



### **316 +/- Acres at Road K | Hugoton, KS 67951**

AUCTION: BIDDING OPENS: Tues, May 31<sup>st</sup> @ 2:00 PM

BIDDING CLOSING: Thurs, June 16<sup>th</sup> @ 2:10 PM

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



**McCurdy**  
REAL ESTATE & AUCTION



## Table of Contents

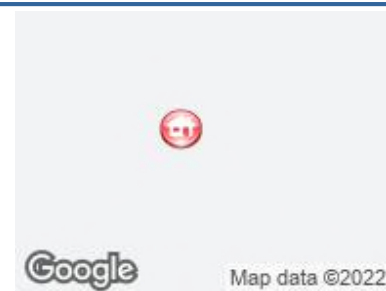
|                                                 |
|-------------------------------------------------|
| PROPERTY DETAIL PAGE                            |
| SELLER'S PROPERTY DISCLOSURE ACKNOWLEDGEMENT    |
| SECURITY 1 <sup>ST</sup> TITLE WIRE FRAUD ALERT |
| ZONING MAP                                      |
| FLOOD ZONE MAP                                  |
| AERIAL MAP                                      |
| SOIL REPORT                                     |
| ACRE VALUE REPORT                               |
| FSA REPORT                                      |
| 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 Real Estate & 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 #** 611551  
**Class** Land  
**Property Type** Farm  
**County** Stevens  
**Area** OUT - Out of Area  
**Address** 316 +/- Acres Road K  
**Address 2**  
**City** Hugoton  
**State** KS  
**Zip** 67951  
**Status** Active  
**Contingency Reason**  
**Asking Price** \$0  
**For Sale/Auction/For Rent** Auction  
**Associated Document Count** 4



## GENERAL

|                                               |                                                           |                                   |              |
|-----------------------------------------------|-----------------------------------------------------------|-----------------------------------|--------------|
| <b>List Agent - Agent Name and Phone</b>      | BRADEN MCCURDY - OFF: 316-683-0612                        | <b>List Date</b>                  | 4/29/2022    |
| <b>List Office - Office Name and Phone</b>    | McCurdy Real Estate & Auction, LLC<br>- OFF: 316-867-3600 | <b>Realtor.com Y/N</b>            | Yes          |
| <b>Co-List Agent - Agent Name and Phone</b>   | Isaac Klingman                                            | <b>Display on Public Websites</b> | Yes          |
| <b>Co-List Office - Office Name and Phone</b> | McCurdy Real Estate & Auction, LLC<br>- OFF: 316-867-3600 | <b>Display Address</b>            | Yes          |
| <b>Showing Phone</b>                          | 1-800-301-2055                                            | <b>VOW: Allow AVM</b>             | Yes          |
| <b>Zoning Usage</b>                           | Agriculture                                               | <b>VOW: Allow 3rd Party Comm</b>  | Yes          |
| <b>Parcel ID</b>                              | 173050000000100C000                                       | <b>Sub-Agent Comm</b>             | 0            |
| <b>Number of Acres</b>                        | 316.00                                                    | <b>Buyer-Broker Comm</b>          | 3            |
| <b>Price Per Acre</b>                         | 0.00                                                      | <b>Transact Broker Comm</b>       | 3            |
| <b>Lot Size/SqFt</b>                          | 13,764,960                                                | <b>Variable Comm</b>              | Non-Variable |
| <b>School District</b>                        | Hugoton Public Schools (USD 210)                          | <b>Virtual Tour Y/N</b>           |              |
| <b>Elementary School</b>                      | Hugoton                                                   |                                   |              |
| <b>Middle School</b>                          | Hugoton                                                   |                                   |              |
| <b>High School</b>                            | Hugoton                                                   |                                   |              |
| <b>Subdivision</b>                            | NONE                                                      |                                   |              |
| <b>Legal</b>                                  |                                                           |                                   |              |

## DIRECTIONS

**Directions** (Hugoton) HWY 56 & HWY 25 - South to Rd. K, East to Land.

## FEATURES

|                                        |                                           |                                                |                                                  |
|----------------------------------------|-------------------------------------------|------------------------------------------------|--------------------------------------------------|
| <b>SHAPE / LOCATION</b><br>Rectangular | <b>UTILITIES AVAILABLE</b><br>Electricity | <b>FLOOD INSURANCE</b><br>Unknown              | <b>LOCKBOX</b><br>None                           |
| <b>TOPOGRAPHIC</b><br>Level<br>Wooded  | <b>IMPROVEMENTS</b><br>None               | <b>SALE OPTIONS</b><br>None                    | <b>AGENT TYPE</b><br>Sellers Agent               |
| <b>PRESENT USAGE</b><br>Tillable       | <b>OUTBUILDINGS</b><br>None               | <b>PROPOSED FINANCING</b><br>Other/See Remarks | <b>OWNERSHIP</b><br>Corporate                    |
| <b>ROAD FRONTAGE</b><br>County         | <b>MISCELLANEOUS FEATURES</b><br>None     | <b>POSSESSION</b><br>At Closing                | <b>TYPE OF LISTING</b><br>Excl Right w/o Reserve |
|                                        | <b>DOCUMENTS ON FILE</b><br>Photographs   | <b>SHOWING INSTRUCTIONS</b><br>Call Showing #  | <b>BUILDER OPTIONS</b><br>Open Builder           |

## FINANCIAL

|                                  |                    |
|----------------------------------|--------------------|
| <b>Assumable Y/N</b>             | No                 |
| <b>General Taxes</b>             | \$909.83           |
| <b>General Tax Year</b>          | 2021               |
| <b>Yearly Specials</b>           | \$0.00             |
| <b>Total Specials</b>            | \$0.00             |
| <b>HOA Y/N</b>                   | No                 |
| <b>Yearly HOA Dues</b>           |                    |
| <b>HOA Initiation Fee</b>        |                    |
| <b>Earnest \$ Deposited With</b> | Security 1st Title |

## PUBLIC REMARKS

**Public Remarks** Property offered at ONLINE ONLY auction. BIDDING OPENS: Tuesday, May 31st, 2022 at 2:00 PM (cst) | BIDDING CLOSING: Thursday, June 16th, 2022 at 2:10 PM (cst). Bidding will remain open on this property until 1 minute has passed without receiving a bid. Property available to preview by appointment. CLEAR TITLE AT CLOSING, NO BACK TAXES. ONLINE ONLY!!! NO MINIMUM, NO RESERVE!!! Great opportunity to purchase 316 +/- acres, selling regardless of price to the highest bidder, in Stevens County! 316 +/- Acres Tillable (Wheat & Grain Sorghum) Located off Rd. K Current gas production Per seller, current summer crop, if any, does not transfer with the property. Fall crop share will transfer with the property. All mineral interests held by seller will pass with the real estate to the buyer. No water rights. Definition of 'selling by the acre': A method of sale often used for agricultural or undeveloped acreage in which bids are made based on a per-acre price. By way of example, if a 160-acre parcel was offered "by the acre" the high bid may be \$5,000 an acre. That amount would then be multiplied times the total acreage to arrive at a total sales price if \$800,000. For the purposes of calculating the total sales price, the acreage will be rounded to the nearest whole acre. For example, a parcel with 158.7 acres would be offered as 159 acres. \$40,000 anticipates closing on or before 30 days from the date of sale. A 60 day close is available at the discretion of purchaser with deposit of \$50,000 in earnest money at the time of contracting. \*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. Full auction terms and conditions provided in the Property Information Packet. Total purchase price will include a 10% buyer's premium (\$1,500.00 minimum) added to the final bid. Property available to preview by appointment. 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 \$40,000.

## AUCTION

|                             |                      |                                |                 |
|-----------------------------|----------------------|--------------------------------|-----------------|
| <b>Auction Date</b>         | 5/31/2022            | <b>Auction Location</b>        | www.mccurdy.com |
| <b>Auction Offering</b>     | Real Estate Only     | <b>Auction Start Time</b>      | 2:00 PM         |
| <b>1 - Open for Preview</b> |                      | <b>1 - Open End Time</b>       |                 |
| <b>Broker Reg Deadline</b>  | 6/15/2022 by 5:00 PM | <b>Broker Registration Req</b> | Yes             |
| <b>Buyer Premium Y/N</b>    | Yes                  |                                |                 |

## TERMS OF SALE

**Terms of Sale** See Associated Documents.

## 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 2022 South Central Kansas MLS, Inc. All rights reserved. Please be aware, property may have audio/video recording devices in use.



## SELLER'S PROPERTY DISCLOSURE ACKNOWLEDGEMENT

Property Address: 154+/- And 156.4+/- Acres In Stevens County - Hugoton, KS 67951 (the "Real Estate")

By signing below, Seller acknowledges that Seller has elected not to complete a Seller's Property Disclosure because they have never occupied the Real Estate or are otherwise not familiar enough with the Real Estate to sufficiently and accurately provide the information required to complete a Seller's Property Disclosure. Notwithstanding the lack of a completed Seller's Property Disclosure, Seller has been advised and understands that the law requires disclosure of any actual known material defect in the Real Estate to prospective buyers and that failure to do so may result in civil liability for damages. Seller accordingly discloses the following actual known material defects (if none, write "none"):

None, Have never seen Property

### SELLER:

John R. Curry 4/27/22

Signature

Date

Signature

Date

Print

Print

Title

Company

Title

Company

By signing below, Buyer acknowledges that no Seller's Property Disclosure is available for the Real Estate and that it was Buyer's responsibility to have any and all desired inspections completed prior to bidding on the Real Estate and that Buyer either performed all desired inspections or accepts the risk of not having done so.

