

# PROPERTY INFORMATION PACKET

THE DETAILS



9 +/- Acres at Boyer & 3<sup>rd</sup> St. | El Dorado, KS 67206

AUCTION: Bidding Ends: Thursday, September 24<sup>th</sup> 2020  
@ 2:00 PM

12041 E. 13th St. N., Wichita, KS, 67206  
316.867.3600 • 800.544.4489  
[www.McCurdyAuction.com](http://www.McCurdyAuction.com)



**McCurdy**  
AUCTION  
REAL ESTATE SPECIALISTS



## Table of Contents

|                                                 |
|-------------------------------------------------|
| PROPERTY DETAIL PAGE                            |
| WATER WELL ORDINANCE                            |
| SECURITY 1 <sup>ST</sup> TITLE WIRE FRAUD ALERT |
| OIL ASSESSMENT RENDITION                        |
| PRELIMINARY TITLE REPORT                        |
| ZONING MAP                                      |
| FLOOD ZONE MAP                                  |
| AERIAL MAP                                      |
| TERMS AND CONDITIONS                            |
| GUIDE TO AUCTION COSTS                          |

The real estate is offered at public auction in its present, "as is where is" condition and is accepted by the buyer without any expressed or implied warranties or representations from the seller or McCurdy Auction, LLC. It is incumbent upon buyer to exercise buyer's own due diligence, investigation, and evaluation of suitability of use for the real estate prior to bidding. It is buyer's responsibility to have any and all desired inspections completed prior to bidding including, but not limited to, the following: roof; structure; termite; environmental; survey; encroachments; groundwater; flood designation; presence of lead-based paint or lead based paint hazards; presence of radon; presence of asbestos; presence of mold; electrical; appliances; heating; air conditioning; mechanical; plumbing (including water well, septic, or lagoon compliance); sex offender registry information; flight patterns, or any other desired inspection. Any information provided or to be provided by seller or McCurdy was obtained from a variety of sources and seller and McCurdy have not made any independent investigation or verification of such information and make no representation as to the accuracy or completeness of such information. Auction announcements take precedence over anything previously stated or printed. Total purchase price will include a 10% buyer's premium (\$1,500.00 minimum) added to the final bid.

## ALL FIELDS CUSTOMIZABLE



**MLS #** 585042  
**Class** Land  
**Property Type** Vacant Lot  
**County** Butler  
**Area** B22 - El Dorado  
**Address** 9 +/- Acres SW Boyer & W. 3rd St.  
**Address 2**  
**City** El Dorado  
**State** KS  
**Zip** 67042  
**Status** Active  
**Contingency Reason**  
**Asking Price** \$0  
**For Sale/Auction/For Rent** Auction  
**Associated Document Count** 3



## GENERAL

|                                               |                                          |                                   |              |
|-----------------------------------------------|------------------------------------------|-----------------------------------|--------------|
| <b>List Agent - Agent Name and Phone</b>      | BRADEN MCCURDY - OFF: 316-683-0612       | <b>List Date</b>                  | 7/20/2020    |
| <b>List Office - Office Name and Phone</b>    | McCurdy Auction, LLC - OFF: 316-867-3600 | <b>Realtor.com Y/N</b>            | Yes          |
| <b>Co-List Agent - Agent Name and Phone</b>   |                                          | <b>Display on Public Websites</b> | Yes          |
| <b>Co-List Office - Office Name and Phone</b> |                                          | <b>Display Address</b>            | Yes          |
| <b>Showing Phone</b>                          | 1-800-301-2055                           | <b>VOW: Allow AVM</b>             | Yes          |
| <b>Zoning Usage</b>                           | Commercial                               | <b>VOW: Allow 3rd Party Comm</b>  | Yes          |
| <b>Parcel ID</b>                              | 00821-2-04-0-00-38-014.00-0              | <b>Sub-Agent Comm</b>             | 0            |
| <b>Number of Acres</b>                        | 9.00                                     | <b>Buyer-Broker Comm</b>          | 3            |
| <b>Price Per Acre</b>                         |                                          | <b>Transact Broker Comm</b>       | 3            |
| <b>Lot Size/SqFt</b>                          | 392040                                   | <b>Variable Comm</b>              | Non-Variable |
| <b>School District</b>                        | Circle School District (USD 375)         | <b>Virtual Tour Y/N</b>           |              |
| <b>Elementary School</b>                      | Circle Greenwich                         |                                   |              |
| <b>Middle School</b>                          | Circle                                   |                                   |              |
| <b>High School</b>                            | Circle                                   |                                   |              |
| <b>Subdivision</b>                            | PRAIRIE LAND ESTATES                     |                                   |              |
| <b>Legal</b>                                  |                                          |                                   |              |

## DIRECTIONS

**Directions** (El Dorado) HWY 254 (W. Central Ave) & Boyer Rd. - North to property.

## FEATURES

|                            |                               |                             |                        |
|----------------------------|-------------------------------|-----------------------------|------------------------|
| <b>SHAPE / LOCATION</b>    | <b>IMPROVEMENTS</b>           | <b>SALE OPTIONS</b>         | <b>LOCKBOX</b>         |
| Irregular                  | None                          | None                        | None                   |
| Corner                     | <b>OUTBUILDINGS</b>           | <b>EXISTING FINANCING</b>   | <b>AGENT TYPE</b>      |
| <b>TOPOGRAPHIC</b>         | None                          | Other/See Remarks           | Sellers Agent          |
| Level                      | <b>MISCELLANEOUS FEATURES</b> | <b>PROPOSED FINANCING</b>   | <b>OWNERSHIP</b>       |
| <b>PRESENT USAGE</b>       | None                          | Other/See Remarks           | Corporate              |
| None/Vacant                | <b>DOCUMENTS ON FILE</b>      | <b>POSSESSION</b>           | <b>TYPE OF LISTING</b> |
| <b>ROAD FRONTAGE</b>       | Aerial Photos                 | At Closing                  | Excl Right w/o Reserve |
| Paved                      | Photographs                   | <b>SHOWING INSTRUCTIONS</b> | <b>BUILDER OPTIONS</b> |
| City                       | <b>FLOOD INSURANCE</b>        | Call Showing #              | Open Builder           |
| <b>UTILITIES AVAILABLE</b> | Required                      |                             |                        |
| Other/See Remarks          |                               |                             |                        |

## FINANCIAL

|                                  |                    |
|----------------------------------|--------------------|
| <b>Assumable Y/N</b>             | No                 |
| <b>General Taxes</b>             | \$2,591.96         |
| <b>General Tax Year</b>          | 2019               |
| <b>Yearly Specials</b>           | \$4,174.76         |
| <b>Total Specials</b>            | \$42,943.79        |
| <b>HOA Y/N</b>                   | No                 |
| <b>Yearly HOA Dues</b>           |                    |
| <b>HOA Initiation Fee</b>        |                    |
| <b>Earnest \$ Deposited With</b> | Security 1st Title |

