



PO Box 297 • Wabash, IN 46992

# LINCOLN TOWNSHIP | LAPORTE COUNTY AUCTION

ONLINE at [halderman.com](https://www.halderman.com)

November 2<sup>nd</sup> | 8:00 a.m. to 6:00 p.m. CST



## Terms and Conditions



**AUCTION CONDUCTED BY:** RUSSELL D. HARMEYER, IN  
Auct. Lic. #AU10000277, HRES IN Lic. #AC69200019

PLEASE READ AND REVIEW THE REAL ESTATE TERMS THOROUGHLY PRIOR TO BIDDING ON ANY PROPERTY. IF YOU HAVE NOT READ AND UNDERSTAND THESE TERMS, DO NOT BID. BY BIDDING ON THE PROPERTY, BUYER AGREES TO ALL TERMS AND CONDITIONS SET FORTH AND ENTERS INTO A CONTRACTUAL AGREEMENT TO PURCHASE THE PROPERTY UNDER THE FOLLOWING TERMS AND CONDITIONS:

ONLINE BIDDING: AUCTION DATE / TIME: Bidding begins: November 2 @ 8:00 AM CST; Bidding closes: November 2, 2020 @ 6:00 PM CST (\*\*See AUCTION END TIMES).  
UPON CONCLUSION OF THE AUCTION: The high bidder will be contacted by Halderman Representative to coordinate completion of Purchase Agreement and Earnest Money deposit.

Documents and Earnest Money must be completed by 4:00 P.M. the day after the auction.

The non-refundable earnest money deposit will be held in escrow until closing and that amount will then be credited to the Buyer as part of the purchase price of the property. Successful bidders not executing and returning the completed contract and earnest money deposit by 4:00 PM the day after the auction will be considered in default. Such default by the Successful Bidder will result in that Bidder's liability to both the Seller and Halderman Real Estate Services, Inc. Seller shall have the right to (a) declare this contractual agreement cancelled and recover full damage for its breach, (b) to elect to affirm this contractual agreement and enforce its specific performance or (c) Seller can resell the property either publicly or privately with Halderman Real Estate Services, Inc & Halderman-Harmeyer Real Estate Services. and in such an event, the Buyer shall be liable for payment of any deficiency realized from the second sale plus all costs, including, but not limited to the holding costs of the property, the expenses of both sales, legal and incidental damages of both the Seller and Halderman Real Estate Services, Inc. In addition, Halderman Real Estate Services, Inc & Halderman-Harmeyer Real Estate Services. also reserves the right to recover any damages separately from the breach of the Buyer. Both the Successful Bidder and Seller shall indemnify Halderman Real Estate Services, Inc & Halderman-Harmeyer Real Estate Services. for and hold harmless Halderman Real Estate Services, Inc & Halderman-Harmeyer Real Estate Services from any costs, losses, liabilities, or expenses, including attorney fees resulting from Halderman Real Estate Services, Inc. being named as a party to any legal action resulting from either Bidders or Sellers failure to fulfill any obligations and undertakings as set forth in this contractual agreement.

### REAL ESTATE TERMS:

- TERMS OF SALE: 10% earnest deposit down with the executed contract, balance due at closing. Your purchase is not subject financing.
- DATE OF CLOSING: The closing will take place on or before December 15, 2020.
- POSSESSION: Possession of the land will be at closing.
- REAL ESTATE TAXES: The real estate taxes will be pro-rated to the day of closing.
- NO CONTINGENCIES: This Real Estate contract is not contingent on or subject to Buyer's financing, appraisal, survey or inspections of any kind or any other contingencies as agreed to by bidders at registration prior to bidding.
- SURVEY: There will be no survey unless required for clear title. If a survey is completed for title purposes, the cost will be split 50/50 between the seller and the buyer(s).
- TITLE: Buyer is entitled to and the Seller will provide clear, insurable title for property and a General Executor's Deed upon full payment.
- ZONING AND EASEMENTS: Property is being sold subject to any and all easements of record. Property is subject to all state and local zoning ordinances.
- AERIAL PHOTOS, Images and Drawings: are for illustration purposes only and not surveyed boundary lines unless specified.
- AGENCY: Halderman Real Estate Services, Inc. is the Agent and Representative of the Seller.
- FURTHER CONDITIONS:
  - The seller's trust contains a provision to not allow any tenant or purchaser to extract peat from the farm.
  - Tract 2 has option to purchase an easement for future electrical lines with St. Joseph II, LLC. Contact a Halderman Rep for more information.
  - Electric to run the ditch pump on Tract 3 is currently sourced from the adjoining land owner. The farm is in the REMC service area if the buyer wishes to establish separate service.
  - Each parcel must be purchased separately. There will be no combination bids.