### BUYER:

Signature

Date

Signature

Date

Print

Print

Title

Company

Title

Company



## CALL BEFORE YOU WIRE FUNDS

### PROTECT YOUR MONEY WITH THESE TWO STEPS

1. At the first meeting with your Realtor®, obtain the phone number of your real estate agent and your escrow officer.
2. PRIOR to wiring funds, call the known phone number to speak directly with your escrow officer to confirm wire instructions.

### WHAT TO EXPECT FROM SECURITY 1<sup>ST</sup> TITLE WHEN YOU WIRE FUNDS.

1. To protect your business and customer's information, we will only provide wire instructions to the customer.
2. We will NOT randomly send wire instructions without a request from the customer.
3. We will NOT provide wire instructions if we do not have a signed **Wire Fraud Alert Form** for the party requesting the wire instructions.
4. We will NOT change the wire instructions in the middle of the transaction.
5. If a Buyer/Seller does receive wire instructions:
  - Wire instructions will be given verbally over the phone or sent securely via secured email.
  - The customer needs to verify our phone number at a trusted source like our website, security1st.com
  - Before sending funds, they need to call the verified office number to verify the wire instructions.

**NEVER WIRE FUNDS WITHOUT FIRST CALLING A KNOWN NUMBER FOR YOUR ESCROW OFFICER  
TO CONFIRM THE WIRE INSTRUCTIONS. DO NOT RELY ON EMAIL COMMUNICATIONS.**

The undersigned, hereby authorizes Security 1<sup>st</sup> Title to communicate regarding my real estate closing transaction via electronic communications (cell phone number, e-mail or text message). I understand that this means Security 1<sup>st</sup> Title will only communicate with me via the authorized cell phone number and email address listed below.

I also acknowledge receipt of this notice and the risks associated with, and the vulnerabilities of electronic transfer of funds. The undersigned further agree that if electronic transfer of funds is utilized in this transaction, they hereby hold Security 1<sup>st</sup> Title harmless from all claims arising out of inaccurate transfer instructions, fraudulent taking of said funds and/or any other damage relating to the conduct of third parties influencing the implementation of transfer instructions.

\_\_\_\_\_  
Buyer/Seller Name

\_\_\_\_\_  
Buyer/Seller Name

\_\_\_\_\_  
Authorized Email Address

\_\_\_\_\_  
Authorized Email Address

\_\_\_\_\_  
Authorized Phone Number

\_\_\_\_\_  
Authorized Phone Number

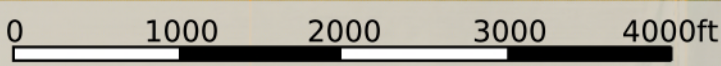
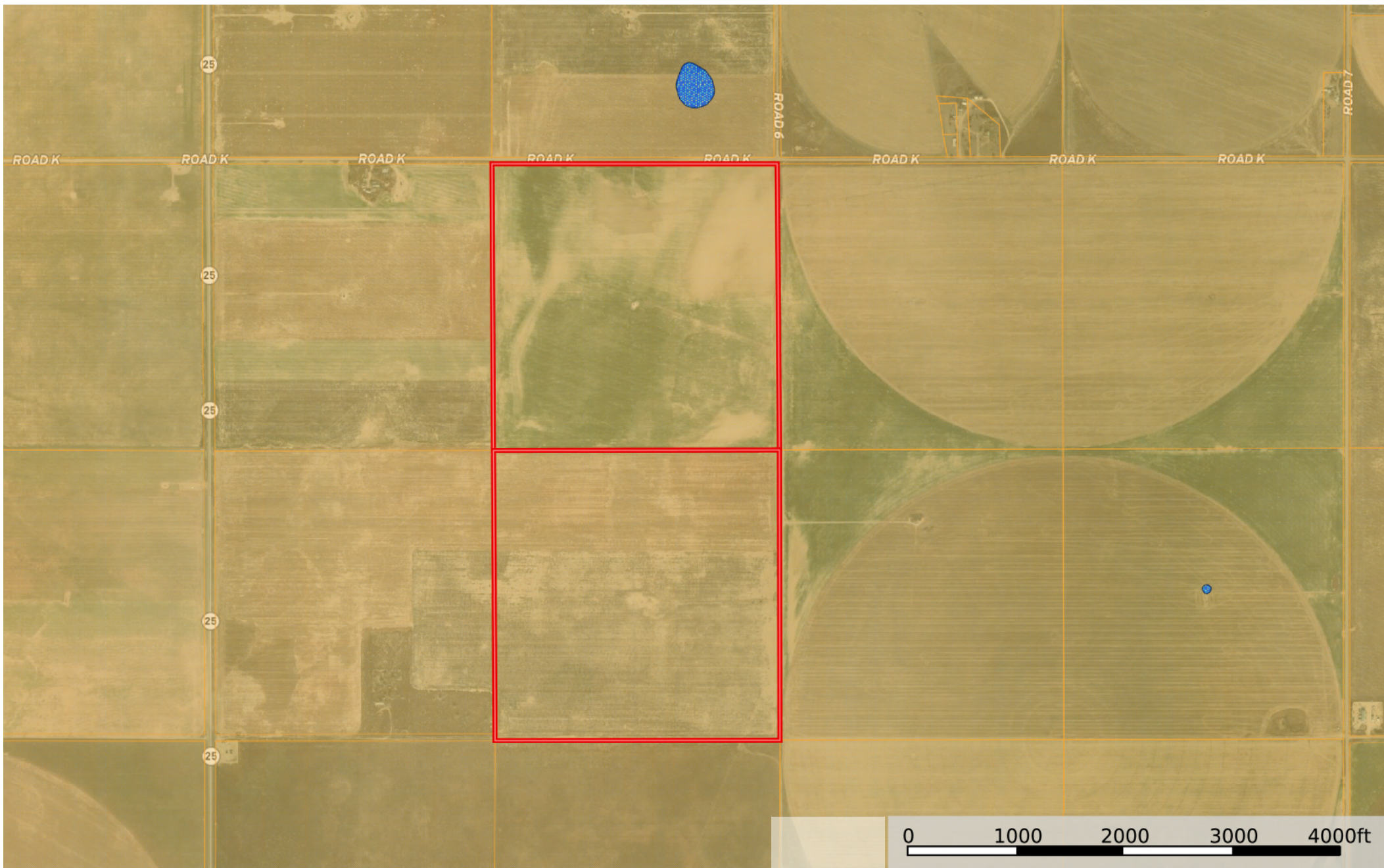
\_\_\_\_\_  
Property Address

\_\_\_\_\_  
File Number

FOR MORE INFORMATION ON WIRE-FRAUD SCAMS OR TO REPORT AN INCIDENT, PLEASE REFER TO THE FOLLOWING LINKS:

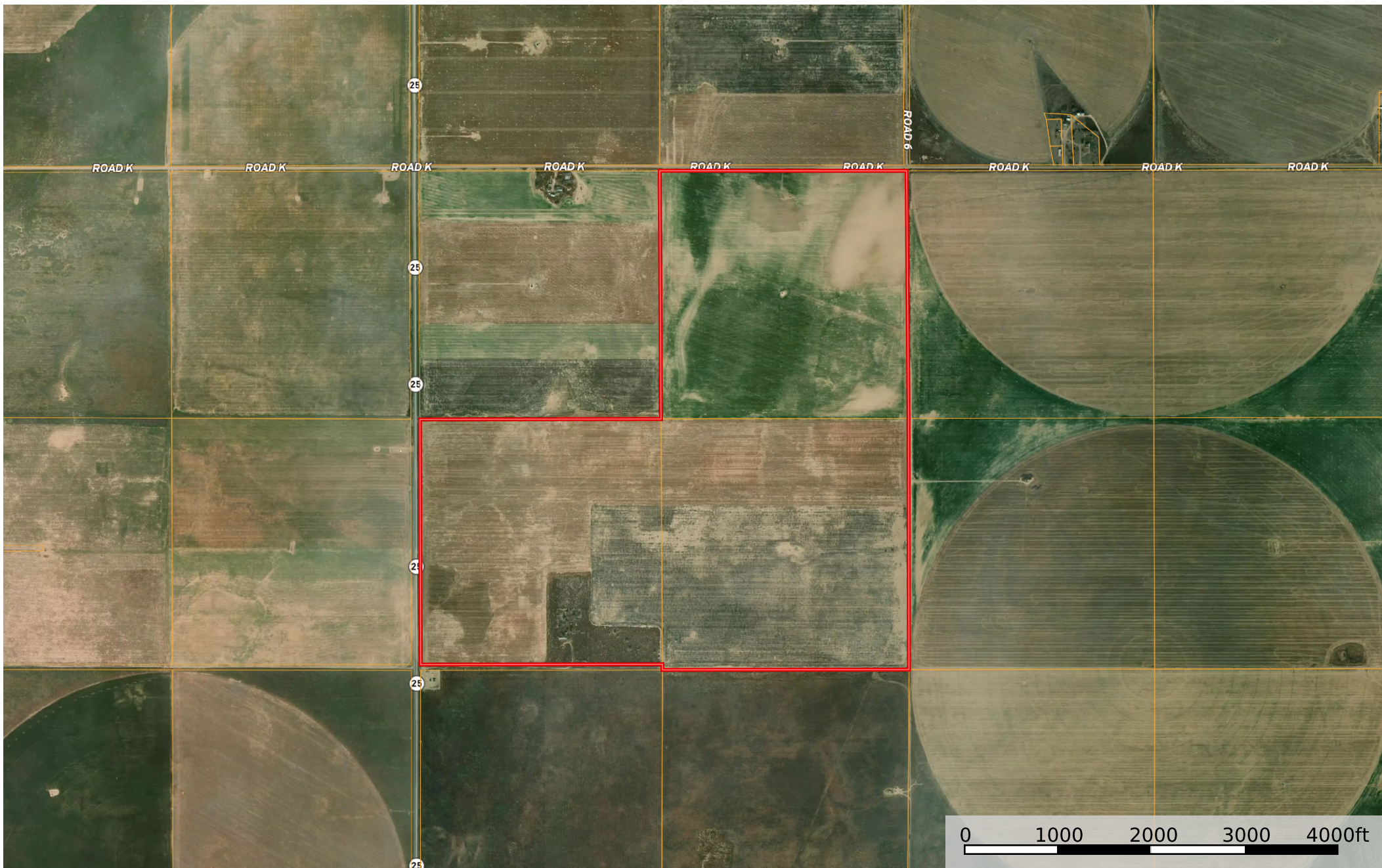
**Federal Bureau of Investigation:** <http://www.fbi.gov>

