

HUDSON & MARSHALL, INC.

10761 Estes Road * Macon, Georgia 31210

(478) 743-1511 or (800) 841-9400

GA: H & M(Firm) #274 & 1779, BGH Jr #103 & 262835, AM Marshall IV #1605 & 153460, RS Slocumb #3512 & 136176

AUCTIONEER'S PURCHASE & SALE AGREEMENT

State of Georgia, County of Treutlen

May 4, 2023

The undersigned Purchaser at auction agrees to buy the following property owned by James M. Ellington, hereinafter referred to as Seller(s).

Legal Description of Property: All that tract or parcel of land located in Treutlen County, Georgia containing 149.95 acres and being more particularly described in Exhibit "A" attached.

IT IS AGREED BY THE PARTIES HERETO THAT THE PROPERTY IS SOLD SUBJECT TO THE FOLLOWING CONDITIONS AND STIPULATIONS:

(1) Ad Valorem Taxes for 2023 shall be prorated at closing. **(2)** The preparation of the Warranty Deed will be paid by the Seller(s); all other closing cost are paid by purchaser. **(3)** The property is sold subject to all valid rules and regulations of Treutlen County, Georgia or any other appropriate authority having jurisdiction over the property. **(4)** The Purchaser shall have 20 business days after Seller(s) execution of the contract to examine the title, and all objections as to title shall be made in writing to the Seller(s) within that time. The Seller(s) shall then have 30-60 days thereafter within which to remove the same. If the defects and objections are incurable and hence the title unmarketable, and not made marketable by the Seller(s) within the time aforesaid, the Purchaser may rescind this contract, and shall receive back their earnest money binder. **(5)** The closing of the purchase and the payment of the balance of the purchase money shall take place by Friday, June 9, 2023, whereupon the Seller shall deliver to Purchaser a good and sufficient Warranty Deed conveying to Purchaser marketable title in fee simple to the property subject only to any easements and restrictions of record and announcements posted prior to the auction. **(6)** Purchaser agrees that if title is good and Purchaser fails or refuses to complete this sale, Purchaser shall forfeit their earnest money as liquidated damages. **(7)** Seller(s) and Purchaser agree that said earnest money binder may be held in an interest-bearing escrow account registered with the Georgia Real Estate Commission and fully insured by the Federal Deposit Insurance Corporation and with interest accruing for benefit of Auctioneer. **(8)** Special Announcements: (a) This is a cash contract not contingent on the purchaser's ability to obtain financing; and (b) The land is being sold "AS-IS-WHERE-IS." The Seller(s) does not warrant any physical suitability for particular use and/or future use of the property. The Seller(s) warrants only marketable title free and clear of liens and encumbrances.

The sale is made upon the following terms:

	Bid Price	\$ _____
Attorney _____	10 % Buyers Premium	\$ _____
Check # _____	Purchase Price	\$ _____
	Earnest Money Binder	\$ _____
	Balance of	\$ _____

IN WITNESS WHEREOF the Purchaser has hereunto affixed his hand and seal:

Purchaser (Signature)

Purchaser (Print)

Mailing Address

City, State, Zip

Phone

Email Address

The terms of this Agreement shall constitute an offer ("Offer") by Purchaser which shall expire at 5:00 p.m. on Friday, May 5, 2023, unless prior to that time the offer is accepted, and notice is hereby given to the party who made the Offer verbally or in writing.

SELLER: James M. Ellington

PRINT: _____

SIGN: _____

EXHIBIT "A"
Legal Description

All that certain tract or parcel of land, together with improvements thereon, lying, situate, and being in the 1687th G.M.D. of Treutlen County, Georgia, containing 149.95 acres, more or less, and bounded, now of formerly, as follows: On the North, East and West by lands of J. W. Rogers and South by the Northern boundary of Interstate 16.

This tract is identified as Tract "B" on that certain plat prepared by Charles M. Zeigler and Associates, Surveyor, dated August 4, 1977, and recorded in Treutlen County, Georgia, Plat Book 5, page 36; said plat being incorporated herein by reference and made a part and parcel of this description.

This tract is the same tract conveyed from Justine F. Folwer to John E. Ellington by Warranty Deed dated August 12, 1977, and recorded in Treutlen county, Georgia, Deed Book 49, page 329, said tract being designated as Tract #3 on said deed. This is the same conveyed in that certain Warranty Deed from John E. Ellington to James M. Ellington dated December 8, 1998, filed for record December 8, 1998, recorded in Deed Book 86, page 548, in the Office of the Superior Court of Treutlen County, Georgia