

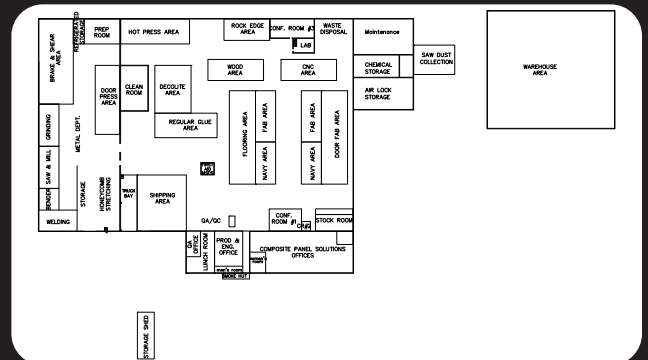
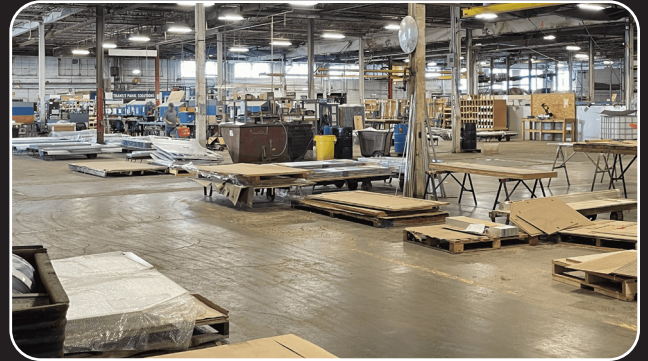
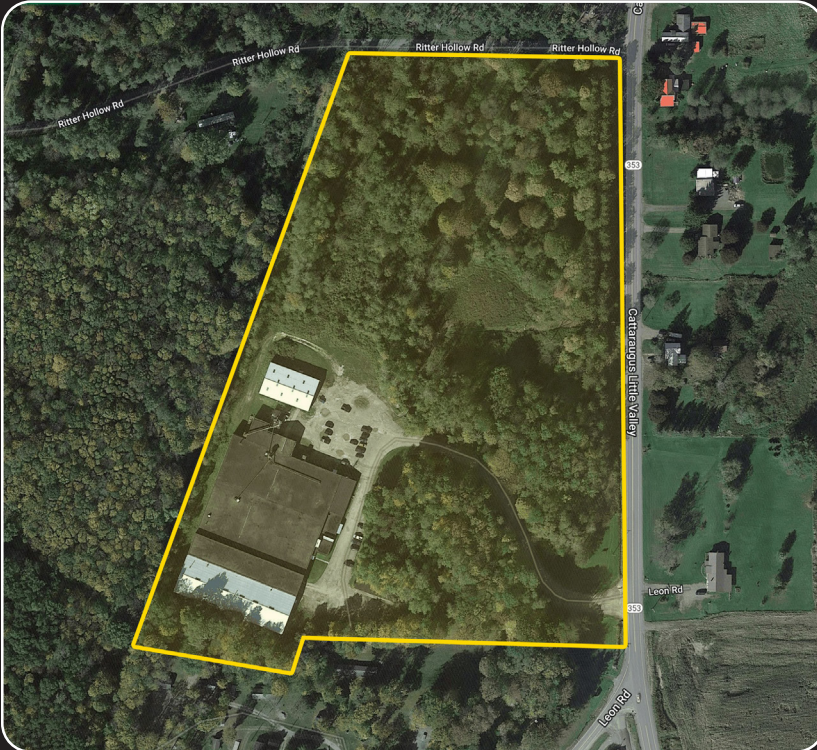
# LIVE ON-SITE REAL ESTATE AUCTION

**WEDNESDAY  
NOV 9<sup>TH</sup>  
1:00 PM**

Registration and final on-site inspection begin at 12:00 NOON

## **97,000 SF INDUSTRIAL/WAREHOUSE ON 18.2 ACRES**

7167 ROUTE 353, CATTARAUGUS, NY 14719 (38 MILES SOUTH OF BUFFALO)



**OFFERED WITH A PUBLISHED RESERVE PRICE OF ONLY \$50,000!**

**On Site Inspections – Wednesdays, Oct. 19, 26 & Nov. 2, 1:00 – 3:00 PM.**

This rural location for the “very” hard to find manufacturing/warehouse property is located on 18.2 acres of perimeter fenced land with gated entrance zoned for industrial use. The main building of 88,000 SF, features a 10-ton crane, 30’ clear ceiling heights, 2 loading docks, 4 grade level drive-in doors, 1000 Amps – 440 volts– 3-phase and heavy floor load capacity, wide column spacing and fully sprinklered. There is also a 9,000 SF cold storage building. Terrific opportunity for a variety of possible uses. Skilled workforce available.

**2021 R.E. TAXES: \$13,075 annually**

**Cashier’s Check Require to Bid – \$10,000**

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REAL ESTATE AUCTIONS  
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T: 216.861.7200**

TCN WORLDWIDE REAL ESTATE SERVICES  
NAAI

## TERMS OF SALE FOR NOVEMBER 9th, 2022 REAL ESTATE AUCTION

**AUCTION FORMAT.** All bidding is open and public. To bid during the auction, you need to raise your hand, shout out your bid or instruct an Auctioneer's Assistant to call out your bid for you.

**DOCUMENT PACKAGE.** A Bidder's Packet ("Packet") has been prepared and can be acquired via email by request or at the On-Site Inspections.

