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## TERMS AND CONDITIONS OF SALE

### **SELLER: Limchayseng Trust**

**ACREAGE:** Selling as 270 acres more or less.

This highly attractive recreational unit with crop production and potential build site is located in southern Lyon County east of Olpe along Eagle Creek. Vaughn-Roth Land Brokers is honored to represent the owner of this parcel with the sale of the property via online auction. The property is a top-of-the-line eastern Kansas hunting unit with additional attributes of paved road access and adjoining utilities.

The property totals 270-acres in size and is located approximately 4-miles east of Olpe. The tract is composed of roughly 70-acres of productive crop ground, along with heavily timbered recreational acreage along Eagle Creek, providing appeal to serious hunters and those wanting a location in the country to call home. The property has over 80 feet of topography change and includes a beautiful gentle roll. The parcel has paved road access along its northern border via Rd 75 and gravel road access along its western border via Rd R5. Rural water and electrical lines are both conveniently located along Rd R5 with an electrical line located along Rd 75.

This parcel is one of the highest quality hunting parcels in an area well known for its high deer density, large mature whitetails, and great turkey hunting. This tract provides outstanding hunting opportunities to the outdoor enthusiast with Eagle Creek running through the parcel, Hoosier Creek located near the SE corner of the property, thick mature timber, 70-acres of row-crop production, and 10-established food plots on the parcel. The property is highly secluded as you move through it providing excellent cover for wildlife who live on and frequent the tract. The property provides excellent hunting opportunities for bow hunters with multiple pinch points provided by the creek and timber drainages on the parcel as well as excellent rifle hunting opportunities with open meadows located between the timbered draws. The property includes good productive underlying soils (class II and III varieties) providing good soils for the established food plots and crop acreage on the parcel that hold mature Whitetails. The property includes five small ponds and Eagle Creek for water sources for wildlife. It is obvious when viewing the parcel that the property includes a very dense Whitetail population with deer trails on the property looking like cow paths throughout the parcel. The property additionally includes a robust turkey population with at least 75-turkeys observed when viewing the parcel. Mature Oak, Cottonwood, and Walnut trees provide excellent roost trees with good food present on the parcel to hold turkeys year-round. The property also includes areas of good mature grasses for quail hunting. Whether you are a deer, turkey, or quail hunter this parcel has it all with excellent populations of all three present on the property.

In addition to the exceptional hunting opportunities the tract provides it also includes a great location for a future home build. Utilities run along the roads that border the parcel with the property also having paved road access near Olpe. Please contact Coffey County RWD #2 with questions concerning rural water meter availability and capacity.

You aren't going to want to miss your chance to purchase this highly attractive Lyon County parcel. Top quality hunting parcels in this area rarely come available on the open market, especially those with adjoining utilities. Please call Henry Ott at 620-437-7340 to set up your property showing today!

**BRIEF LEGAL DESCRIPTION:** SE4 of Section 33-20S-12E of the 6th PM; Lyon County, KS AND E2 NW4 and 25-acres of the north side of the W2 NW4 of Section 3-21S-12E of the 6th PM; Lyon County, KS. Including ROW.

**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 \$90,000.00 payable to Lyon 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, certified check or wire transfer. 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.

**MINERALS:** The Seller's mineral interest shall transfer to the Buyer.

**POSSESSION:** 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. 2023 property taxes were \$2,308.34.

**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 Lyon 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 May 15<sup>th</sup>, 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 of 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, Lyon 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: \_\_\_\_\_

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