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

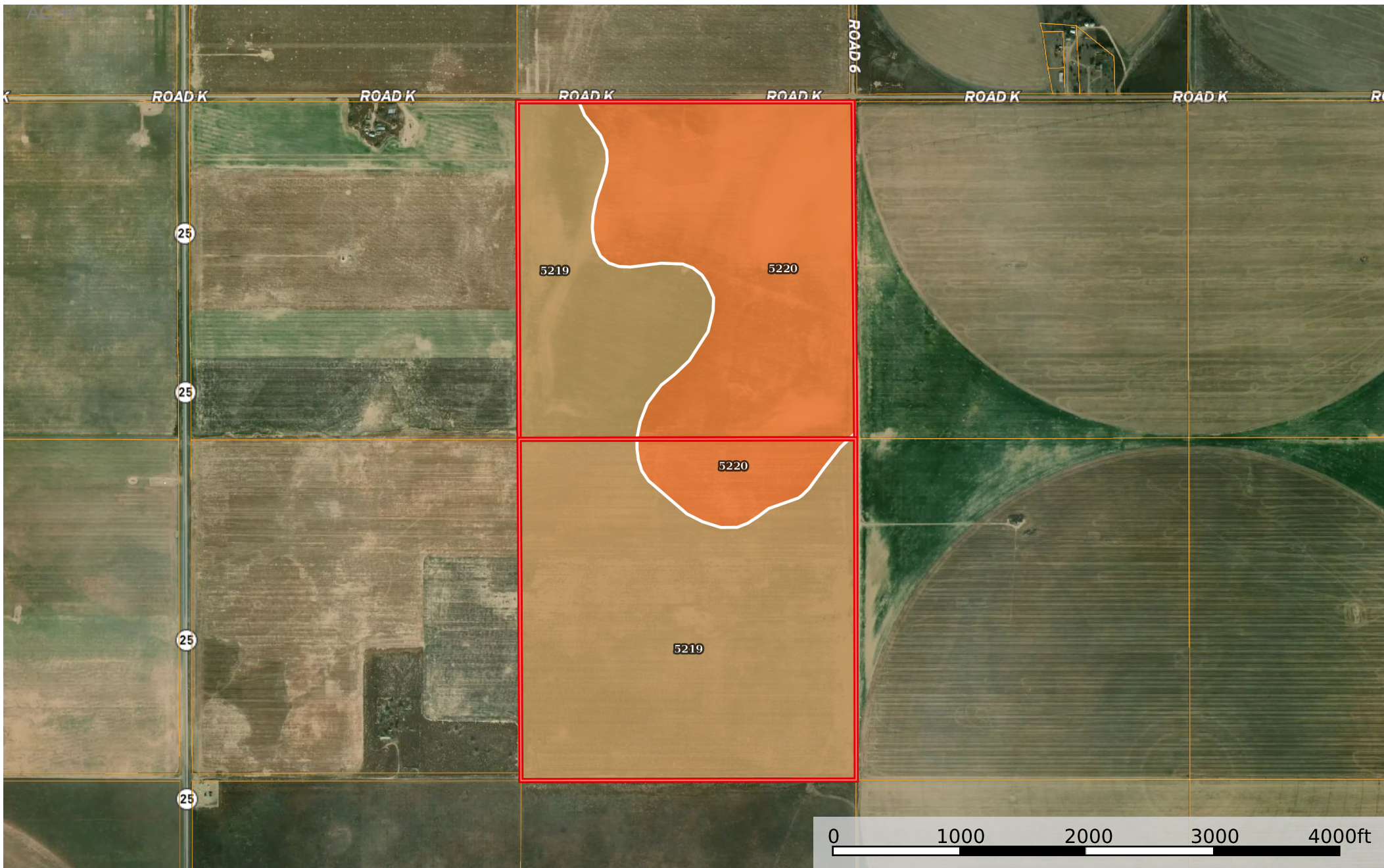


- Boundary
- 100 Year Floodplain
- 500 Year Floodplain
- Floodway
- Special
- Unmapped/ Not Included
- Wetlands
- Riparian
- Stream, Intermittent
- River/Creek
- Water Body

Kansas, AC +/-



 Boundary



Boundary



|  All Polygons 323.45 ac

| SOIL CODE | SOIL DESCRIPTION                               | ACRES     | %     | CPI | NCCPI | CAP  |
|-----------|------------------------------------------------|-----------|-------|-----|-------|------|
| 5219      | Dalhart loamy fine sand, 0 to 3 percent slopes | 203.48    | 62.91 | 0   | 43    | 3e   |
| 5220      | Dalhart loamy fine sand, 3 to 5 percent slopes | 119.97    | 37.09 | 0   | 45    | 4e   |
| TOTALS    |                                                | 323.44(*) | 100%  | -   | 43.74 | 3.37 |

(\*) Total acres may differ in the second decimal compared to the sum of each acreage soil. This is due to a round error because we only show the acres of each soil with two decimal.

|  Boundary 160.82 ac

| SOIL CODE | SOIL DESCRIPTION                               | ACRES     | %     | CPI | NCCPI | CAP  |
|-----------|------------------------------------------------|-----------|-------|-----|-------|------|
| 5220      | Dalhart loamy fine sand, 3 to 5 percent slopes | 101.83    | 63.32 | 0   | 45    | 4e   |
| 5219      | Dalhart loamy fine sand, 0 to 3 percent slopes | 58.99     | 36.68 | 0   | 43    | 3e   |
| TOTALS    |                                                | 323.44(*) | 100%  | -   | 44.27 | 3.63 |

(\*) Total acres may differ in the second decimal compared to the sum of each acreage soil. This is due to a round error because we only show the acres of each soil with two decimal.

|  Boundary 162.63 ac

| SOIL CODE | SOIL DESCRIPTION                               | ACRES     | %     | CPI | NCCPI | CAP  |
|-----------|------------------------------------------------|-----------|-------|-----|-------|------|
| 5219      | Dalhart loamy fine sand, 0 to 3 percent slopes | 144.49    | 88.85 | 0   | 43    | 3e   |
| 5220      | Dalhart loamy fine sand, 3 to 5 percent slopes | 18.14     | 11.15 | 0   | 45    | 4e   |
| TOTALS    |                                                | 323.44(*) | 100%  | -   | 43.22 | 3.11 |

(\*) Total acres may differ in the second decimal compared to the sum of each acreage soil. This is due to a round error because we only show the acres of each soil with two decimal.