## MARKETING REMARKS

**Marketing Remarks** This property is offered by Braden McCurdy with McCurdy Auction, LLC. Office: 316-867-3600 Email: bmccurdy@mccurdyauction.com. Property offered at ONLINE ONLY auction. | 10% Buyer's Premium will be added to the final bid. | BIDDING OPENS: September 21st at 5:00 pm (cst) | BIDDING CLOSES: Thursday, September 24th Starting at 2:00 pm (cst). Bidding will remain open on this property until 1 minute has passed without receiving a bid. Property available for preview September 18th, 12-3 pm. ONLINE BIDDING IS AVAILABLE THROUGH SELLER AGENT'S WEBSITE. CLEAR TITLE AT CLOSING, NO BACK TAXES. 0 MINIMUM, NO RESERVE!!! This property is two lots selling together for a total of 9 +/- acres. Zoned Residential and Commercial (see attached zoning map) Corner Lots Landowner oil royalty will transfer to buyer. Circle School District Off of HWY 254 (W. Central Ave) Easy access to the Kansas Turnpike In close proximity of the new Orscheln Farm & Home location and future possible retail development The .22 +/- acre residential lot to the east is also being auctioned separately on the same dates. \*Buyer should verify school assignments as they are subject to change. The real estate is offered at public auction in its present, "as is where is" condition and is accepted by the buyer without any expressed or implied warranties or representations from the seller or seller's agents. It is incumbent upon buyer to exercise buyer's own due diligence, investigation, and evaluation of suitability of use for the real estate prior to bidding. It is buyer's responsibility to have any and all desired inspections completed prior to bidding including, but not limited to, the following: roof; structure; termite; environmental; survey; encroachments; groundwater; flood designation; presence of lead-based paint or lead based paint hazards; presence of radon; presence of asbestos; presence of mold; electrical; appliances; heating; air conditioning; mechanical; plumbing (including water well, septic, or lagoon compliance); sex offender registry information; flight patterns, or any other desired inspection. Any information provided or to be provided by seller or seller's agents was obtained from a variety of sources and neither seller nor seller's agents have made any independent investigation or verification of such information and make no representation as to the accuracy or completeness of such information. Auction announcements take precedence over anything previously stated or printed. Total purchase price will include a 10% buyer's premium (\$1,500.00 minimum) added to the final bid. Earnest money is due from the high bidder at the auction in the form of cash, check, or immediately available, certified funds in the amount \$5,000.

## AUCTION

|                             |                      |                                |                        |
|-----------------------------|----------------------|--------------------------------|------------------------|
| <b>Auction Date</b>         | 9/21/2020            | <b>Auction Location</b>        | www.mccurdyauction.com |
| <b>Auction Offering</b>     | Real Estate Only     | <b>Auction Start Time</b>      | 5:00 PM                |
| <b>1 - Open for Preview</b> |                      | <b>1 - Open End Time</b>       |                        |
| <b>Broker Reg Deadline</b>  | 9/23/2020 by 5:00 PM | <b>Broker Registration Req</b> | Yes                    |
| <b>Buyer Premium Y/N</b>    | Yes                  |                                |                        |

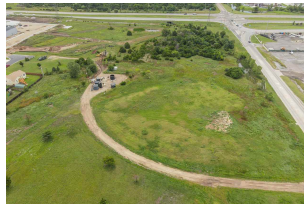
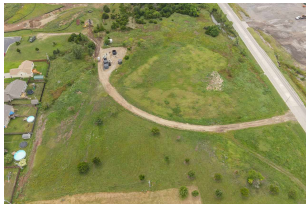
## TERMS OF SALE

Terms of Sale

## PERSONAL PROPERTY

Personal Property

## ADDITIONAL PICTURES



## DISCLAIMER

This information is not verified for authenticity or accuracy and is not guaranteed. You should independently verify the information before making a decision to purchase. © Copyright 2020 South Central Kansas MLS, Inc. All rights reserved. Please be aware, property may have audio/video recording devices in use.



## WATER WELL AND WASTEWATER SYSTEM INFORMATION

Property Address: 0 SW Boyer & 0 W. 3rd St. - El Dorado, KS 67042

DOES THE PROPERTY HAVE A WELL? YES \_\_\_\_\_ NO X

If yes, what type? Irrigation \_\_\_\_\_ Drinking \_\_\_\_\_ Other \_\_\_\_\_

Location of Well: \_\_\_\_\_

DOES THE PROPERTY HAVE A LAGOON OR SEPTIC SYSTEM? YES \_\_\_\_\_ NO X

If yes, what type? Septic \_\_\_\_\_ Lagoon \_\_\_\_\_

Location of Lagoon/Septic Access: \_\_\_\_\_

  
Owner \_\_\_\_\_ Managing Member  
Authentisign  
Billie E. Kirkhart, Member  
7/17/2020 4:56:35 PM CDT  
Owner

7-16-20  
Date  
07/17/2020  
Date



# Security 1<sup>st</sup> Title

**File #:**

**Property Address:**

301 N. Northern St., 0 SW Boyer & 0  
El Dorado, KS 67042

W. 3rd St.

## WIRE FRAUD ALERT

### IMPORTANT! YOUR FUNDS MAY BE AT RISK

**\*\*SECURITY 1<sup>ST</sup> TITLE DOES NOT SEND WIRE INSTRUCTIONS UNLESS REQUESTED\*\***

This Alert is not intended to provide legal or professional advice. If you have any questions, please consult with a lawyer. Realtors®, Real Estate Brokers, Title Companies, Closing Attorneys, Buyers and Sellers are targets for fraudsters to gain access to information for the purpose of wire fraud schemes. Many homebuyers have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification.

A fraudster will hack into a participant's email account to obtain information about upcoming real estate transactions. After monitoring the account to determine the likely timing of a closing, the fraudster will send an email to the Buyer purporting to be the escrow agent or another party to the transaction. The fraudulent email will contain wiring instructions or routing information, and will request that the Buyer send funds to an account controlled by the fraudster.

Security 1<sup>st</sup> Title does not require your funds to be wired. We accept certified checks. If you prefer to wire, you must contact us by phone to request our wire instructions. We will give them verbally or send via SECURED email. After receipt, if you receive another email or unsolicited call purporting to alter these instructions please disregard and immediately contact us.

**\*\*\*Closing funds in the form of ACH Electronic Transfers will NOT be accepted\*\*\***

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails or other communications purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **DO NOT FORWARD** wire instructions to any other parties.
- **ALWAYS VERIFY WIRE INSTRUCTIONS**, specifically the ABA routing number and account number, by calling the party who is receiving the funds.
- **DO NOT use the phone number provided in the email containing the instructions**, use phone numbers you have called before or can otherwise verify with a phone directory.
- **DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.**

**ACKNOWLEDGEMENT OF RECEIPT – YOU MUST SIGN BELOW**  
Your signature below acknowledges receipt of this Wire Fraud Alert.

Buyer \_\_\_\_\_

Seller \_\_\_\_\_

Authenti\_\_\_\_\_

*Billie E. Kinkhart, Member*

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:  
<http://www.fbi.gov>

Internet Crime Complaint Center:  
<http://www.ic3.gov>

## OIL ASSESSMENT RENDITION

Schedule 2 (Class 2B) (Rev. 1/20)

BUTLER

County, Kansas

Tax Year 2020

Statement of 1 Operator ID# 6804  
P.O. Address \_\_\_\_\_ City NEWTON State KS Zip 67114-0526  
Name of Property \_\_\_\_\_ County ID# 455 KDOR ID#(s) 101710 Well API# 15-015-23566  
CAMA # 212.04.0.00.38.001.00.0.01

| Section I - Location of Property (required) |                     |  |  | Section VII - Abstract Value (for county use only) |          |         |         |
|---------------------------------------------|---------------------|--|--|----------------------------------------------------|----------|---------|---------|
| Lease Description                           | NW4                 |  |  | Appraised                                          | Assessed | Penalty | Total   |
| (Well Location pg2)                         |                     |  |  | Total Working Interest (Sec. VI, Line 9)           | 1,465    | 366     | 0       |
| Lot Sec. 4                                  | Adn. Twp. 26        |  |  | Royalty & ORRI Interest (Sec. VI, Line 1)          | 2,834    | 850     | xxxxxxx |
| Blk Rng. 5                                  | Twp. City EL DORADO |  |  | Itemized Equipment (Sec. VI, Line 8)               | 0        | 0       | 0       |
| Tax Unit 8                                  | School Dist USD 375 |  |  | Total                                              | 4,299    | 1,216   | 0       |

