Matre Forestry Consulting, Inc.
201 Baldwin Drive
Albany GA 31707
(229) 639 4973
Fax (229) 255 2910
www.matreforestry.com

MATRE FORESTRY CONSULTING, INC.
Est. 1999

8/19/2015

Re: BID INVITATION - 9/17/15 Land & Timber Sealed Bid Sale - +-52.5 Acres Calhoun County GA

To: Prospective Land Buyers

Dear Prospective Buyer,

On behalf of Mr. Bobby Brooks, we are pleased to invite you to bid on the following land sale:

- Sale Type: Sealed Bid Sale for the entire property (Land & Timber). Bidders and/or their registered representatives may attend the bid opening.
- Location: Calhoun County GA on Vincent Road. (see location maps)
- Sale Description: Excellent timber and longleaf straw investment opportunity and hunting property with very productive soils. The following acreage and descriptions are estimates and are not guaranteed: 22 Acres *1999 Old-Field Planted Longleaf*; 22 Acres *2012 Planted Loblolly*; 3 Acres *Open Fields (food plots)*; 9 Acres *Hardwood Creek Bottom*. *+-56 Total Acres estimated by GIS* (Geographic Information System mapping software). Final total acres to be determined before closing by a new controlling survey (the cost of a basic survey to be split equally between the Seller and Buyer). (see maps)
- Legal Description: 52.5 Taxed Acres Calhoun County GA; Parcel 0040 012; Deed Book 54 Page 183; Northwest corner of Land Lot 343 in the 4th Land District of Calhoun County GA. Final acreage to be determined by a new controlling survey, and the cost of the basic survey to be split equally between Seller & Buyer.
- Showing: The property can be seen from Vincent Road. To enter the property, you must first register with Matre Forestry as a Buyer or a Buyer's Broker. A Matre Forestry associate will be available to show the property upon request, if needed. (see registration form)
- Contract: We are offering a standard Purchase Sale Agreement (PSA) produced by the Georgia Association of Realtors. The attached PSA contains the key terms of the offering.
- Reserve Price: We will have a sealed "Reserve Price" that we will open with the bids. The owner reserves the right to reject any and all bids that do not meet the Reserve Price and all other terms. The Seller will accept the highest bid if all offered terms are met or exceeded and the Reserve Price is met or exceeded. (see Purchase Sale Agreement). If the Reserve Price and all other terms are not met by any bidder, the Seller reserves the right to reject or accept any and all bids.
- Bid Instructions: Submit a PER ACRE lump sum sealed bid labeled "Brooks Sale". (see Bid Form). *The final acres are to be determined by a new controlling survey, and the cost of a basic survey shall be shared equally by the Seller and Buyer. If you or your representative cannot be present at the bid opening, you may mail your bid in, email it, or fax it. Matre Forestry will seal bids received by fax or email or mail, and we will keep those bids strictly confidential. A $5000 bid deposit is due

upon bid acceptance, which will be deposited in the Matre Forestry Real Estate Escrow Account and held until closing as "Earnest Money" (see PSA regarding earnest money).

- Bid opening time and location: 10:00 AM on Thursday September 17, 2015 at the Matre Forestry office located at 201 Baldwin Drive, Albany GA 31707.
- Agency Disclosure: Matre Forestry is representing the Seller, not the bidders.
- Disclaimer: All information provided is deemed to be from reliable sources, however, the accuracy of the information is not guaranteed by Matre Forestry or the Seller. It is understood that the bidder relies solely on their own inspections and due diligence. The Seller is offering a 14 day Due Diligence period beginning the day of bid acceptance to allow the high Bidder additional time to verify and intensify his or her pre-bid Due Diligence proceedings.

See http://www.matreforestry.com/land-bid-sales.html for more information. We appreciate your interest in the property. Contact us anytime for additional information.

Sincerely,

Chad McGrath
Associate, Matre Forestry Consulting, Inc.
Georgia Licensed Real Estate Agent (357183)
Mobile (229) 881-6067
chad@matreforestry.com

Mike Matre, ALC, RF
President, Matre Forestry Consulting, Inc.
Georgia & Alabama Registered Forester
Georgia & Alabama Licensed Real Estate Broker (297046)
Mobile (229) 869-1111
mike@matreforestry.com

ACCREDITED LAND CONSULTANT REALTORS® LAND INSTITUTE
Society of American Foresters

Steve Johnson
Associate, Matre Forestry Consulting, Inc.
Georgia Licensed Real Estate Agent (353223) & Auctioneer (AU003716)
Mobile (229) 894-7081
steve@matreforestry.com