## Capability Legend

Increased Limitations and Hazards

Decreased Adaptability and Freedom of Choice Users

| Land, Capability |  |  |  |  |  |  |  |  |
|------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
|                  | 1                                                                                 | 2                                                                                 | 3                                                                                 | 4                                                                                 | 5                                                                                  | 6                                                                                   | 7                                                                                   | 8                                                                                   |
| 'Wild Life'      | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                  | •                                                                                   | •                                                                                   | •                                                                                   |
| Forestry         | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                  | •                                                                                   | •                                                                                   |                                                                                     |
| Limited          | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                  | •                                                                                   | •                                                                                   |                                                                                     |
| Moderate         | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                  | •                                                                                   |                                                                                     |                                                                                     |
| Intense          | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                  |                                                                                     |                                                                                     |                                                                                     |
| Limited          | •                                                                                 | •                                                                                 | •                                                                                 | •                                                                                 |                                                                                    |                                                                                     |                                                                                     |                                                                                     |
| Moderate         | •                                                                                 | •                                                                                 | •                                                                                 |                                                                                   |                                                                                    |                                                                                     |                                                                                     |                                                                                     |
| Intense          | •                                                                                 | •                                                                                 |                                                                                   |                                                                                   |                                                                                    |                                                                                     |                                                                                     |                                                                                     |
| Very Intense     | •                                                                                 |                                                                                   |                                                                                   |                                                                                   |                                                                                    |                                                                                     |                                                                                     |                                                                                     |

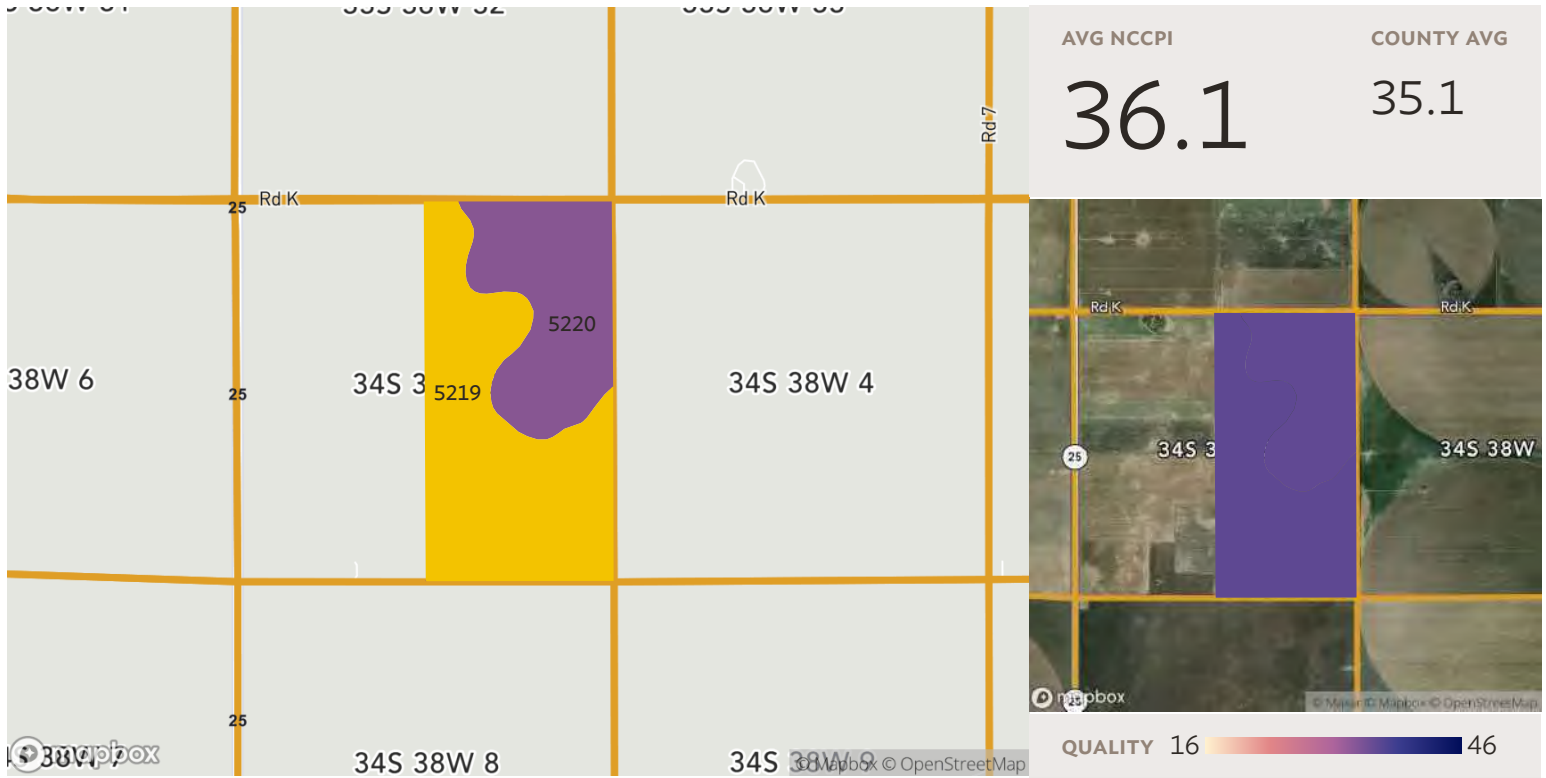
## Grazing Cultivation

(c) climatic limitations (e) susceptibility to erosion

(s) soil limitations within the rooting zone (w) excess of water

2 fields, 324 acres in Stevens County, KS

TOWNSHIP/SECTION 34S 38W – 5



## All fields

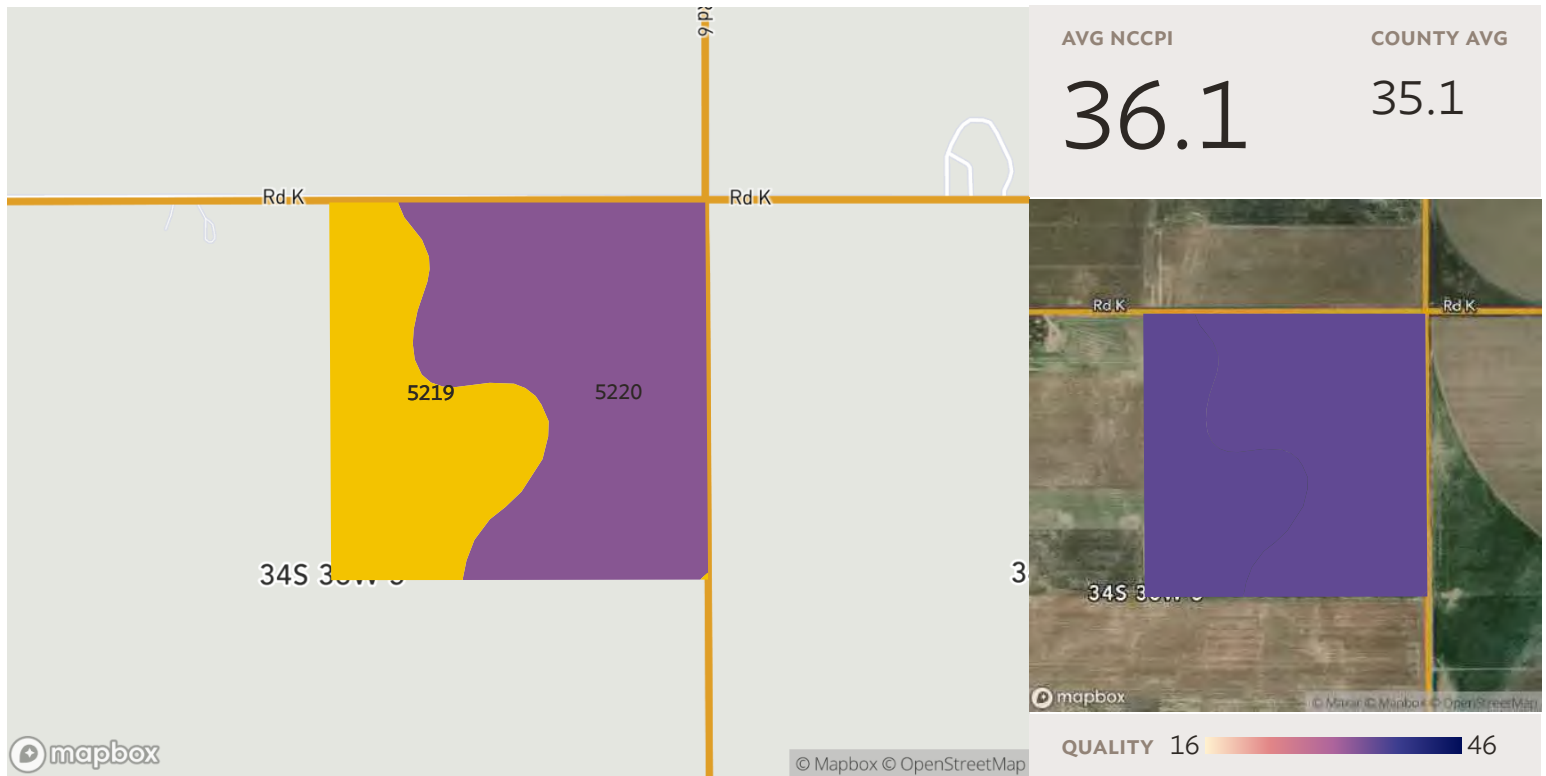
Source: NRCS Soil Survey

324 ac.

| SOIL CODE     | SOIL DESCRIPTION                               | ACRES  | PERCENTAGE OF FIELD | SOIL CLASS | NCCPI       |
|---------------|------------------------------------------------|--------|---------------------|------------|-------------|
| 5219          | Dalhart loamy fine sand, 0 to 3 percent slopes | 203.59 | 62.9%               | 3          | 36.2        |
| 5220          | Dalhart loamy fine sand, 3 to 5 percent slopes | 120.11 | 37.1%               | 3          | 36.0        |
| <b>323.69</b> |                                                |        |                     |            | <b>36.1</b> |