| Section II - Lease Data <small>(required)</small> |     |              |   |                       |         |                                         |     |                   |    |      |     |               |    |                                    |     |                     |                |             |  |                  |  |
|---------------------------------------------------|-----|--------------|---|-----------------------|---------|-----------------------------------------|-----|-------------------|----|------|-----|---------------|----|------------------------------------|-----|---------------------|----------------|-------------|--|------------------|--|
| Number Producing Wells:                           | 2   | Submersible: | 0 | Gas: Non-Prod. Wells: | Shut-In | 0                                       | SWD | 1                 | TA | 0    | INJ | 0             | WS | 0                                  | CNP | 0                   | Total # Wells: | 3           |  |                  |  |
| Depth Producing Wells:                            | 695 | Submersible: | 0 | Gas: Non-Prod. Wells: | Shut-In | 0                                       | SWD | 2470              | TA | 0    | INJ | 0             | WS | 0                                  | CNP | 0                   |                |             |  |                  |  |
| Secondary Recovery ( )                            |     | KCC Permit # |   | E-25,644.1            |         | Water Disposal: Hauler/System/Well Name |     |                   |    |      |     |               |    | Total # Tank Batteries on Lease    |     |                     | 1              |             |  |                  |  |
| Spud Date: Mo/Yr (new prod)                       |     |              |   | Horizontal ( )        |         |                                         |     | Total WI Decimal  |    |      |     | 0.87500000    |    | Prod Formation                     |     | ADMIRE              |                |             |  |                  |  |
| Comp Date: Mo/Yr (new prod)                       |     |              |   | Horiz. Total Depth    |         |                                         |     | Total RI&ORRI Dec |    |      |     | 0.12500000    |    | Purchaser Name                     |     | SUNOCO PARTNERS DBA |                |             |  |                  |  |
| Oil Gravity                                       |     | 36.00        |   | Water Prod            |         | 96                                      |     | BWPD              |    | 0.00 |     | Purch Address |    | PO BOX 4933 HOUSTON, TX 77210-4933 |     |                     |                | Purch Phone |  | ENERGY TRANSFERS |  |

| Section IV - Production Data (required)   |            |                      |            | Notation                                                                                                                                                                                                                                                                                                                                                                    |  |
|-------------------------------------------|------------|----------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Month                                     | 2019       |                      | 2018       | PREVIOUS ANNUAL PRODUCTION<br>2017 420<br>2018 411                                                                                                                                                                                                                                                                                                                          |  |
|                                           | Oil (Bbls) | Casinghead Gas (Mcf) | Oil (Bbls) |                                                                                                                                                                                                                                                                                                                                                                             |  |
| January                                   | 28         | 0                    | 37         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| February                                  | 25         | 0                    | 33         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| March                                     | 43         | 0                    | 38         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| April                                     | 34         | 0                    | 37         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| May                                       | 35         | 0                    | 32         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| June                                      | 23         | 0                    | 38         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| July                                      | 32         | 0                    | 38         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| August                                    | 33         | 0                    | 37         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| September                                 | 27         | 0                    | 35         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| October                                   | 32         | 0                    | 35         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| November                                  | 31         | 0                    | 23         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| December                                  | 33         | 0                    | 28         |                                                                                                                                                                                                                                                                                                                                                                             |  |
| Annual Production                         | 376        | 0                    | 411        | Lease Receives Eastern KS Posted Price: YES ( ) NO (X)<br>Severance Tax Exempt # A-39 Property Tax Exempt # 2007-8349-TX<br>Casinghead Gas Production Data (conversion calculation)<br>0 X 0.00 X 0.900 = 0.00 / 22.40 = 0<br>Prod (Mcf) X Net \$/Mcf Gas X M = Income / Net \$/Bbl Oil = Total Bbl (Transfer to Sec IV, Casing Gas Conv)<br>Gatherer Name<br>Address Phone |  |
| Casinghead Gas (Converted to Bbls)        | 0          | xxxxxxx              | xxxxxxx    |                                                                                                                                                                                                                                                                                                                                                                             |  |
| Total Annual Production (Bbls + gas conv) | 376        | xxxxxxx              | xxxxxxx    |                                                                                                                                                                                                                                                                                                                                                                             |  |
| Annual Decline (Bbls)                     | 35         | xxxxxxx              | xxxxxxx    |                                                                                                                                                                                                                                                                                                                                                                             |  |
| Decline Rate (%)                          | 9          | xxxxxxx              | xxxxxxx    |                                                                                                                                                                                                                                                                                                                                                                             |  |

| Section V - Gross Reserve Calculation (Total 8/8ths Interest) |     |                                  |       |                            |        |                                 |       |                                                         |          |
|---------------------------------------------------------------|-----|----------------------------------|-------|----------------------------|--------|---------------------------------|-------|---------------------------------------------------------|----------|
| Schedule (A)                                                  | 376 | X                                | 22.40 | =                          | 8,422  | X                               | 2.692 | (Dcl:9)                                                 | = 22,673 |
| Owner (B)                                                     | 374 | X                                | 41.40 | =                          | 15,484 | X                               | 2.692 | (Dcl:9)                                                 | = 41,660 |
| Appraiser (C)                                                 | 376 | X                                | 22.40 | =                          | 8,422  | X                               | 2.692 | (Dcl:9)                                                 | = 22,673 |
| 1. Annual Production (Bbls)                                   |     | 2. Effect Jan 1 Net Price \$/Bbl |       | 3. Est Gross Income Stream |        | 4. Present Worth Factor         |       | 5. Est Gross Reserve Value                              |          |
| (Total Annual Prod, Sec IV)                                   |     | (See Crude Oil Price Schedule)   |       | (Multiply Line 1 X Line 2) |        | (Based on Decline Rate-See Tbl) |       | (Total 8/8ths - Transfer total to Sec. VI, Lines 1 & 2) |          |

| Section VI - Gross Reserve Value X Decimal Interest                                                            |        |   |                           | Schedule (A) | Owner (B) | Appraiser (C) |
|----------------------------------------------------------------------------------------------------------------|--------|---|---------------------------|--------------|-----------|---------------|
| 1. Royalty & Overriding Royalty Interest Valuation (Total Sec V, Line 5 X Total RI and ORRI Interest)          | 22,673 | X | 0.12500000 (Interest)     | 2,834        | 5,207     | 2,834         |
| 2. Working Interest Valuation (Total Sec V, Line 5 X Total WI Interest)                                        | 22,673 | X | 0.87500000 (Interest)     | 19,839       | 36,452    | 19,839        |
| 3a. Deduct Operating Cost Allowance for Producing Wells (Allowance per Well)                                   | 25285  | X | 2 (Number Wells)          | 50,570       | 50,570    | 50,570        |
| 3b. Deduct Operating Cost Allowance for Injection Wells (Allowance per Well)                                   | 10240  | X | 0 (Number Wells)          | 0            | 0         | 0             |
| 3c. Deduct Operating Cost for Submersible Wells (Annual Submersible Expense)                                   | 0.00   | X | 3.5950 (Expense Fact-Tbl) | 0            | 0         | 0             |
| 4. Working Interest Subtotal (Sec VI, Line 2 minus Lines 3a, 3b & 3c)                                          |        |   |                           | -30,731      | -14,118   | -30,731       |
| 5. Working Interest Minimum Lease Value (Sec VI, Line 2)                                                       | 19,839 | X | 5% (2%, 5%, 10% Min Lse)  | 992          | 1,823     | 992           |
| 6. Copy Value from Sec VI, Line 4 or Line 5 (Whichever Line is Greater)                                        |        |   |                           | 0            | 0         | 0             |
| 7a. Add Prescribed Equipment Value for Producing Wells (Allowance per Well)                                    | 595    | X | 1 (Number Wells)          | 595          | 595       | 595           |
| 7b. Add Prescribed Equipment Value for Multiple Producing Wells (Allowance per Well)                           | 270    | X | 1 (Number Wells)          | 270          | 270       | 270           |
| 7c. Add Prescribed Equipment Value for Non-Producing Wells (Shut-In, TA, SWD, INJ, WS)                         | 600    | X | 1 (Number Wells)          | 600          | 600       | 600           |
| 7d. Add Prescribed Equipment Value for Submersible Wells (Allowance per Well)                                  | 0      | X | 0 (Number Wells)          | 0            | 0         | 0             |
| 7e. Add Pres Equip Value for Additional Equipment                                                              | 0      | X | 0.4031 (Equip Fact-Tbl)   | 0            | 0         | 0             |
| 8. Add Itemized Equipment (Section III - Attached Schedule)                                                    |        |   |                           | 0            | 0         | 0             |
| 9. Working Interest Total Market Value (Add Sec VI, Lines 6, 7a, 7b, 7c, 7d, 7e & 8)                           |        |   |                           | 1,465        | 1,465     | 1,465         |
| 10. Working Interest Total Assessed Value (Multiply Sec VI, Line 9 x 30%, Unless Lease Qualifies for 25% Rate) |        |   | 25 %                      | 366          | 366       | 366           |