• CONDITION OF PROPERTY: Property is sold 'AS IS, WHERE IS' condition. Halderman Real Estate Services, Inc, the Sellers nor their representatives, agents, or employees make express or implied warranties or representations of any kind. Each potential bidder is responsible for conducting his or her own independent inspections, investigations, inquiries, and due diligence concerning the property prior to bidding on the subject property. All information presented in the brochure, website, and all other mediums is subject to verification by all parties relying on it. All sketches and dimensions are approximate. No liability for its accuracy, errors, or omissions is assumed by the Seller, Halderman Real Estate Services, Inc. or their Agents or Representatives. Buyer and or Bidder agrees to hold harmless and indemnify Halderman Real Estate Services, Inc. and their Agents and their Representatives from any and all claims, damages or suits including but not limited to awards, judgments, costs, fees, etc.

• DISCLAIMER: All information included herein was derived from sources believed to be correct, but is not guaranteed.

• NEW DATA, CORRECTIONS, and CHANGES: Please check for updated information prior to scheduled auction time to inspect any changes, corrections, or additions to the property information.

### BIDDING AND REGISTRATION INFORMATION

BIDDER VERIFICATION: Bidding rights are provisional, and if identity verification is questionable, Halderman Real Estate Services, Inc. has the right to reject the registration, and bidding activity will be terminated. The Seller and Halderman Real Estate Services, Inc. reserve the right to preclude any person from bidding if there is any question as to the person's credentials, mental fitness, etc. Bidders agree to keep their username and password confidential as they are responsible for ANY and ALL activity involving their account. If the registered bidder's user name is offensive to Halderman Real Estate Services, Inc. or in their sole opinion detrimental to Bidding Activity, then Halderman Real Estate Services, Inc. reserves the right to delete the bidder from bidding or unilaterally change the username with notification to the Bidder. When using the web site you must obey any and all local, state and federal laws. Violations will result in termination of web site use privileges.

\*\*AUCTION END TIMES: Halderman Real Estate Services, Inc. online only auctions are timed events and all bidding will close at specified time. However, our auctions also have what is called an 'Auto Extend' feature. Any bid placed within the final 5 minutes of an auction results in the auction automatically extending 5 additional minutes. The bidding will extend in 5 minute increments from the time the last bid is placed until there are no more bids, and the lots sit idle for 5 minutes. Therefore, the auction will not close until all bidding parties are satisfied, and no one can be outbid at the last second without having another opportunity to bid again. There are no advantages to waiting to the last second to place a bid. It could take a few seconds for you bid to be recognized by the bidding platform.

DO NOT WAIT UNTIL THE LAST SECOND TO BID, YOUR BID MIGHT NOT BE ACCEPTED BEFORE THE BIDDING CLOSES.

TECHNICAL ISSUES: In the event there are technical difficulties related to the server, software, internet or any other online auction-related technologies, Halderman Real Estate Services, Inc. reserves the right to extend bidding, continue the bidding, or close the bidding. Neither the company providing the software, nor Halderman Real Estate Services, Inc. shall be held responsible for a missed bid or the failure of the software to function properly for any reason.

CONDUCT OF THE AUCTION: The minimum bid increase will be \$5,000. Halderman Real Estate Services, Inc. reserves the right to reject any and all bids for any reason and also reserves the right to cancel this auction, or remove any item or lot from this auction prior to the close of bidding. All decisions of Halderman Real Estate Services, Inc. are final.

YOUR BID ON THIS AUCTION INDICATES BOTH AN UNDERSTANDING AND AN ACCEPTANCE OF THE TERMS OF THIS CONTRACTUAL AGREEMENT BETWEEN YOURSELF AND BOTH THE SELLER AND HALDERMAN REAL ESTATE SERVICES, INC. AND THAT YOU, AS THE BIDDER, ARE PREPARED TO PURCHASE THE PROPERTY UNDER THE TERMS AND CONDITIONS OF THIS AUCTION.

LINCOLN TOWNSHIP | LAPORTE COUNTY

# AUCTION

ONLINE at [halderman.com](https://www.halderman.com)

November 2<sup>nd</sup> | 8:00 a.m. to 6:00 p.m. CST

# 272.4<sup>+/-</sup> total acres

## 238.6<sup>+/-</sup> Total Tillable Acres

## 4 Tracts

## OPEN HOUSES

October 22 & 29  
4:00 - 6:00 p.m. CST



Kelsey Sampson  
219.608.4341  
[ksampson@halderman.com](mailto:ksampson@halderman.com)



Julie Matthys  
574.310.5189  
[juliem@halderman.com](mailto:juliem@halderman.com)



HALDERMAN  
REAL ESTATE & FARM MANAGEMENT

OWNER: Estate of William Malstaff

HLS# KLS-12540 (20)

800.424.2324 | [www.halderman.com](https://www.halderman.com)





## Tract 1

**60+/- Total Acres**

45.62+/- Tillable Acres



## Tract 2

**38+/- Total Acres**

28.9+/- Tillable Acres



## Tract 3

**132.35+/- Total Acres**

127.84+/- Tillable Acres

### PROPERTY LOCATION

Tracts 1-3: Approximately 1/2 mile west of the intersection of CR 350 S and CR 700 E

Tract 4: Approximately 1/3 mile south of the intersection of SR 104 and CR 525 S

### TOPOGRAPHY

Level to Gently Rolling

### SCHOOL DISTRICT

LaPorte Community Schools

### ZONING

Agricultural

### ANNUAL TAXES & DITCH ASSESSMENT

Tract 1: \$1,384, \$120 (DA)

Tract 2: \$872

Tract 3: TBD due to parcel split\*

Tract 4: \$1,014, \$42 (DA)

\*5.25+/- acre farmstead is being surveyed out of tract 3. Taxes are TBD due to the parcel split.