2 fields, 324 acres in Stevens County, KS

TOWNSHIP/SECTION 34S 38W – 5



## Field 1

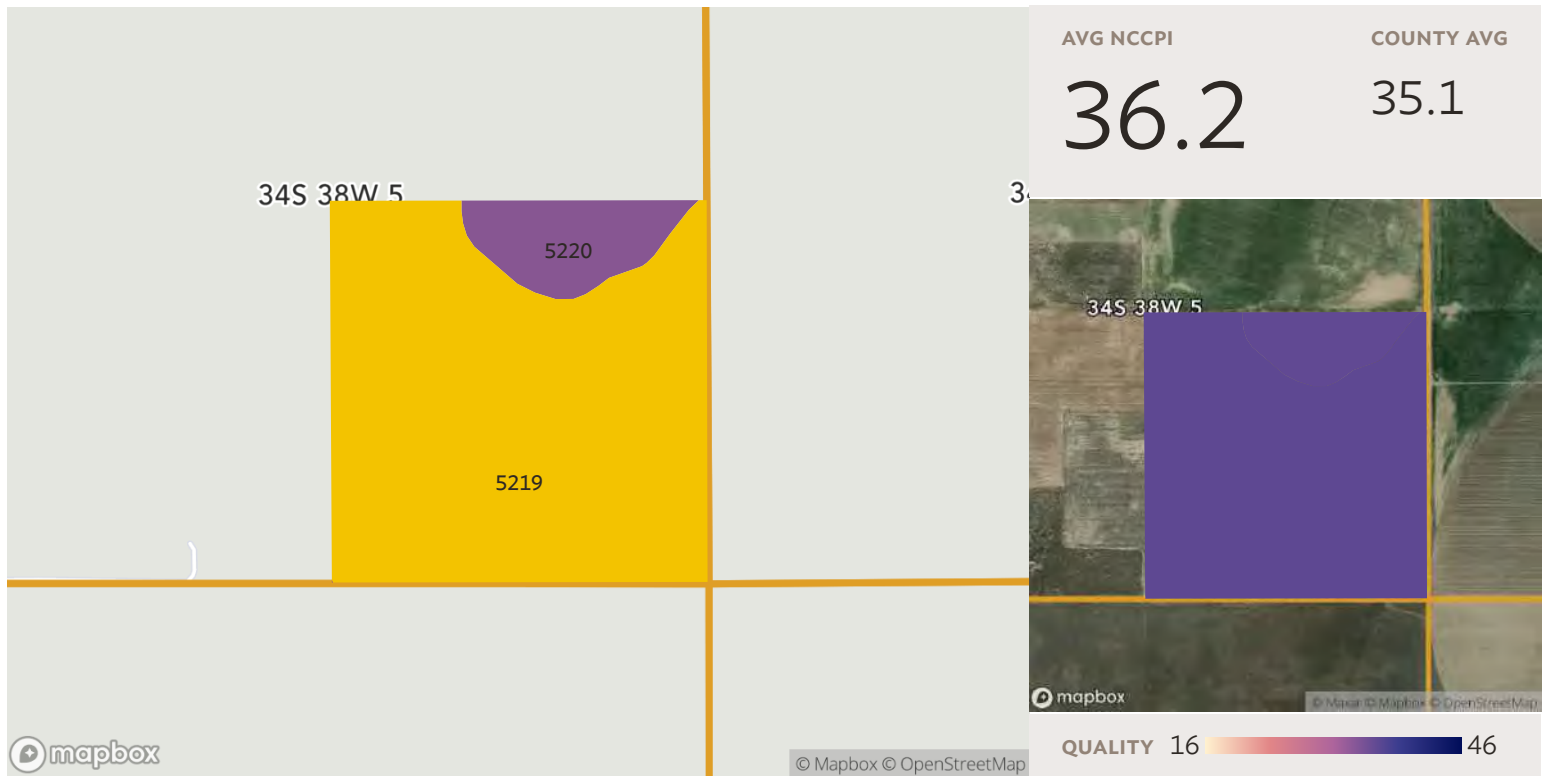
Source: NRCS Soil Survey

161 ac.

| SOIL CODE     | SOIL DESCRIPTION                               | ACRES  | PERCENTAGE OF FIELD | SOIL CLASS | NCCPI       |
|---------------|------------------------------------------------|--------|---------------------|------------|-------------|
| ■ 5220        | Dalhart loamy fine sand, 3 to 5 percent slopes | 102.04 | 63.4%               | 3          | 36.0        |
| ■ 5219        | Dalhart loamy fine sand, 0 to 3 percent slopes | 58.90  | 36.6%               | 3          | 36.2        |
| <b>160.94</b> |                                                |        |                     |            | <b>36.1</b> |

2 fields, 324 acres in Stevens County, KS

TOWNSHIP/SECTION 34S 38W – 5



Source: NRCS Soil Survey

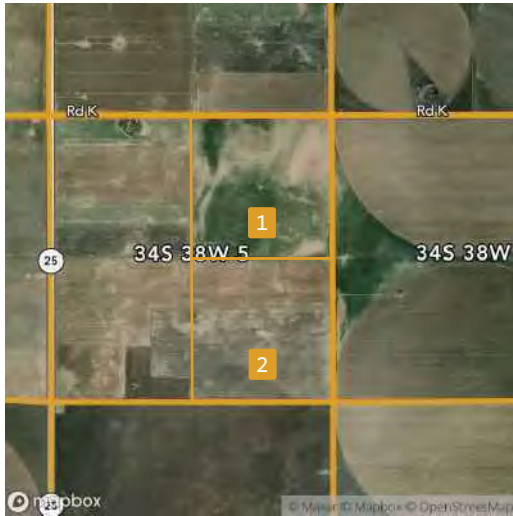
## Field 2

163 ac.

| SOIL CODE | SOIL DESCRIPTION                               | ACRES         | PERCENTAGE OF FIELD | SOIL CLASS | NCCPI       |
|-----------|------------------------------------------------|---------------|---------------------|------------|-------------|
| ■ 5219    | Dalhart loamy fine sand, 0 to 3 percent slopes | 144.69        | 88.9%               | 3          | 36.2        |
| ■ 5220    | Dalhart loamy fine sand, 3 to 5 percent slopes | 18.07         | 11.1%               | 3          | 36.0        |
|           |                                                | <b>162.76</b> |                     |            | <b>36.2</b> |

2 fields, 324 acres in Stevens County, KS

TOWNSHIP/SECTION 34S 38W – 5



## All fields

324 ac.



2020



2019



2018

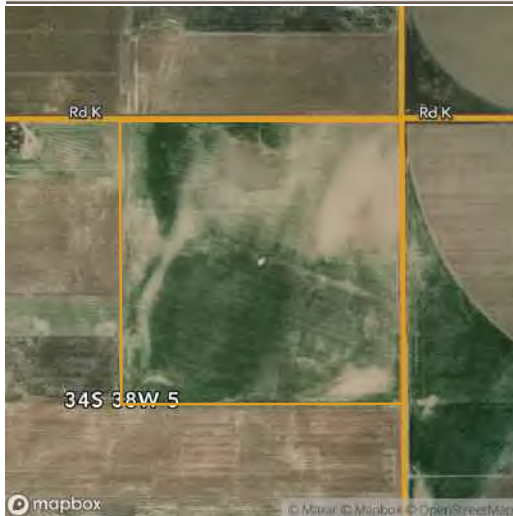


2017



2016

|              |       |       |       |       |       |
|--------------|-------|-------|-------|-------|-------|
| Winter Wheat | 47.2% | 49.3% | 1.9%  | 44.2% | 49.0% |
| Corn         | 46.0% | 0.9%  | 3.1%  | 46.8% | 0.5%  |
| Fallow       | 4.3%  | 48.8% | 46.7% | 0.4%  | 44.6% |
| Sorghum      | 1.2%  | 0.3%  | 44.0% | 0.4%  | 0.7%  |
| Other        | 1.4%  | 0.7%  | 4.2%  | 8.2%  | 5.2%  |



## Field 1

161 ac.



2020



2019



2018



2017



2016

|              |       |       |       |       |       |
|--------------|-------|-------|-------|-------|-------|
| Winter Wheat | 94.3% | 0.2%  | 1.3%  | 88.4% | 1.7%  |
| Fallow       | 1.0%  | 96.6% | 0.1%  | 0.8%  | 88.6% |
| Sorghum      | 0.4%  | 0.5%  | 87.7% | –     | 1.5%  |
| Corn         | 4.2%  | 1.4%  | 5.4%  | 2.1%  | 0.9%  |
| Non-Cropland | –     | 0.9%  | 5.4%  | 6.4%  | 6.8%  |
| Other        | 0.1%  | 0.3%  | 0.1%  | 2.3%  | 0.6%  |

2 fields, 324 acres in Stevens County, KS

TOWNSHIP/SECTION 34S 38W – 5



## Field 2

163 ac.



2020 2019 2018 2017 2016

|                                                    |       |       |       |       |       |
|----------------------------------------------------|-------|-------|-------|-------|-------|
| <span style="color: yellow;">■</span> Corn         | 87.3% | 0.4%  | 0.9%  | 91.0% | –     |
| <span style="color: orange;">■</span> Winter Wheat | 0.5%  | 97.8% | 2.6%  | 0.6%  | 95.9% |
| <span style="color: darkred;">■</span> Fallow      | 7.5%  | 1.5%  | 92.7% | –     | 1.1%  |
| <span style="color: grey;">■</span> Other          | 4.6%  | 0.2%  | 3.8%  | 8.5%  | 3.0%  |

Source: NASS Cropland Data Layer

KANSAS  
STEVENS



United States Department of Agriculture  
Farm Service Agency

FARM : 4079

Prepared : 5/3/22 8:31 AM

Form: FSA-156EZ

Crop Year : 2022

See Page 2 for non-discriminatory Statements.

