

TERMS AND CONDITIONS OF SALE
REAL PROPERTY LOCATED AT
9-11 HOLT STREET, VILLAGE/TOWN OF WESTFIELD,
COUNTY OF CHAUTAUQUA, STATE OF NEW YORK,
IDENTIFIED AS TAX PARCEL SECTION 193.13 BLOCK 3 LOT 70
WILL BE OFFERED FOR SALE AT PUBLIC AUCTION
MONDAY, OCTOBER 25, 2021
BIDDING TO BEGIN AT 6:00 PM

The auction will be held on location at the property.
Preview will be on October 22 from 4:30-6PM

Auction Parcel: (All Measurements Approximate)

80 ft x 272 ft irregular shaped village lot with a 8,792 sq ft building.

- (1.) This property is being offered for sale “AS IS, WHERE IS”, with no guarantees or warranties of any sort, either actual or implied, including but not limited to the septic/sewer, water system, plumbing, heating, electrical, interior and exterior of all buildings, any fixtures, and the land. Village of Westfield sewer and water.
- (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’s 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 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.
- (6.) The successful high bidders will immediately sign a Contract for Sale of Real Property and will place a deposit of \$ 10,000.00 in the form of cash or good check with Peterson Auction & Realty LLC to be held in their escrow account until closing.
- (7.) 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.

(8.) 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.

(9.) The BALANCE will be due AT CLOSING, ON OR BEFORE December 31, 2021. POSSESSION will be granted at closing.

(10.) The Seller shall furnish a 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.

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

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

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

(14.) 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 H Gross

ATTORNEY: TBD

BROKER: Michael W. Peterson, Broker, Peterson Auction and Realty LLC
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PROPERTY DESCRIPTIONS

Location: 9-11 Holt Street, Westfield, New York 14787

ALL OF TAX PARCEL: Section 193.13 Block 3 Lot 70
Deed Book 2423 Deed Page 373

TOTAL ASSESSED VALUE: \$ 186,300.00 (76% of Market)

FULL MARKET VALUE: \$ 245,132.00

TOTAL TAXES \$ 12,107.96 Village \$ 2,285.52
County/Town \$ 6,481.27
School \$ 3,341.17

SCHOOL DISTRICT: Westfield Central