

# ◆ MILLS COUNTY LAND AUCTION ◆



11717 M Circle, Omaha, NE 68137  
www.Hertz.ag ◆ 402-697-7500 ◆ StanL@Hertz.ag (Email)

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***320.45 Acres, m/l – October 29, 2021 @ 10:00 A.M.***

Virtual Live Auction – Online Only

**SELLER:**

***BROWN LAND COMPANY LLC***

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## **AUCTION METHOD & TERMS OF SALE**

1. All bidding is open and public. Individual members of the LLC have the same right to bid on the property just as any other bidder at this public auction. Registered bidders may be bidding through the Hertz website, through the Hertz app, or for those with inadequate technology, by phone with the assistance of a Hertz staff member.
2. This land is being offered as three parcels. Parcels 1 and 2 will be offered by the Choice and Privilege Method, with the choice to the high bidder to take one or both parcels at their high bid amount. Should the high bidder not select both parcels, the remaining parcel will be offered with another round of bidding. At the conclusion of Parcels 1 and 2, Parcel 3 will then be offered as a single tract of land, separately, and will not be combined in any way.
3. All bidding on Parcels 1 and 2 will be on a "dollars per acre" basis. The final total purchase price for these will be calculated by multiplying the per acre bid amount times the number of surveyed acres detailed in the auction brochure. Bidding on Parcel 3 will be conducted on a "total dollars" for the parcel basis.
4. ***YOUR BIDDING IS NOT CONDITIONAL UPON FINANCING***, so be sure you have arranged financing, if needed, and are capable of paying cash at closing. In addition, ***YOUR BIDDING IS NOT CONDITIONAL UPON ANY BUYER OR LENDER INSPECTION***, so be certain you have completed your due diligence on the property prior to bidding.
5. Minimum bid increments are at the discretion of the auctioneer throughout the auction.
6. The successful bidder(s) will be required to execute a Real Estate Sales Agreement at the conclusion of the auction.
7. By registering to bid and obtaining a bidder's number, you are agreeing to abide by the auction method and the terms and conditions of sale at this auction.
8. The successful bidder(s) will provide a 10% cash down payment at the close of the auction upon signing a Real Estate Sales Agreement. As successful buyer, within 24 hours of contract signing, your 10% down payment will need to either be wire transferred from your bank to the Trust Account for Swanson Law Firm, or given by physical check to Sale Manager, Stan Lierz.
9. The sale is subject to confirmation and acceptance of the final bid prices by the Seller.
10. Closing will take place on or before November 30, 2021, or as soon thereafter as applicable closing documents are completed.
11. At the time of closing, the Seller will provide a deed and an updated abstract upon full payment of the purchase price.

\* ANNOUNCEMENTS MADE BY THE AUCTIONEER TAKE PRECEDENCE OVER THIS PRINTED MATERIAL OR ANY OTHER ORAL STATEMENTS MADE. \*

12. Full possession of this land will be given at closing, subject to complete removal of the 2021 crop. The Buyer(s) will have full farming rights for the 2022 crop year. The Seller reserves the right to use the grain bins and entire 1.25 acres on Parcel 3 until May 1, 2022. Any electricity expenses or minor repairs (e.g., ≤ \$500) associated with the grain bins, while still in the Seller's possession, will be the Seller's responsibility.
  13. Real Estate Taxes will be prorated to the day of closing. Any closing credits shall be based upon the most recently ascertainable real estate tax information, and the Buyer(s) will be responsible for any and all real estate tax payments thereafter.
  14. Any mineral rights owned by the Seller, if any, will be transferred to the Buyer(s) at closing.
  15. As part of the sale process, each parcel of this property was recently surveyed, at the expense of the Seller. You will be bidding and closing based on the final surveyed acres. For details on any particular parcel, please refer to the survey, which was emailed to you in the bidder registration process.
  16. Your bidding at this auction is based solely upon your inspection and due diligence. All real estate and any improvements are sold on an "AS IS, WHERE IS, WITH ALL FAULTS" basis without any warranties or representations as to fitness for a particular use, access, water quantity or quality, physical or environmental condition. Neither the Seller nor the Auction Company are warranting any specific zoning classification, location of utilities, assurance of building permits, driveway permits or water or septic permits. Please refer to the Disclaimer and Absence of Warranties paragraphs in the auction brochure and the Purchase Agreement, each of which is available for your review. It is the responsibility of each bidder to become familiar with this information.
  17. Hertz Farm Management, its auctioneer, and its representatives are agents of the Seller.
  18. All real estate is sold subject to all other terms and conditions set forth in the Sales Agreement.
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**Thanks very much for your interest in this auction!**  
**Please contact Sale Manager, Stan Lierz, with *Hertz Farm Management* if you have any questions.**

**IMPORTANT PHONE NUMBERS**

**Property #'s:            402-697-7500**

**Bidding #'s:            515-686-0911**

or

**800-593-5263**

**Request Break:        515-686-0921**