Current Division Order with Name, Address, Interest of Royalty Owners, and Well/Lease Identifier is a Required Attachment to Rendition

This valuation notice has been completed as required by K.S.A. 79-1460. According to K.S.A. 79-1448, any taxpayer may appeal the appraisal of their property by notifying the County Appraiser on or before 2017-05-15 12:00:00 AM. The County Appraiser will then schedule an informal hearing with you concerning the property in question. If you have any questions or want to appeal please contact the County Appraiser's office.

Rendition Information: Contact Phone 316-558-3625

Contact E-mail

Lease Code 455

County Code 8

Lease Name THOMPSON A

# OIL ASSESSMENT RENDITION ADDITION PAGE

Schedule 2 (Class 2B) (Rev. 1/20)

BUTLER

County, Kansas

Tax Year 2020

Statement of LACHENMAYR OIL LLC - LACH00001

Operator ID# 6804

P.O. Address PO BOX 526

City NEWTON

State KS Zip 67114-0526

Name of Property THOMPSON A

County ID# 455

KDOR ID#(s) 101710

Well API# 15-015-23566

CAMA # 212.04.0.00.38.001.00.0.01

## Section I-IV - Additional Data (required)

| Well Names on Lease | Location    | Well Type | KDOR ID #                                                               | Well API #   | Well Production |           |
|---------------------|-------------|-----------|-------------------------------------------------------------------------|--------------|-----------------|-----------|
|                     |             |           |                                                                         |              | Bbls            | Mcf       |
| THOMPSON 3          | NE SW SW NW | OIL       | 101710                                                                  | 15-015-23566 | 0               | 0         |
| WELL#6-W            | NW SW NW    | OIL       | 101710                                                                  | 15-015-40280 | 0               | 0         |
| 6-W-SWD             | NW SW NW    | SWD       | 101710                                                                  | 15-015-40281 | 0               | 0         |
| Notation            |             |           | Total Lease Production<br>(include all wells on lease - pg 1 rendition) |              | 0               | 0         |
|                     |             |           |                                                                         |              | Total Bbls      | Total McF |

## Section III Itemized Equipment (required)

| Property Name / Model | Property Description | Location | Condition<br>(New/Used/Salvage)                                                | Year | Series | Mast (ft) | Capacity<br>(lbs) | Guide Value |
|-----------------------|----------------------|----------|--------------------------------------------------------------------------------|------|--------|-----------|-------------------|-------------|
|                       |                      |          |                                                                                |      |        |           |                   |             |
| Notation              |                      |          | Total Item Equip Value<br>(Copy Total Value to Oil Assess Rend Line 8, Sec VI) |      |        |           |                   |             |

This valuation notice has been completed as required by K.S.A. 79-1460. According to K.S.A. 79-1448, any taxpayer may appeal the appraisal of their property by notifying the County Appraiser on or before 2017-05-15 12:00:00 AM. The County Appraiser will then schedule an informal hearing with you concerning the property in question. If you have any questions or want to appeal please contact the County Appraiser's office.

Lease Code 455

County Code 8

Lease Name THOMPSON A

## OIL ASSESSMENT RENDITION ADDITION PAGE

Schedule 2 (Class 2B) (Rev. 1/20)

BUTLER

County, Kansas

Tax Year 2020

Statement of LACHENMAYR OIL LLC - LACH00001 Operator ID# 6804  
P.O. Address PO BOX 526 City NEWTON State KS Zip 67114-0526  
Name of Property THOMPSON A County ID# 455 KDOR ID#(s) 101710 Well API# 15-015-23566  
CAMA # 212.04.0.00.38.001.00.0.01

## Ownership Data

| Owner #   | Owner Name | Type | % of Int.  | Appraised Value | Assessed Value | Late Penalty | Total Assessed V.I. |
|-----------|------------|------|------------|-----------------|----------------|--------------|---------------------|
| LACH00001 |            | WK   | 0.87500000 | 1,465           | 366            | 0            | 366                 |
| ADAM00156 |            | RI   | 0.00260415 | 59              | 18             | 0            | 18                  |
| ADAM00229 |            | RI   | 0.01041650 | 236             | 71             | 0            | 71                  |
| BUCH00034 |            | RI   | 0.01041650 | 236             | 71             | 0            | 71                  |
| BUCH00035 |            | RI   | 0.01041650 | 236             | 71             | 0            | 71                  |
| EWIN00008 |            | RI   | 0.00347220 | 79              | 24             | 0            | 24                  |
| EWIN00018 |            | RI   | 0.00231480 | 52              | 16             | 0            | 16                  |
| EWIN00019 |            | RI   | 0.00231480 | 52              | 16             | 0            | 16                  |
| FROS00011 |            | RI   | 0.00173610 | 39              | 12             | 0            | 12                  |
| JACK00214 |            | RI   | 0.00347220 | 79              | 24             | 0            | 24                  |
| MELU00006 |            | RI   | 0.00520820 | 118             | 35             | 0            | 35                  |
| PFEN00001 |            | RI   | 0.00260415 | 59              | 18             | 0            | 18                  |
| PRAI00034 |            |      | 0.06250100 | 1,417           | 425            | 0            | 425                 |
| TUCK00036 |            |      | 0.00231480 | 52              | 16             | 0            | 16                  |
| WEST00152 |            |      | 0.00173610 | 39              | 12             | 0            | 12                  |
| WOLF00043 |            |      | 0.00347200 | 79              | 24             | 0            | 24                  |
| TOTALS    |            |      | 1.00000000 | 4,297           | 1,219          | 0            | 1,219               |

This valuation notice has been completed as required by K.S.A. 79-1460. According to K.S.A. 79-1448, any taxpayer may appeal the appraisal of their property by notifying the County Appraiser on or before 2017-05-15 12:00:00 AM. The County Appraiser will then schedule an informal hearing with you concerning the property in question. If you have any questions or want to appeal please contact the County Appraiser's office.

Lease Code 455

County Code 8

Lease Name THOMPSON A



# Security 1<sup>st</sup> Title

## PRELIMINARY TITLE SEARCH REPORT

Prepared By:  
**Security 1<sup>st</sup> Title**  
**114 E. Central Ave.**  
**El Dorado, KS 67042**  
**Phone: (316) 322-8164**  
**Fax: (316) 322-9825**

Contact: **Judy Cachard**  
Email: **jcachard@security1st.com**

Prepared Exclusively For:  
**McCurdy Auction, LLC**  
**12041 E. 13th St. N**  
**Wichita, KS 67206**  
**Phone: 316-683-0612**  
**Fax: 316-683-8822**

Contact: **Kimberly Clare**  
Email: **kclare@mccurdyauction.com;**  
**sfrost@mccurdyauction.com;**  
**joxborrow@mccurdyauction.com;**

Report No: **2386859**

Report Effective Date: **August 7, 2020, at 7:30 a.m.**

Property Address: **0 SW Boyer Rd, El Dorado, KS 67042**

This Title Search Report is NOT a commitment to insure and is not to be construed as an Abstract of Title or Title Opinion. It has been issued as a Report as to the status of title for the specific benefit of **McCurdy Auction, LLC**, and as such should not be relied upon by any other party for any Real Estate Transaction. Any and all loss or damage that may occur by reason of any errors and omissions in this Company's Report is limited to \$1,000.00 and the fee it received for the preparation and issuance of this report, if any.