### Abbreviated 156 Farm Record

**Operator Name** : MIKE WILLIS FARMS INC  
**Farms Associated with Operator** : 20-189-279, 20-189-2526, 20-189-2776, 20-189-2880, 20-129-2953, 20-189-3068, 20-189-3759, 20-189-4079, 20-189-4992, 20-189-4993  
**CRP Contract Number(s)** : None  
**Recon ID** : 20-189-2016-157  
**Transferred From** : None  
**ARCPLC G//F Eligibility** : Eligible

#### Farm Land Data

| Farmland           | Cropland           | DCP Cropland           | WBP            | WRP  | CRP  | GRP           | Sugarcane | Farm Status          | Number Of Tracts       |
|--------------------|--------------------|------------------------|----------------|------|------|---------------|-----------|----------------------|------------------------|
| 784.20             | 764.35             | 764.35                 | 0.00           | 0.00 | 0.00 | 0.00          | 0.00      | Active               | 2                      |
| State Conservation | Other Conservation | Effective DCP Cropland | Double Cropped |      | MPL  | Acre Election | EWP       | DCP Ag.Rel. Activity | Broken From Native Sod |
| 0.00               | 0.00               | 764.35                 | 0.00           |      | 0.00 |               | 0.00      | 0.00                 | 0.00                   |

#### Crop Election Choice

| ARC Individual | ARC County   | Price Loss Coverage |
|----------------|--------------|---------------------|
| None           | WHEAT, SORGH | None                |

#### DCP Crop Data

| Crop Name     | Base Acres    | CCC-505 CRP Reduction Acres | PLC Yield | HIP |
|---------------|---------------|-----------------------------|-----------|-----|
| Wheat         | 317.38        | 0.00                        | 40        | 0   |
| Grain Sorghum | 439.92        | 0.00                        | 39        | 0   |
| <b>TOTAL</b>  | <b>757.30</b> | <b>0.00</b>                 |           |     |

#### NOTES

**Tract Number** : 387

**Description** : NW7-33-36 SW6-33-36  
**FSA Physical Location** : KANSAS/STEVENS  
**ANSI Physical Location** : KANSAS/STEVENS  
**BIA Unit Range Number** :  
**HEL Status** : HEL field on tract.Conservation system being actively applied  
**Wetland Status** : Wetland determinations not complete  
**WL Violations** : None  
**Owners** : CAREY PARTNERSHIP LP  
**Other Producers** : None  
**Recon ID** : None

#### Tract Land Data

| Farm Land          | Cropland           | DCP Cropland           | WBP            | WRP  | CRP  | GRP                  | Sugarcane              |
|--------------------|--------------------|------------------------|----------------|------|------|----------------------|------------------------|
| 307.24             | 307.24             | 307.24                 | 0.00           | 0.00 | 0.00 | 0.00                 | 0.00                   |
| State Conservation | Other Conservation | Effective DCP Cropland | Double Cropped | MPL  | EWP  | DCP Ag. Rel Activity | Broken From Native Sod |
| 0.00               | 0.00               | 307.24                 | 0.00           | 0.00 | 0.00 | 0.00                 | 0.00                   |



Abbreviated 156 Farm Record

DCP Crop Data

Tract 387 Continued ...

| Crop Name     | Base Acres    | CCC-505 CRP Reduction Acres | PLC Yield |
|---------------|---------------|-----------------------------|-----------|
| Wheat         | 139.29        | 0.00                        | 40        |
| Grain Sorghum | 160.91        | 0.00                        | 54        |
| <b>TOTAL</b>  | <b>300.20</b> | <b>0.00</b>                 |           |

NOTES

Tract Number : 1481

Description : S 1/2 & NE 5-34-38  
FSA Physical Location : KANSAS/STEVENS  
ANSI Physical Location : KANSAS/STEVENS  
BIA Unit Range Number :  
HEL Status : HEL field on tract.Conservation system being actively applied  
Wetland Status : Wetland determinations not complete  
WL Violations : None  
Owners : CAREY PARTNERSHIP LP  
Other Producers : None  
Recon ID : None

Tract Land Data

| Farm Land          | Cropland           | DCP Cropland           | WBP            | WRP  | CRP  | GRP                  | Sugarcane              |
|--------------------|--------------------|------------------------|----------------|------|------|----------------------|------------------------|
| 476.96             | 457.11             | 457.11                 | 0.00           | 0.00 | 0.00 | 0.00                 | 0.00                   |
| State Conservation | Other Conservation | Effective DCP Cropland | Double Cropped | MPL  | EWP  | DCP Ag. Rel Activity | Broken From Native Sod |
| 0.00               | 0.00               | 457.11                 | 0.00           | 0.00 | 0.00 | 0.00                 | 0.00                   |

DCP Crop Data

| Crop Name     | Base Acres    | CCC-505 CRP Reduction Acres | PLC Yield |
|---------------|---------------|-----------------------------|-----------|
| Wheat         | 178.09        | 0.00                        | 40        |
| Grain Sorghum | 279.01        | 0.00                        | 31        |
| <b>TOTAL</b>  | <b>457.10</b> | <b>0.00</b>                 |           |

NOTES

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) e-mail: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

| Tract Number                  | CLU/Field | Crop/Commodity | Var/Type | Int Use | Act Use | Irr. Pr. | Org Stat                              | Nat. Sod | C/C Stat | Rpt Unit | Rpt Qty | Det Qty | Crop Land | Field ID | Official/Measured | Planting Date             | Planting Period | End Date |
|-------------------------------|-----------|----------------|----------|---------|---------|----------|---------------------------------------|----------|----------|----------|---------|---------|-----------|----------|-------------------|---------------------------|-----------------|----------|
| 387                           | 1A        | WHEAT          | HRW      | GR      |         | N        | C                                     | N        | I        | A        | 102.40  |         | Yes       |          | N                 | 09/16/2021                | 01              |          |
| Producer CAREY PARTNERSHIP LP |           |                |          |         | Share   | 33.33    | FSA Physical Location Stevens, Kansas |          |          |          |         |         |           |          | NAP Unit 348      | Signature Date 12/15/2021 |                 |          |
| MIKE WILLIS FARMS INC         |           |                |          |         |         | 66.67    | Stevens, Kansas                       |          |          |          |         |         |           |          |                   |                           |                 |          |
|                               | 2C        | GRASS          | NAG      | LS      |         | N        | C                                     | N        | I        | A        | 3.24    |         | Yes       |          | N                 |                           | 01              | CC       |
| Producer CAREY PARTNERSHIP LP |           |                |          |         | Share   | 33.33    | FSA Physical Location Stevens, Kansas |          |          |          |         |         |           |          | NAP Unit 348      | Signature Date 07/08/2021 |                 |          |
| MIKE WILLIS FARMS INC         |           |                |          |         |         | 66.67    | Stevens, Kansas                       |          |          |          |         |         |           |          |                   |                           |                 |          |

Tract 387 Summary

| PP                                                  | Cr/Co | Var/Type | Int Use | Irr Pr | Rpt Unit | Rpt Qty                      | PP    | Cr/Co                                 | Var/Type | Int Use | Irr Pr | Rpt Unit            | Rpt Qty | PP | Cr/Co | Var/Type | Int Use      | Irr Pr                         | Rpt Unit | Rpt Qty |  |
|-----------------------------------------------------|-------|----------|---------|--------|----------|------------------------------|-------|---------------------------------------|----------|---------|--------|---------------------|---------|----|-------|----------|--------------|--------------------------------|----------|---------|--|
| 01                                                  | WHEAT | HRW      | GR      | N      | A        | 102.40                       | 01    | GRASS                                 | NAG      | LS      | N      | A                   | 3.24    |    |       |          |              |                                |          |         |  |
| Photo Number/Legal Description: NW7-33-36 SW6-33-36 |       |          |         |        |          |                              |       |                                       |          |         |        |                     |         |    |       |          |              |                                |          |         |  |
| Cropland: 307.24                                    |       |          |         |        |          | Reported on Cropland: 105.64 |       |                                       |          |         |        | Difference: -201.60 |         |    |       |          |              | Reported on Non-Cropland: 0.00 |          |         |  |
| 1481                                                | 1A    | WHEAT    | HRW     | GR     |          | N                            | C     | N                                     | I        | A       | 158.76 |                     | Yes     |    | N     |          | 09/11/2021   |                                | 01       |         |  |
| Producer CAREY PARTNERSHIP LP                       |       |          |         |        |          | Share                        | 20.00 | FSA Physical Location Stevens, Kansas |          |         |        |                     |         |    |       |          | NAP Unit 348 | Signature Date 12/15/2021      |          |         |  |
| MIKE WILLIS FARMS INC                               |       |          |         |        |          |                              | 80.00 | Stevens, Kansas                       |          |         |        |                     |         |    |       |          |              |                                |          |         |  |
|                                                     | 2     | GRASS    | NAG     | LS     |          | N                            | C     | N                                     | I        | A       | 18.51  |                     | No      |    | O     |          |              |                                | 01       | CC      |  |
| Producer CAREY PARTNERSHIP LP                       |       |          |         |        |          | Share                        | 20.00 | FSA Physical Location Stevens, Kansas |          |         |        |                     |         |    |       |          | NAP Unit 348 | Signature Date 11/09/2016      |          |         |  |
| MIKE WILLIS FARMS INC                               |       |          |         |        |          |                              | 80.00 | Stevens, Kansas                       |          |         |        |                     |         |    |       |          |              |                                |          |         |  |

