing. The purchase is not contingent on financing.

AGENCY: The Broker/Auctioneer is acting as Agent for the Seller only. All information and materials

provided by the Broker is subject to inspection by all interested parties. Prospective bidders should independently verify any information being relied upon in making a purchasing decision.

LIQUIDATED DAMAGES: Buyer will forfeit all their earnest deposit if they cannot close within the stated time herein and no written extension has been granted by the Seller. If such actions occur, Morris County Title hereby has the right to disperse the earnest deposit as determined by Vaughn-Roth Land Brokers and the Buyer has no claims to such money or property being sold. If the Sellers default on this transaction due to inability to deliver marketable title, the earnest money will be returned to the Buyer in full.

BIDDER'S DUTY TO INSPECT: All information published, announced, or contained herein was derived from sources believed to be correct; however, it is not guaranteed by the Seller, the Broker or any other person or entity. Personal inspection of all property by potential bidders is strongly recommended. All sales are subject to the conditions and terms contained herein. The failure of any bidder to inspect or to be fully informed as to the condition of the property, will not constitute grounds for any claim or demand for adjustment or withdrawal of bid, offer or deposit money after its opening tender. This includes but is not limited to public information such as easements, restrictions, zoning, rights-of-way, or any other information that can be obtained as public record in the County courthouse or any municipal office concerning subject properties. Any and all announcements made at the time of auction take precedence over all other verbal, printed, announced, and/or distributed information. Please note that you are bidding to purchase the property as is.

CONTRACT: Vaughn-Roth Land Brokers requires that the winning bidder close on this transaction prior to assigning the property to another party. There will not be any division of the property, writing of multiple contracts or requirement of more than one closing related to this transaction.

BIDDING: Will be by the total dollar amount.

CONTINGENCIES: This real estate is selling as-is and is not contingent upon inspections, appraisals, approval of financing or any other requirements by any entity. If the Buyer fails to close on this transaction, the earnest money due on auction day shall not be refunded unless the Seller cannot deliver marketable title.

BIDDING REGISTRATION AND APPROVAL: To register, visit VaughnRoth.com and click on this listing where you will find a "Register To Bid" tab. Once you submit your request for registration, you must contact Cameron Roth at 785-917-0867 and provide proof of funds or a letter of credit prior to being approved.

Buyer Signature: _____ Date: _____
Buyer Printed Name: _____

Buyer Signature: _____ Date: _____
Buyer Printed Name: _____