1. **Fee Simple** interest in the Land described in this Report is owned, at the Report Effective Date, by  
  
**Kirkhart Investments, LLC**
2. The Land referred to in this Report is described as follows:  
  
**SEE ATTACHED EXHIBIT A**
3. If asked to issue a title insurance commitment for a potential buyer of the subject property, the commitment would include the following requirements, along with any other matters that may arise after the date of this report:
  1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
  2. Pay the agreed amount for the estate or interest to be insured.



# Security 1<sup>st</sup> Title

Any questions regarding this report should be directed to: **Judy Cachard**  
Phone: **316-322-8164**, Email: **jcachard@security1st.com**

3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. **We have a copy of the Articles of Organization, dated June 8, 2016, of Kirkhart Investments, LLC, a Kansas Limited Liability Company. We must be furnished with a copy of any amendments to said documents. We reserve the right to make any additional requirements we deem necessary.**
6. **Any instrument to be executed by the limited liability company must:**
  - a. Be executed in the limited liability company's name, and
  - b. Be signed by Joshua R. Kirkhart and Billie E. Kirkhart, Members.
7. **File a Warranty Deed from Kirkhart Investments, LLC, a Kansas Limited Liability Company, to the buyer.**
8. **Provide this Company with a properly completed and executed Owner's Affidavit.**
9. **The application for title insurance does not give the name of the prospective purchaser. We reserve the right to make any additional requirements we deem necessary when such name is ascertained.**
10. **Recording Fees and Information for Kansas Counties:**

Deed: \$21.00 (first page) + \$17.00 (each additional page)  
Mortgage: \$21.00 (first page) + \$17.00 (each additional page)  
Mortgage Release: \$20.00 (first page) + \$4.00 (each additional page)  
Mortgage Assignment: \$20.00 (first page) + \$4.00 (each additional page)

*The above fees do not include all documents that may be filed in each county. Some fees may vary. For a full list of recording fees, services and format requirements, please contact the Register of Deeds Office for the specific county in question.*

**(NOTE: Beginning January 1, 2019, Mortgage Registration Tax is no**



# Security 1<sup>st</sup> Title

Any questions regarding this report should be directed to: **Judy Cachard**

Phone: **316-322-8164**, Email: **jcachard@security1st.com**

*longer required in the State of Kansas.)*

**NOTE: The State of Kansas requires that any deed transferring real estate must be accompanied by a Real Estate Validation Questionnaire. This form must be executed by either the Grantor (Seller) or the Grantee (Buyer). Certain exemptions do apply. The official form can be obtained from the Register of Deeds or from Security 1<sup>st</sup> Title. Photocopies of the official form will not be accepted.**

**NOTE: For documents electronically recorded, there is an additional third-party service fee of \$5.00 per document, which is in addition to the County recording fees.**

**11.**

4. If asked to issue a title insurance commitment for a potential buyer of the subject property, the commitment would include the following exceptions, along with any other matters that may arise after the date of this report:
  1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met
  2. Rights or claims of parties in possession not shown by the Public Records
  3. Easements, or claims of easements, not shown by the Public Records
  4. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land
  5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
  6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records
  - 7.



# Security 1<sup>st</sup> Title

Any questions regarding this report should be directed to: **Judy Cachard**

Phone: **316-322-8164**, Email: **jcachard@security1st.com**

The lien of the General Taxes for the year **2020**, and thereafter.

- 8. General taxes and special assessments for the fiscal year 2019 in the original amount of \$2,384.71.**  
First Installment: \$1,192.36, PAID  
Second Installment: \$1,192.35, PAID  
Property I.D. # 008-5489020 (Tract 1)  
PIN #008-5489068
- 9. General taxes and special assessments for the fiscal year 2019 in the original amount of \$4,381.99.**  
First Installment: \$2,191.00, PAID  
Second Installment: \$2,190.99, PAID  
Property I.D. # 008-5489020 (Tract 2)  
PIN #008-5489020
- 10. The following matters which are shown on or disclosed by the recorded plat ]referred to in the legal description: easements, building setback lines, pipelines, and access controls. (Tract 2)**
- 11. An easement for pipeline right-of-way, recorded as Misc. Book 182, Page 397; Misc. Book 183, Page 460; Misc. Book 184, Page 561; Misc. Book 188, Page 17, and as Modified in Book 2010, Page 7325.**  
In favor of: The Vickers Petroleum Co., Inc., and assigns  
Affects: portion of subject property (Tract 2)
- 12. Terms and provisions contained in the document entitled "Attachment of Territory to Rural High School Distrit No. 5, Butler County, Kansas" filed June 30, 1961 as Misc. Book 247, Page 306.**
- 13. Rights of the owners of the mineral estate] as conveyed or reserved on/in Book 1326, Page 156; and of the parties claiming thereunder.**
- 14. Utility and Drainage Easement filed in Book 2008, page 9664**  
In favor of: the City of El Dorado, Kansas  
Affects: a portion of Tract 1 and 2
- 15. Terms and provisions of the oil and gas lease executed between D.E. Fulkerson and Ella Fulkerson, lessor, and Ralph B. Ralston, lessee, for a**



# Security 1<sup>st</sup> Title

Any questions regarding this report should be directed to: **Judy Cachard**

Phone: **316-322-8164**, Email: [jcachard@security1st.com](mailto:jcachard@security1st.com)

**primary term of 5 years, filed August 19, 1915, recorded in/on Misc. Book M, Page 115, as assigned, together with all subsequent assignments and conveyances.**

- 16. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exceptions, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interest or rights excepted in (a) or (b) appear in the Public Records or are shown in Schedule B.**
- 17. Subject property may become subject to special assessments for various capital improvements as evidenced by numerous governmental filings of notice in the form of an ordinance in Misc. Book 417, Page 18 and resolutions in Book 1325, Page 134; Book 2009, Page 4270; Book 2009, Page 8380 and in Book 2013, Page 17131.**
- 18. Rights of parties in possession under unrecorded leases.**

Dated: **August 7, 2020, at 7:30 a.m.**

SECURITY 1<sup>ST</sup> TITLE

By: \_\_\_\_\_

LICENSED ABSTRACTER

**EXHIBIT "A"**

**Tract 1:**

**Surface only:**

**The Southwest Quarter of the Northwest Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M., EXCEPT Beginning at the Southeast corner of the Southwest Quarter of the Northwest Quarter of said Section, thence West 400 feet, thence North 800 feet, thence East 400 feet, thence South 800 feet to the point of beginning, Butler County, Kansas. Subject to public road.**