Tract 1481 Summary

| PP Cr/Co                                           | Var/Type | Int Use | Irr Pr | Rpt Unit | Rpt Qty                      | PP Cr/Co | Var/Type | Int Use | Irr Pr | Rpt Unit            | Rpt Qty | PP Cr/Co | Var/Type | Int Use | Irr Pr                          | Rpt Unit | Rpt Qty |
|----------------------------------------------------|----------|---------|--------|----------|------------------------------|----------|----------|---------|--------|---------------------|---------|----------|----------|---------|---------------------------------|----------|---------|
| 01                                                 | WHEAT    | HRW     | GR     | N        | A                            | 158.76   | 01       | GRASS   | NAG    | LS                  | N       | A        | 18.51    |         |                                 |          |         |
| Photo Number/Legal Description: S 1/2 & NE 5-34-38 |          |         |        |          |                              |          |          |         |        |                     |         |          |          |         |                                 |          |         |
| Cropland: 457.11                                   |          |         |        |          | Reported on Cropland: 158.76 |          |          |         |        | Difference: -298.35 |         |          |          |         | Reported on Non-Cropland: 18.51 |          |         |

Note: All cropland on all active tracts has not been reported.

Operator Name and Address

MIKE WILLIS FARMS INC  
1706 ROAD 14  
HUGOTON, KS 67951-5279

Original: RRC  
Revision: RRC  
Cropland: 764.35  
Farmland: 784.20

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 718, the Farm Security and Rural Investment Act of 2002 (Pub L. 107-171), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to collect producer certification of the report of acreage of crops/commodities and land use data which is needed in order to determine producer eligibility to participate in and receive benefits under FSA programs. The information collected on the form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information may result in a denial of the producer's request to participate in and receive benefits under FSA programs. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0175. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

|                       |                    |                  |                 |                        |                   |                      | Crop/<br>Commodity     | Variety/<br>Type | Share              |                    |                  |                 |                        |                   |                      |                        | Crop/<br>Commodity | Variety/<br>Type | Share |
|-----------------------|--------------------|------------------|-----------------|------------------------|-------------------|----------------------|------------------------|------------------|--------------------|--------------------|------------------|-----------------|------------------------|-------------------|----------------------|------------------------|--------------------|------------------|-------|
| MIKE WILLIS FARMS INC |                    |                  |                 |                        |                   |                      | WHEAT                  | HRW              | 74.77              |                    |                  |                 |                        |                   |                      |                        | GRASS              | NAG              | 78.01 |
| CAREY PARTNERSHIP LP  |                    |                  |                 |                        |                   |                      | WHEAT                  | HRW              | 25.23              |                    |                  |                 |                        |                   |                      |                        | GRASS              | NAG              | 21.99 |
| Planting<br>Period    | Crop/<br>Commodity | Variety/<br>Type | Intended<br>Use | Irrigation<br>Practice | Reporting<br>Unit | Reported<br>Quantity | Determined<br>Quantity |                  | Planting<br>Period | Crop/<br>Commodity | Variety/<br>Type | Intended<br>Use | Irrigation<br>Practice | Reporting<br>Unit | Reported<br>Quantity | Determined<br>Quantity |                    |                  |       |
| 01                    | WHEAT              | HRW              | GR              | N                      | A                 | 261.16               |                        |                  | 01                 | GRASS              | NAG              | LS              | N                      | A                 | 21.75                |                        |                    |                  |       |

CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops/commodities and land uses listed herein are true and correct and that all required crops/commodities and land uses have been reported for the farm as applicable. Absent any different or contrary prior subsequent certification filed by any producer for any crop for which NAP coverage has been purchased, I certify that the applicable crop, type, practice, and intended use is not planted if it is not included on the Report of Commodities for this crop year. The signing of this form gives FSA representatives authorization to enter and inspect crops/commodities and land uses on the above identified land. A signature date (the date the producer signs the FSA-578) will also be captured.

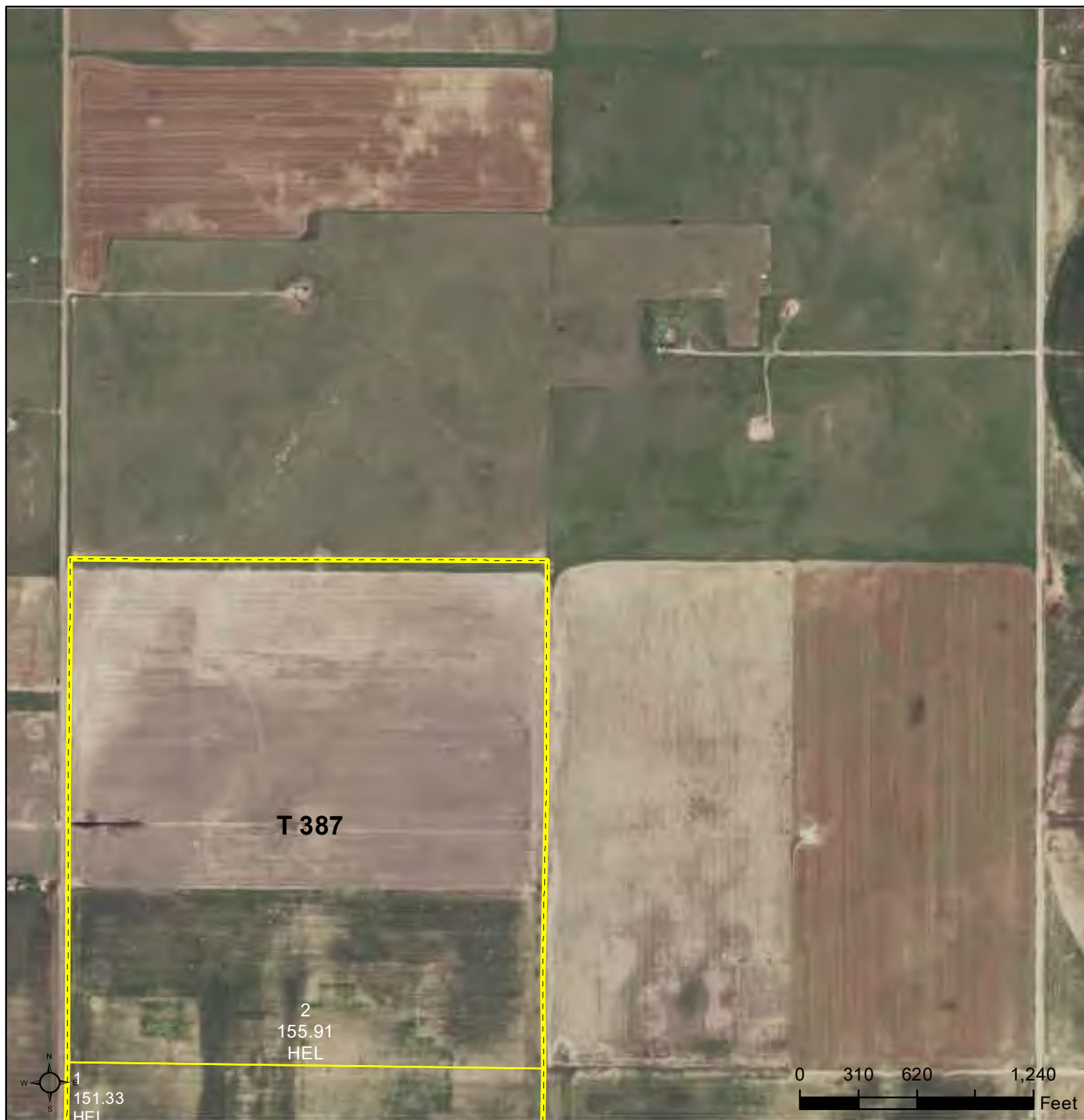
|                           |                                                                         |      |
|---------------------------|-------------------------------------------------------------------------|------|
| Operator's Signature (By) | Title/Relationship of Individual Signing in the Representative Capacity | Date |
|---------------------------|-------------------------------------------------------------------------|------|

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.