Enclosures: Buyer/Broker Registration Form; ABC's of Agency
See Brochure for: Property Overview; Map Package; Pictures; Tax Map & Tax Card (note: Assessed value does not include timber value)
Provided after Registration: Timber Data; Pro Forma Cash Flow Projections; Seller Disclosure Statement; Purchase Sale Agreement; Bid Form; Deed Description

Established in 1999, Matre Forestry Consulting, Inc. of Albany, Georgia is a full service forestry consulting company and real estate brokerage. On behalf of our clients, our services include timber sales & management, land sales and acquisitions, timber inventories/cruising, appraisals, marking, prescribed burning, reforestation, GPS & GIS mapping, investment & market analysis, contract forestry services, wildlife habitat improvement, and hunting plantation development.

Matre Forestry Consulting, Inc.
201 Baldwin Drive
Albany GA 31707
(229) 639 4973
Fax (229) 255 2910
www.matreforestry.com

MATRE FORESTRY CONSULTING, INC. Est. 1999

8/19/2015

Re: REGISTRATION FORM - 9/17/15 Land & Timber Sealed Bid Sale - +-52.5 Acres Calhoun County GA

To: Prospective Land Buyers

Dear Prospective Bidder/Buyer,

On behalf of the Seller, we appreciate your interest in our 9/17/15 Land & Timber Sealed Bid Sale of +-52.5 acres in Calhoun County GA. By filling out and signing this registration form, you do hereby acknowledge that you have read and understand and agree to the following:

1. Disclaimer: We are providing ample information regarding the property and the offering to prospective Bidders/Buyers (you), and the information is from sources deemed reliable, however, the accuracy of the information is not guaranteed by Matre Forestry or the Seller. It is understood that you rely solely on your own inspections, analysis, and Due Diligence in the computation of your bid price.
2. Non Disclosure Agreement (NDA): It is agreed by both parties that confidential information provided by either party during the bidding and sale proceedings will be kept confidential. Also, any and all others that are necessarily provided confidential information (family members, business partners, accountants, foresters, attorneys, etc.) must fully understand and adhere to the terms of this NDA.
3. By registering, you acknowledge that you will thoroughly review all documents and information provided to obtain a good understanding of the offering and bid process. You may contact us anytime with questions, to request additional information, or to request a showing.
4. Legal Review: It is encouraged that you have an attorney review any and all legal documents.
5. Hold Harmless Agreement: You agree that you participate in this bid and sales process at your own risk. It is understood that you rely solely on your own inspections, analysis, and Due Diligence in the computation of your bid price. It is understood that you and your associates who enter the property for any reason do enter the property and inspect the property at your own risk. The prospective Bidder/Buyer agrees to save Seller and his agent Matre Forestry harmless from all claims, liens, payment for damages and expenses or expenditures or injuries that may arise in connection with the performance of this Bid and Sales process by the prospective Bidder/Buyer.
6. Agency Disclosure: It is understood that Matre Forestry's client is the Seller and is representing the Seller, not the Buyer. Matre Forestry can assist prospective Buyers as Customers, and Matre Forestry deals with Customers ethically and honestly and legally. Please refer to the provided *ABC's of Agency* document for more information on how Realtors deal with Clients and Customers.
7. Buyer Brokerage: If a prospective Bidder/Buyer chooses to hire a licensed Real Estate Broker to represent him or her in the bidding/sales process, the Broker must also sign this form. Your properly registered broker will be paid a 2% commission at the closing, if you are the successful Bidder/Buyer. The commission will be paid to your Broker at the sale closing and the commission will be paid out of the Seller's sale proceeds,
8. Qualification: You hereby acknowledge, to the best of your knowledge, that you are and/or will be qualified and able to purchase the property with cash, or are qualified to obtain bank financing to purchase the property with at least 30% cash down (if required by the lender).

9. Information to be Provided to You after Registration (some of which is already provided in our marketing): The ABC's of Agency; Property Overview; Map Package; Pictures; Tax Map & Tax Card (Note: Assessed value does not include timber value); Deed Description; Timber Estimates; Cash Flow Projections; Seller Disclosure Statement; Bid Form; Purchase Sale Agreement; and any other pertinent information that we have or are reasonably able to obtain.