**AND EXCEPT:**

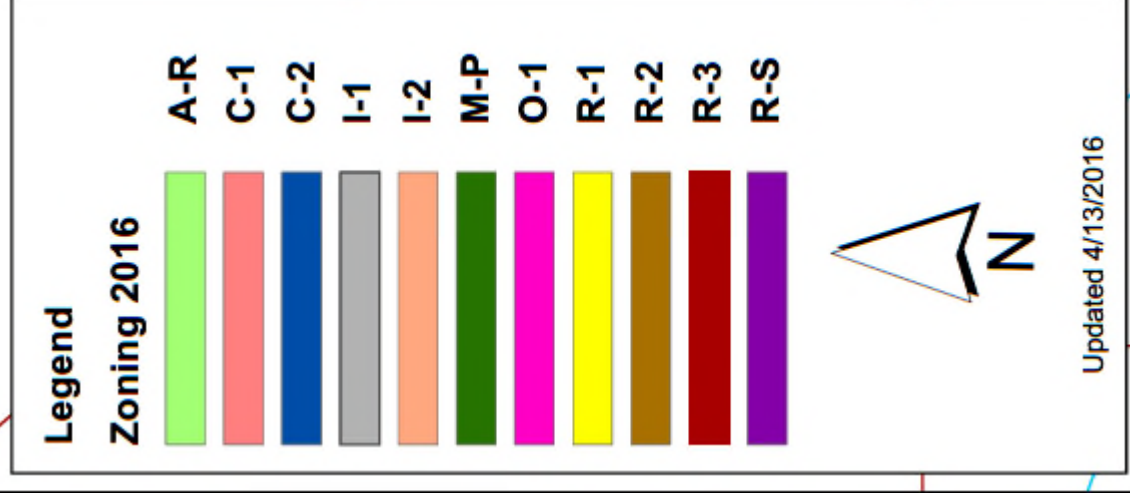
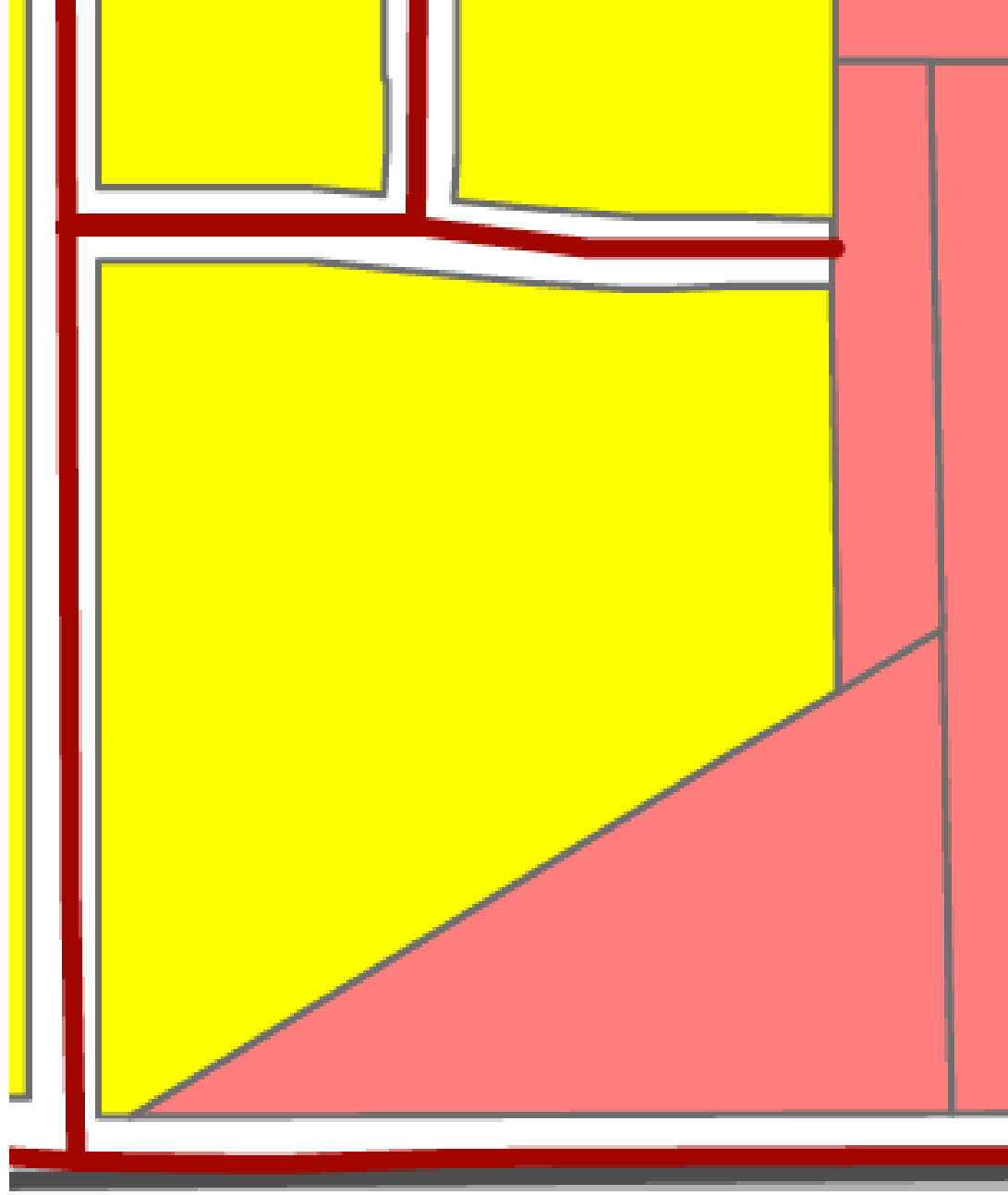
**That part of the Southwest Quarter of the Northwest Quarter of Section 4, Township 26 South, Range 5 East of the 6th PM, Butler County, Kansas, platted as Prairie Land Estates 1st Addition, Prairie Land Estates 2nd Addition and Prairie Land Estates Commercial.**

**Tract 2:**

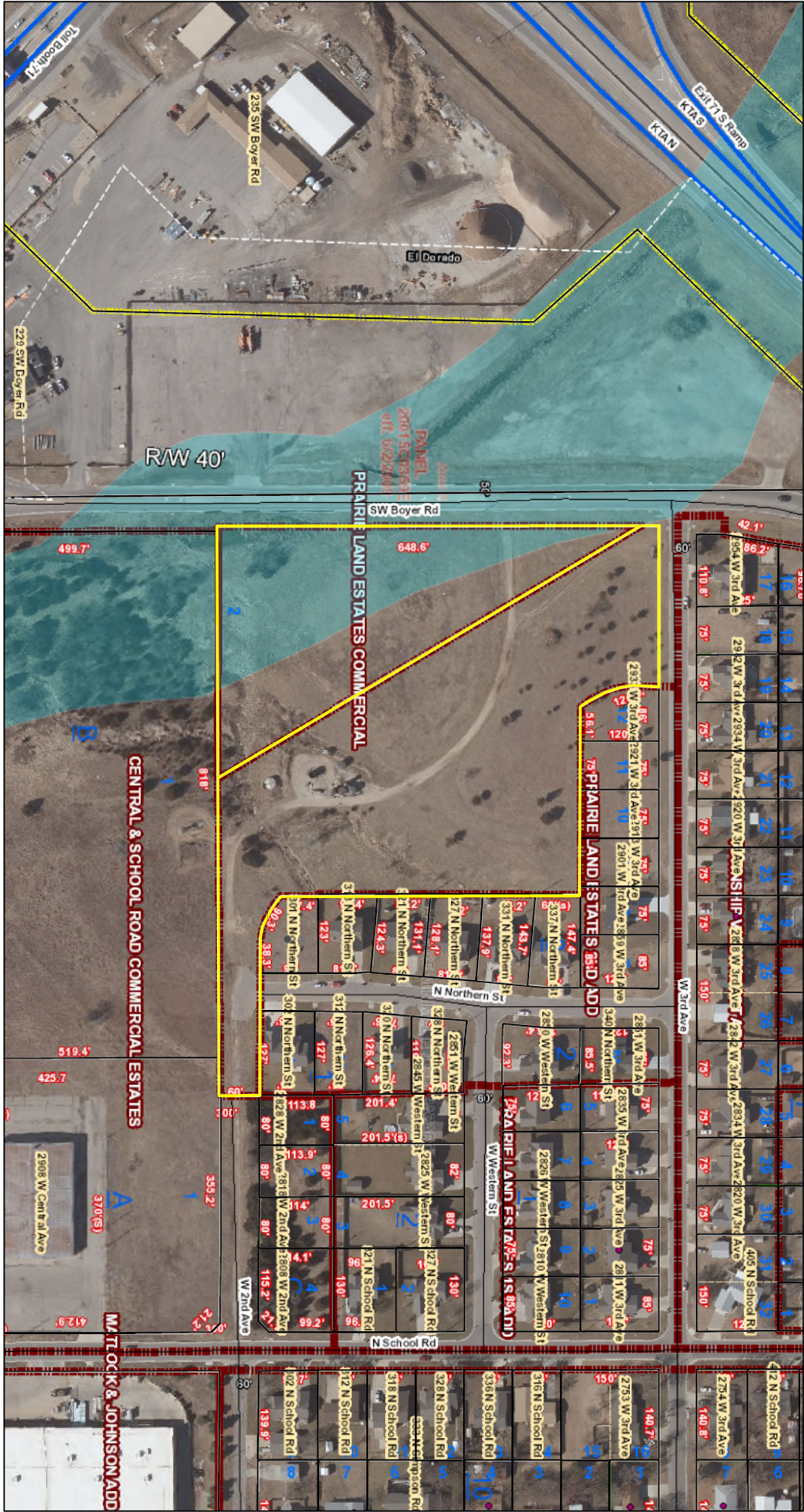
**Lot 2, Block 1, Prairie Land Estates Commercial Addition to El Dorado, Butler County, Kansas.**