United States  
Department of  
Agriculture

## Stevens County, Kansas



### Common Land Unit

PLSS

Unless noted on field:

- Cropland
- Tract Boundary

### Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

- |                           |                          |
|---------------------------|--------------------------|
| 1/ All Wheat HRW, NI, GR  | 6/ Sorghum, GRS, NI, GR  |
| 2/ All Wheat HRW, IRR, GR | 7/ Sorghum, GRS, IRR, GR |
| 3/ All Corn YEL, IRR, GR  | 8/ Sorghum, CAN, IR, FG  |
| 4/ All Corn YEL, NI, GR   | 9/ Grass, NAG, NI, GZ    |
| 5/ Soybeans, COM, IRR, GR | 10/ Alfalfa, IR, FG      |

Tract Cropland Total: 307.24 acres

2022 Program Year

Map Created November 01, 2021

**Farm 4079**  
**Tract 387**

**6-33-36**

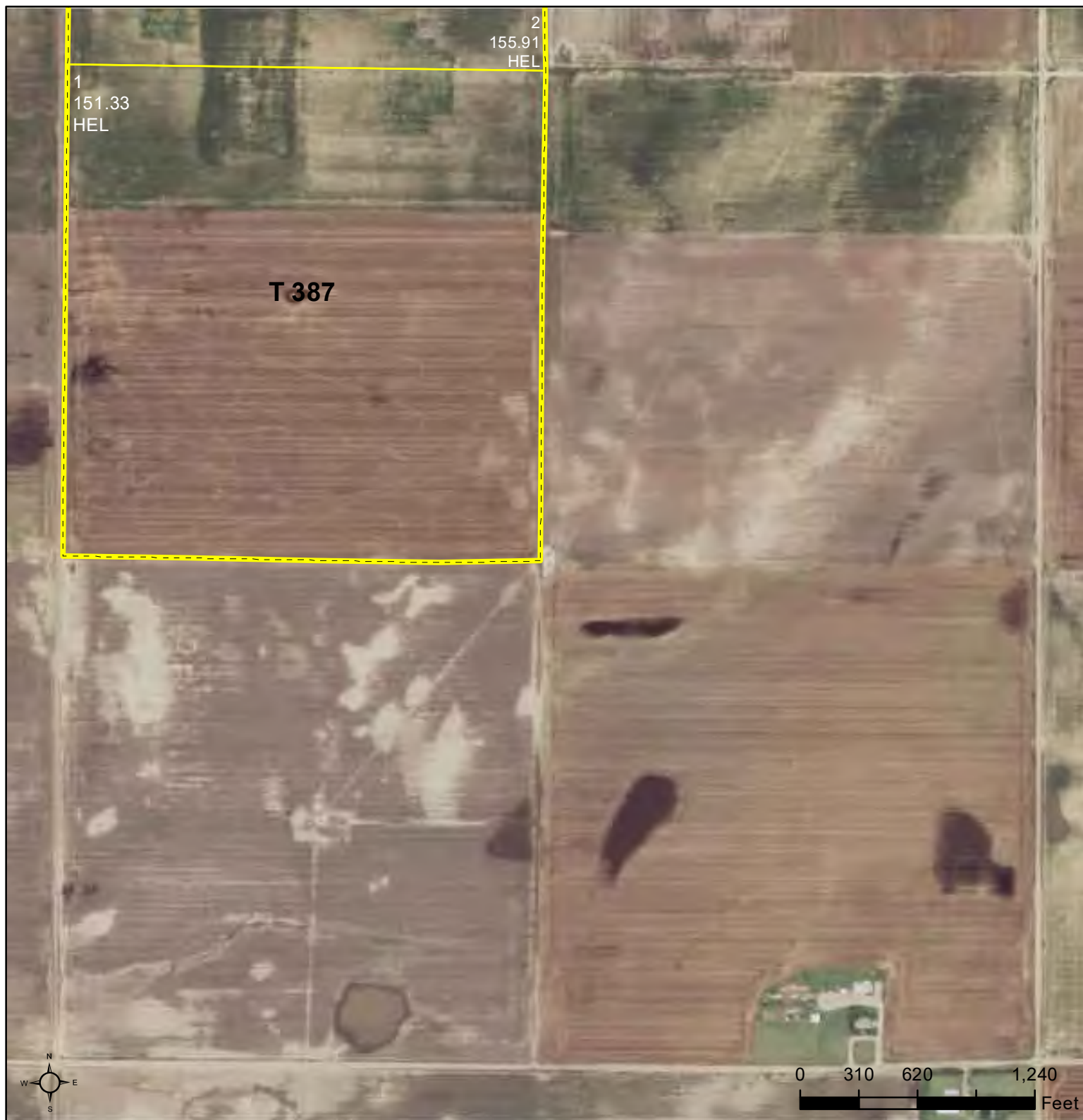
Displayed over 2019 NAIP

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



United States  
Department of  
Agriculture

## Stevens County, Kansas



### Common Land Unit

PLSS

Unless noted on field:

- Cropland
- Tract Boundary

### Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

- |                           |                          |
|---------------------------|--------------------------|
| 1/ All Wheat HRW, NI, GR  | 6/ Sorghum, GRS, NI, GR  |
| 2/ All Wheat HRW, IRR, GR | 7/ Sorghum, GRS, IRR, GR |
| 3/ All Corn YEL, IRR, GR  | 8/ Sorghum, CAN, IR, FG  |
| 4/ All Corn YEL, NI, GR   | 9/ Grass, NAG, NI, GZ    |
| 5/ Soybeans, COM, IRR, GR | 10/ Alfalfa, IR, FG      |

Tract Cropland Total: 307.24 acres

2022 Program Year

Map Created November 01, 2021

Farm 4079

Tract 387

7-33-36

Displayed over 2019 NAIP

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

## TERMS AND CONDITIONS

1. Any person who registers or bids at this auction (the “Bidder”) agrees to be bound by these Terms and Conditions and any auction announcements. 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.
2. Auction announcements or postings take precedence over anything previously stated or printed, including these Terms and Conditions. In the event of a conflict between these Terms and Conditions and any other rules, terms, or agreements governing the use of the online bidding platform, these Terms and Conditions govern.
3. The real estate offered for sale at auction (the “Real Estate”) is legally described in the Contract for Purchase and Sale, a copy of which is available for inspection from McCurdy Real Estate & Auction, LLC (“McCurdy”) at Bidder’s request.
4. 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 the owner of the Real Estate (the “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.
5. 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.
6. It is the sole responsibility of Bidder to monitor McCurdy’s website with respect to any updates or information regarding any Real Estate on which Bidder is bidding. Bidder acknowledges that information regarding the Real Estate may be updated or changed on McCurdy’s website at any time prior to the conclusion of bidding and that Bidder has timely reviewed the Real Estate information or assumes the risk of not having done so.

7. Once submitted, a bid cannot be retracted.
8. 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.
9. The Real Estate is not offered contingent upon financing.
10. 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, by 4:00 p.m. (CST) on the business day following the auction. 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.
11. 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.
12. 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 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.
13. 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.
14. Bidder authorizes McCurdy to film, photograph, or otherwise record the auction or components of the auction process and to use those films, recordings, or other information about the auction, including the sales price of the Real Estate, for promotional or other commercial purposes.
15. Broker/agent participation is invited. Broker/agents must pre-register with McCurdy by returning the completed Broker Registration Form no later than 5 p.m. on the business day prior to the either the auction or scheduled closing time for an online auction, as the case may be. The Broker Registration Form is available on McCurdy's website.
16. 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.
17. 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 Real Estate. 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 Real Estate, whether obvious or hidden. Seller and McCurdy are not responsible for any lost, stolen, or damaged property.

18. McCurdy has the right to establish all bidding increments.
19. 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.
20. Bidder represents and warrants that they are bidding on their own behalf and not on behalf of or at the direction of Seller.
21. The Real Estate is offered for sale to all persons without regard to race, color, religion, sex, handicap, familial status, or national origin.
22. These Terms and Conditions are binding on Bidder and on Bidder’s partners, representatives, employees, successors, executors, administrators, and assigns.
23. 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.
24. When creating an online bidding account, Bidder must provide complete and accurate information. Bidder is solely responsible for maintaining the confidentiality and security of their online bidding account and accepts full responsibility for any use of their online bidding account. In the event that Bidder believes that their online bidder account has been compromised, Bidder must immediately inform McCurdy at [auctions@mccurdy.com](mailto:auctions@mccurdy.com).
25. Bidder uses the online bidding platform at Bidder’s sole risk. McCurdy is not responsible for any errors or omissions relating to the submission or acceptance of online bids. McCurdy makes no representations or warranties as to the online bidding platform’s uninterrupted function or availability and makes no representations or warranties as to the online bidding platform’s compatibility or functionality with Bidder’s hardware or software. Neither McCurdy or any individual or entity involved in creating or maintaining the online bidding platform will be liable for any damages arising out of Bidder’s use or attempted use of the online bidding platform, including, but not limited to, damages arising out of the failure, interruption, unavailability, or delay in operation of the online bidding platform.
26. The ability to “pre-bid” or to leave a maximum bid prior to the start of the auction is a feature offered solely for Bidder’s convenience and should not be construed as a call for bids or as otherwise beginning the auction of any particular lot. Pre-bids will be held by McCurdy until the auction is initiated and will not be deemed submitted or accepted by McCurdy until the auction of the particular lot is formally initiated by McCurdy.
27. In the event of issues relating to the availability or functionality of the online bidding platform during the auction, McCurdy may, in its sole discretion, elect to suspend, pause, or extend the scheduled closing time of the auction.

28. In the event that Bidder is the successful bidder but fails to comply with Bidder's obligations as set out in these Terms and Conditions by 4:00 p.m. (CST) on the business day following the auction, then Bidder will be in breach of these Terms and Conditions and McCurdy may attempt to resell the Real Estate to other potential buyers. Regardless of whether McCurdy is able to successfully resell the Real Estate to another buyer, Bidder will remain liable to Seller for any damages resulting from Bidder's failure to comply with these Terms and Conditions.
29. Bidder may not use the online bidding platform in any manner that is a violation of these Terms and Conditions or applicable law, or in any way that is designed to damage, disable, overburden, compromise, or impair the function of the online bidding platform, the auction itself, or any other party's use or enjoyment of the online bidding platform.
30. 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)*