Prospective Bidder/Buyer (you):

Print Name________________________________ Company___________________________________
Title_________________________________ Signature___________________________________
Date_______________________ Phone Number(s)___________________________________
Email______________________________________ Address___________________________________
____

Buyer's Real Estate Broker (if applicable):

Print Name________________________________ Brokerage___________________________________
Title_________________________________ Signature___________________________________
Date_______________________ Phone Number(s)___________________________________
Email______________________________________ Address___________________________________
____

Sincerely,

Chad McGrath
Associate, Matre Forestry Consulting, Inc.
Georgia Licensed Real Estate Agent (357183)
Mobile (229) 881-6067
chad@matreforestry.com

Mike Matre, ALC, RF
President, Matre Forestry Consulting, Inc.
Georgia & Alabama Registered Forester
Georgia & Alabama Licensed Real Estate Broker (297046)
Mobile (229) 869-1111
mike@matreforestry.com

ALC ACCREDITED LAND CONSULTANT REALTORS® LAND INSTITUTE
Society of American Foresters

Steve Johnson
Associate, Matre Forestry Consulting, Inc.
Georgia Licensed Real Estate Agent (353223) & Auctioneer (AU003716)
Mobile (229) 894-7081
steve@matreforestry.com

Established in 1999, Matre Forestry Consulting, Inc. of Albany, Georgia is a full service forestry consulting company and real estate brokerage. On behalf of our clients, our services include timber sales & management, land sales and acquisitions, timber inventories/cruising, appraisals, marking, prescribed burning, reforestation, GPS & GIS mapping, investment & market analysis, contract forestry services, wildlife habitat improvement, and hunting plantation development.

THE ABC'S OF AGENCY
UNDERSTANDING REAL ESTATE BROKERAGE RELATIONSHIPS IN GEORGIA

2015 Printing

***I. Introduction*.**

Real estate brokers are licensed professionals trained to help consumers buy, sell, or lease real property. The business relationship between real estate brokers and consumers can take many forms, each of which is called a brokerage relationship. This brochure describes the types of brokerage relationships most commonly offered by real estate brokers. Hopefully, the brochure will make it easier for consumers to make informed choices on how best to work with a real estate broker. It should be noted that real estate brokers are not required to offer all of the brokerage relationships described in this brochure. Instead, each real estate broker is free to decide which of these relationships he or she will offer.

***II. Real Estate Brokerage Generally*.**

As a general rule, only licensed real estate brokers can be paid a fee to help consumers buy, sell, or lease property. Many brokers have licensed real estate salespersons, commonly known as real estate agents, who act on behalf of the broker in helping consumers buy, sell, or lease property. While real estate agents can be employees of the real estate broker, most act as independent contractors. Real estate brokers often incorporate or set themselves up as limited liability companies or partnerships. All brokerage firms, however, are required to have a responsible or a qualifying broker. In the majority of real estate transactions, the consumer interacts only with his or her real estate agent and not the real estate broker. The real estate broker in those instances works behind the scenes to solve problems and support, supervise and assist his or her agents.

***III. Client vs. Customer in Brokerage Relationships*.**

All brokerage relationships fall into one of two broad categories: (1) broker-client relationships; and (2) broker-customer relationships. In a broker-client relationship, the real estate broker is representing the client and is acting as his or her legal agent in buying, selling, or leasing property. In Georgia, a broker-client relationship can only be formed by the parties entering into a written agreement. The agreement must explain, among other things, how the broker will be paid, the duty of the broker to keep client confidences, and the types of client or agency relationships offered by the broker.

The other type of brokerage relationship is known as a broker-customer relationship. With this type of relationship, the broker is not representing the customer in a legal or agency capacity. However, the broker can still work with the customer and help him or her by performing what are known as ministerial acts. These include, for example, identifying property for sale or lease, providing pre-printed real estate form contracts, preparing real estate contracts at the direction of the customer, and locating lenders, inspectors, and closing attorneys on behalf of the customer. The different types of brokerage relationships within each of these categories are discussed below:

***IV. Broker-Client Relationships*.**

A. Seller Agency/Landlord Agency:

Seller agency occurs when the real estate broker is representing the seller in selling his or her property. This type of brokerage relationship is created by the seller and the broker entering into a written contract known as a listing agreement. The listing agreement gives the broker, commonly referred to as the listing broker, the right to market the property for sale at a specific price and for a defined period of time. If the broker is successful in finding a buyer ready, willing, and able to purchase the property, the broker would normally be paid a fee or commission upon the closing of the transaction. This fee or commission is often shared with other real estate brokers, under what are known as cooperative brokerage agreements, if they or their agents find the buyer. Seller agency is also sometimes called listing agency.

Landlord agency is different from seller agency in that the listing broker is assisting the property owner in leasing rather than selling property.