# 9+/- Acres at Boyer & 3rd St. - El Dorado, KS

## Zoning : R-1 Residential & C-1 Commercial



9 +/- Acres at Boyer Rd. & 3rd Ave, El Dorado, KS 67042 - Flood Zone



8/11/2020, 4:02:48 PM

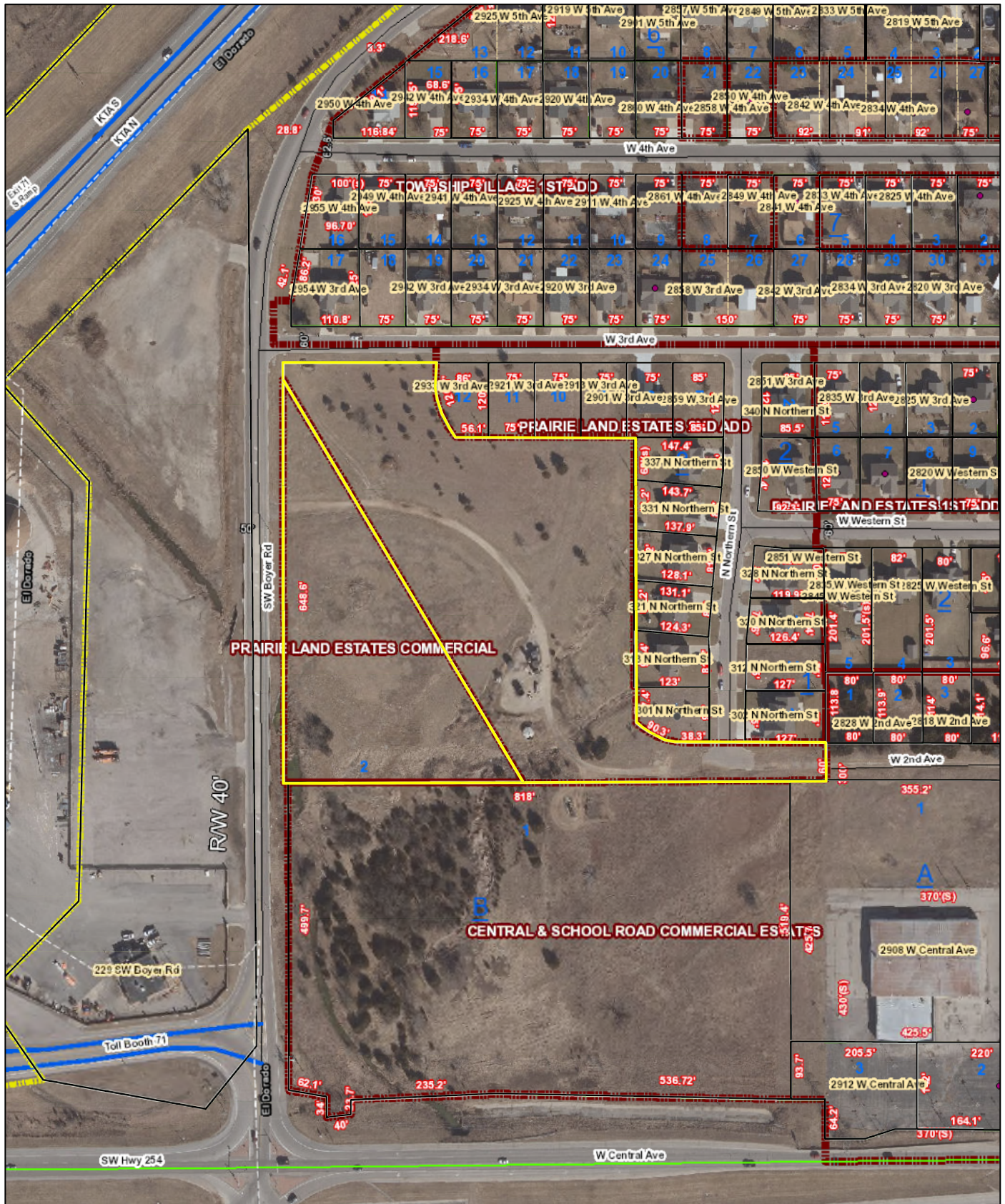
1:2,257

- Parcel Data
- COUNTY ASPHALT
- STATE HWY
- Lot and Parcel Lines
- Flood Hazard Boundaries
- Other Boundaries
- Limit Lines
- Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community
- BLDG\_LL
- COUNTY GRAVEL
- TOWNSHIP
- Lot Lines
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard
- SFHA / Flood Zone Boundary
- USDA, USGS, AeroGRID, IGN, and the GIS User Community
- Municipal Boundaries
- KANSAS TURNPIKE
- US HWY
- Parcel Lines
- 1% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee
- AddressPoints
- PAPER
- Lot Lines
- Flood Hazard Zones
- Regulatory Floodway
- PRIVATE
- Contiguous Lot and Parcel Lines
- Regulatory Floodway
- CITY
- Contiguous Parcel Lines

The information contained on this map is to locate, identify and inventory real property for taxing purposes, and not to be utilized in place of a survey for boundary determinations.

Butler County GIS/Mapping

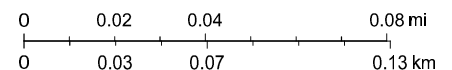
# 9 +/- Acres at Boyer Rd. & 3rd Ave, El Dorado, KS 67042 - Aerial



8/11/2020, 4:04:39 PM

- Parcel Data
- BLDG\_LL
- Municipal Boundaries
- AddressPoints
- RoadCenterline
- CITY
- COUNTY ASPHALT
- COUNTY GRAVEL
- KANSAS TURNPIKE
- PAPER
- PRIVATE
- STATE HWY
- TOWNSHIP
- US HWY
- Lot Lines
- Contiguous Lot and Parcel Lines
- Contiguous Parcel Lines
- Lot and Parcel Lines
- Lot Lines

1:2,257



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Butler County GIS/Mapping

The information contained on this map is to locate, identify and inventory real property for taxing purposes, and not to be utilized in place of a survey for boundary determinations.

## TERMS AND CONDITIONS

Thank you for participating in today's auction. The auction will be conducted by McCurdy Auction, LLC ("McCurdy") on behalf of the owner of the real estate (the "Seller"). The real estate offered for sale at auction (the "Real Estate") is fully described in the Contract for Purchase and Sale, a copy of which is available for inspection from McCurdy.