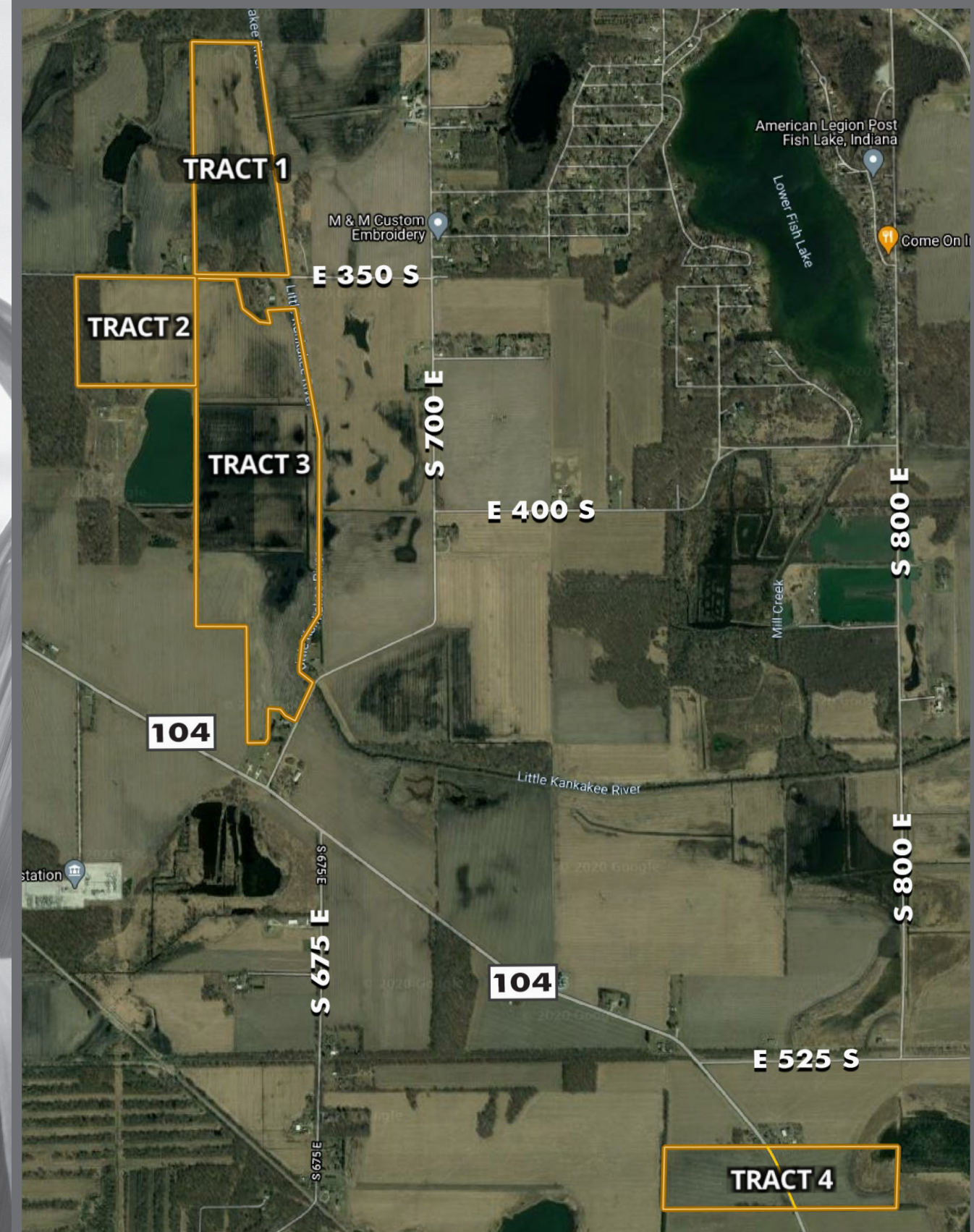


## Tract 4

**42+/- Total Acres**

36.24+/- Tillable Acres

## PRODUCTIVE CROPLAND



**For additional information including soil maps, visit [halderman.com](http://halderman.com).**

\*COVID-19 SAFETY DETAILS CAN BE VIEWED AT [WWW.HALDERMAN.COM](http://WWW.HALDERMAN.COM)

\*Included 7.5 horsepower single phase electric motor and ditch pump used to pump water from the interior ditches into the Little Kankakee River.