B. Buyer Agency/Tenant Agency:

Buyer agency occurs when the real estate broker represents the buyer in locating and assisting the buyer in negotiating for the purchase of property suitable to the buyer. A buyer agency is created when the buyer enters into an agreement commonly known as a buyer brokerage agreement. A real estate broker can be compensated by one party yet represent another party. Therefore, in some buyer brokerage agreements, the fee or commission received by the buyer's broker is actually a portion of the fee or commission paid by the seller to the listing broker. In these situations, the seller also agrees that the listing broker will share the commission or fee with any buyer's broker who finds a buyer ready, willing and able to purchase the property. With some buyer brokerage agreements, the buyer pays a fee or commission directly to his or her broker. Buyer agency is sometimes referred to as buyer brokerage.

Tenant agency is different from buyer agency in that the broker is representing a consumer who is seeking to lease rather than purchase property.

C. Designated Agency:

In some real estate transactions, the real estate agent representing the buyer and the real estate agent representing the seller both work for the same broker or brokerage firm. In such a transaction, the broker may allow each agent to exclusively represent their respective clients. This type of brokerage relationship is known as designated agency.

In a designated agency transaction, the designated agent for the buyer owes the same duties to the buyer as if the agent was acting only as a buyer's agent. Similarly, the designated agent for the seller owes the same duties to the seller as if the agent was acting only as the seller's agent. With designated agency, each designated agent is prohibited from disclosing to anyone other than his or her broker any information requested to be kept confidential by the client unless the information is otherwise required to be disclosed by law. Therefore, designated agents may not disclose such confidential information to other agents in the company. The broker is also prohibited from revealing any confidential information he or she has received from one designated agent to the other designated agent, unless the information is otherwise required to be disclosed by law. Confidential information is defined as any information that could harm the client's negotiating position which information the client has not consented to be disclosed. In Georgia, designated agency is defined by state statute not to be dual agency.

D. Dual Agency:

Georgia law allows both parties to agree to have one agent or broker represent them in a real estate transaction at the same time. In other words, the agent or broker has a client relationship with all parties to the transaction without acting in a designated agency capacity. In these situations, neither party is exclusively represented by a designated real estate agent. This type of brokerage relationship is called "dual agency".

Georgia law allows real estate brokers to act as dual agents if they first get the written consent of both parties. The written consent must contain the following:

1. a description of the types of transactions in which the licensee will serve as a dual agent;
2. a statement that as a dual agent, the licensee represents two clients whose interests could be different or even adverse;
3. a statement that the dual agent will disclose all adverse material facts regarding the transaction known to the dual agent to all parties to the transaction except for information that is made confidential by request of another client and that is not allowed or required by law to be disclosed;
4. a statement that the licensee will disclose to each client in the transaction the nature of any material relationship the licensee or his or her broker have with other clients in the transaction other than incidental to the transaction;
5. a statement that the client does not have to consent to the dual agency; and
6. a statement that the client's consent has been given voluntarily and that the client has read and understood the brokerage engagement agreement;

This special consent is required because of the potential for conflicts of interest in dual agency transactions.

E. Subagency:

Subagency occurs when one real estate broker is appointed by another real estate broker as a subagent to assist the broker in performing its duties. In a typical subagency transaction, a listing broker practicing subagency might appoint the broker working with the buyer as his or her subagent. The broker acting as the subagent would work with the buyer but would represent the seller. The buyer then was the customer of the broker acting as a subagent, but the seller would be his or her client. Subagency relationships between real estate brokers in Georgia, while once the norm, are much less common today.

***V. Broker-Customer Relationships*.**

A. Transaction Brokerage:

A transaction brokerage relationship is one in which a real estate broker or brokers assists both parties in a real estate transaction but does not enter into a client relationship with, nor represents, either party. In a transaction brokerage relationship, the broker treats both parties as customers and can only perform ministerial acts for either party, including the following:

1. identifying property;
2. providing real estate statistics and information of property;
3. providing preprinted real estate form contracts;
4. acting as a scribe in the preparation of form contracts;
5. locating relevant professionals, such as architects, engineers, surveyors, inspectors, lenders, insurance agents, and attorneys; and
6. identifying facilities such as schools, shopping centers, and places of worship.

B. Brokers May Help Parties Other Than Their Clients:

Brokers who represent one party in a real estate transaction as a client can still help the other party in the transaction by performing ministerial duties for the other party (of the type described under transaction brokerage section). When a real estate broker works with a party as a customer or client, the broker may not knowingly give the party false information.

***VI. Always Choose a REALTOR®*.**

This brochure has been prepared as a public service by the Georgia Association of REALTORS®. REALTOR® is a registered collective membership mark which may be used only by real estate professionals who are members of the National Association of REALTORS® and subscribe to its strict Code of Ethics.