**ATTORNEY REVIEW RECOMMENDED.** All information contained in this brochure and all other auction-related material, such as the Packet, should be carefully reviewed by an attorney prior to the auction and is subject to and may be superseded by (1) the Real Estate Purchase Agreement to be signed at the auction, as well as by (2) announcements made from the podium prior to the commencement of bidding.

**AUCTION REGISTRATION.** All parties seeking to bid on the property at the auction must sign in at the registration table and show the possession of the required cashier's or certified check. All bidders will be required to sign a statement ("Bidder's Statement") prior to commencement of bidding that the bidder has inspected the property and sale documents.

**REQUIREMENTS OF THE HIGH BIDDER.** The High Bidder on the respective parcels will be required to immediately tender the required cashier's or certified check of: \$10,000 made payable to Phillips Lytle LLP, as Escrow Agent ("Escrow Agent") located at One Canalside, 125 Main Street, Buffalo, NY 14203, Attn.: Timothy P. Moriarty, Esq., telephone: 716-847-8400 and sign the Real Estate Purchase Agreement. The earnest money must be increased by cashier's or certified check to a total of 10% of the total purchase price, if applicable, by 4:00 P.M., Wednesday November 16, 2022 with funds delivered to the offices of the specified Escrow Agent.

**AUCTION PROCEDURE.** The property is Offered as follows:  
With Reserve. Published Reserve price of \$50,000  
\*THE PROPERTY IS OFFERED ON AN "AS-IS, WHERE-IS" BASIS WITH ALL FAULTS AND WITH NO REPRESENTATIONS OR WARRANTIES BY SELLER.

The authorized signatory of the Seller will be at the auction. The final high bid will be accepted at the time and place of the auction in the event the high bid is equal to or greater than the Published Reserve Price. The Auctioneer reserves the right to ask for an opening bid below the Published Reserve Prices. In the event the bidding level does not reach the Published Reserve Price, the high bid offer will be considered With Reserve, Subject to Seller Acceptance. The final high bid must be irrevocable until 4:00 P.M., Eastern Time, five business days after the actual date of auction.

**CLOSING DATES.** All sales shall close on or before 12:00 Noon on December 14, 2022, at the Offices of the Title Company at which time Purchaser shall pay the balance of the Purchase Price. Time is of the essence.

**BUYER'S PREMIUM.** The sale at auction will provide that the Purchaser pay to the Seller as part of the total purchase price a 10%

premium (fee) of the high bid or offer price: The buyer's premium will be added to the high bid or offer price in the Real Estate Purchase Agreement to determine the Total Purchase Price. Financing, if any, is calculated on the Total Purchase Price.

**FINANCING.** This sale at auction is not offered subject to Purchasers obtaining financing.

**CONDUCT OF THE AUCTION.** Neither Seller, nor Auctioneer is permitted to bid at the auction. Conduct of the auction and increments of bidding are at the direction and discretion of the Auctioneer. Announcements made from the podium supersede printed material. Auction is open to registered bidders and invited guests. In the event of a dispute between bidders, the Auctioneer shall make the final decision to accept the final bid, to re-offer and re-sell the property, or to remove the property from the auction. If any disputes should arise following the auction, the Auctioneer's records shall be conclusive.

**AGENCY DISCLOSURE.** Hanna Commercial, Chartwell Auctions, LLC (DBA Chartwell Real Estate Auctions), Michael Berland, OH Auctioneer, Gordon J. Greene, NY RE Broker ("Brokers/Auctioneer(s)") and all parties associated with Brokers /Auctioneers, represent the Sellers in this sale.

**BROKER PARTICIPATION.** A referral fee equal to 2.00% of the High Bid Price will be paid by the seller from the seller's proceeds of sale to the Real Estate Broker acting as a buyer broker, who's Client pays for and closes on the property. To qualify for the referral fee, the real estate agent must: (a) be a licensed real estate broker who will abide by the Association of Realtors Code of Ethics; (b) register the Client by fax: 216-861-4672, or by email, attn.: Mike Berland, on company letterhead, and confirm the buyer-broker arrangement (Registration) with the Broker, Auctioneer prior to November 2, 2022, (c) inspect the property with their prospect; and (d) attend the auction and bid with or for the Client. All Registrations accepted will be acknowledged by Auctioneer. Each participating broker must bring their written acknowledged Registration to the auction for verification. No Broker will be recognized on a Client who has previously contacted or been contacted by the Seller, their representatives or Auctioneer. Referral fees will be paid upon closing by Seller and receipt of all commissions by Auctioneer. No referral fees will be paid by the Seller, if the broker, the broker's agents, or a member of the broker's immediate family is participating in the purchase of the property. An affidavit will be required certifying that the broker is not participating in any way as a principal. No sub-agency shall be offered to any broker by Auctioneer. There can be no exceptions to this procedure and no oral Registrations will be accepted.

**DISCLAIMER:** The information contained herein is subject to inspection and verification by all parties relying on it. This sale is being conducted subject to the Terms of Sale and the Real Estate Purchase Agreement. No liability for its inaccuracy, errors or omissions is assumed by the seller or broker/auctioneer. ALL ACREAGE, SQUARE FOOTAGE, AND DIMENSIONS ARE APPROXIMATE. This offering may be withdrawn, modified, or canceled without notice at any time. Property is subject to prior sale. This is not a solicitation or offering to residents of any state or jurisdiction where prohibited by law.