1. Any person who registers or bids at this Auction (the "Bidder") agrees to be bound by these Terms and Conditions, the auction announcements, and, in the event that Bidder is the successful bidder, the Contract for Purchase and Sale.
2. The Real Estate is not offered contingent upon inspections. The Real Estate is offered at public auction in its present, "as is where is" condition and is accepted by Bidder without any expressed or implied warranties or representations from Seller or McCurdy, including, but not limited to, the following: the condition of the Real Estate; the Real Estate's suitability for any or all activities or uses; the Real Estate's compliance with any laws, rules, ordinances, regulations, or codes of any applicable government authority; the Real Estate's compliance with environmental protection, pollution, or land use laws, rules, regulations, orders, or requirements; the disposal, existence in, on, or under the Real Estate of any hazardous materials or substances; or any other matter concerning the Real Estate. It is incumbent upon Bidder to exercise Bidder's own due diligence, investigation, and evaluation of suitability of use for the Real Estate prior to bidding. It is Bidder's responsibility to have any and all desired inspections completed prior to bidding including, but not limited to, the following: roof; structure; termite; environmental; survey; encroachments; groundwater; flood designation; presence of lead-based paint or lead based paint hazards; presence of radon; presence of asbestos; presence of mold; electrical; appliances; heating; air conditioning; mechanical; plumbing (including water well, septic, or lagoon compliance); sex offender registry information; flight patterns; or any other desired inspection. Bidder acknowledges that Bidder has been provided an opportunity to inspect the Real Estate prior to the auction and that Bidder has either performed all desired inspections or accepts the risk of not having done so. Any information provided by Seller or McCurdy has been obtained from a variety of sources. Seller and McCurdy have not made any independent investigation or verification of the information and make no representation as to its accuracy or completeness. In bidding on the Real Estate, Bidder is relying solely on Bidder's own investigation of the Real Estate and not on any information provided or to be provided by Seller or McCurdy.
3. Notwithstanding anything herein to the contrary, to the extent any warranties or representations may be found to exist, the warranties or representations are between Seller and Bidder. McCurdy may not be held responsible for the correctness of any such representations or warranties or for the accuracy of the description of the Real Estate. There will be a 10% buyer's premium (\$1,500.00 minimum) added to the final bid. The buyer's premium, together with the final bid amount, will constitute the total purchase price of the Real Estate.
4. There will be a 10% buyer's premium (\$1,500.00 minimum) added to the final bid. The buyer's premium, together with the final bid amount, will constitute the total purchase price of the Real Estate.
5. The Real Estate is not offered contingent upon financing.
6. In the event that Bidder is the successful bidder, Bidder must immediately execute the Contract for Purchase and Sale and tender a nonrefundable earnest money deposit in the form of cash, check, or immediately available, certified funds and in the amount set forth by McCurdy. The balance of the purchase price will be due in immediately available, certified funds at closing on the specified closing date. The Real Estate must close within 30 days of the date of the auction, or as otherwise agreed to by Seller and Bidder.
7. Auction announcements take precedence over anything previously stated or printed, including these Terms and Conditions.
8. A bid placed by Bidder will be deemed conclusive proof that Bidder has read, understands, and agrees to be bound by these Terms and Conditions.
9. These Terms and Conditions, especially as they relate to the qualifications of potential bidders, are designed for the

protection and benefit of Seller and do not create any additional rights or causes of action for Bidder. On a case-by-case basis, and at the sole discretion of Seller or McCurdy, exceptions to certain Terms and Conditions may be made.

10. In the event Bidder is the successful bidder at the auction, Bidder's bid constitutes an irrevocable offer to purchase the Real Estate and Bidder will be bound by said offer. In the event that Bidder is the successful bidder but fails or refuses to execute the Contract for Purchase and Sale, Bidder acknowledges that, at the sole discretion of Seller, these signed Terms and Conditions together with the Contract for Purchase and Sale executed by the Seller are to be construed together for the purposes of satisfying the statute of frauds and will collectively constitute an enforceable agreement between Bidder and Seller for the sale and purchase of the Real Estate.
11. It is the responsibility of Bidder to make sure that McCurdy is aware of Bidder's attempt to place a bid. McCurdy disclaims any liability for damages resulting from bids not spotted, executed, or acknowledged. McCurdy is not responsible for errors in bidding and Bidder releases and waives any claims against McCurdy for bidding errors. Once a bid has been acknowledged by the auctioneer, the bid cannot be retracted.
12. Bidder authorizes McCurdy to film, photograph, or otherwise record the voice or image of Bidder and any guests or minors accompanying Bidder at this auction and to use the films, photographs, recordings, or other information about the auction, including the sales price of the Real Estate, for promotional or other commercial purposes.
13. Broker/agent participation is invited. Broker/agents must pre-register with McCurdy no later than 5 p.m. on the business day prior to the auction by completing the Broker Registration Form, available on McCurdy's website.
14. McCurdy is acting solely as agent for Seller and not as an agent for Bidder. McCurdy is not a party to any Contract for Purchase and Sale between Seller and Bidder. In no event will McCurdy be liable to Bidder for any damages, including incidental or consequential damages, arising out of or related to this auction, the Contract for Purchase and Sale, or Seller's failure to execute or abide by the Contract for Purchase and Sale.
15. Neither Seller nor McCurdy, including its employees and agents, will be liable for any damage or injury to any property or person at or upon the premises. Any person entering on the premises assumes any and all risks whatsoever for their safety and for any minors or guests accompanying them. Seller and McCurdy expressly disclaim any "invitee" relationship and are not responsible for any defects or dangerous conditions on the premises, whether obvious or hidden. Seller and McCurdy are not responsible for any lost, stolen, or damaged property.
16. McCurdy reserves the right to establish all bidding increments.
17. McCurdy may, in its sole discretion, reject, disqualify, or refuse any bid believed to be fraudulent, illegitimate, not in good faith, made by someone who is not competent, or made in violation of these Terms and Conditions or applicable law.
18. Bidder represents and warrants that they are bidding on their own behalf and not on behalf of or at the direction of Seller.
19. The Real Estate is offered for sale to all persons without regard to race, color, religion, sex, handicap, familial status, or national origin.
20. These Terms and Conditions are binding on Bidder and on Bidder's partners, representatives, employees, successors, executors, administrators, and assigns.
21. In the event that any provision contained in these Terms and Conditions is determined to be invalid, illegal, or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions of the Terms and Conditions will not be in any way impaired.
22. These Terms and Conditions are to be governed by and construed in accordance with the laws of Kansas, but without regard to Kansas's rules governing conflict of laws. Exclusive venue for all disputes lies in either the Sedgwick County, Kansas District Court or the United States District Court in Wichita, Kansas. Bidder submits to and accepts the jurisdiction of such courts.

# GUIDE TO AUCTION COSTS

## WHAT TO EXPECT

### THE SELLER CAN EXPECT TO PAY

- Half of the Owner's Title Insurance
- Half of the Title Company's Closing Fee
- Real Estate Commission (*If Applicable*)
- Advertising Costs
- Payoff of All Loans, Including Accrued Interest, Statement Fees, Reconveyance Fees and Any Prepayment Penalties
- Any Judgments, Tax Liens, etc. Against the Seller
- Recording Charges Required to Convey Clear Title
- Any Unpaid Taxes and Tax Proration for the Current Year
- Any Unpaid Homeowner's Association Dues
- Rent Deposits and Prorated Rents (*If Applicable*)

### THE BUYER CAN GENERALLY EXPECT TO PAY

- Half of the Owner's Title Insurance
- Half of the Title Company's Closing Fee
- 10% Buyer's Premium (*If Applicable*)
- Document Preparation (*If Applicable*)
- Notary Fees (*If Applicable*)
- Recording Charges for All Documents in Buyer's Name
- Homeowner's Association Transfer / Setup Fee (*If Applicable*)
- All New Loan Charges (*If Obtaining Financing*)
- Lender's Title Policy Premiums (*If Obtaining Financing*)
- Homeowner's Insurance Premium for First Year
- All Prepaid Deposits for Taxes, Insurance, PMI, etc. (*If Applicable*)

