

# REAL ESTATE AUCTION

**RETIRING OWNER ORDERS THE IMMEDIATE SALE!**

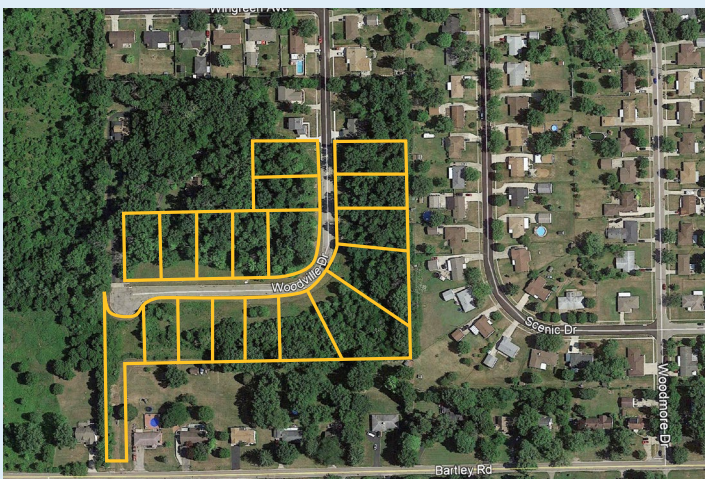
**THURSDAY, OCT. 22, 2020 AT 11AM | REGISTRATION STARTS AT 10AM  
LOCATION: MARRIOTT AT THE UNIVERSITY OF DAYTON  
1414 SOUTH PATTERSON BLVD., DAYTON OH 45409**



## **PARCEL 1: DAYTON RESOURCE INDUSTRIAL PARK**

Fully improved, ready for construction!  
Officially certified as shovel-ready 46.2 ± acres  
of zoned I-1 Industrial. Located on Needmore  
Road between Old Troy Pike and Brandt Pike.

**PUBLISHED RESERVE  
PRICE OF ONLY \$750,000**



## **PARCEL 2: 18 RESIDENTIAL HOME LOTS (SOLD AS A WHOLE)**

Located in the Bartley Woods Subdivision on  
Woodville Dr. & Woodson Circle in Dayton,  
Ohio. 7.1 acre subdivided, paved development.

**OFFERED ABSOLUTE-  
REGARDLESS OF PRICE**

Inspections: All information pertaining to Parcel 1 & Parcel 2 shall be located online at <http://ColliersAuction.listinglab.com/DAYTONPROPERTIES>

Broker: Colliers International  
OH RE Salespersons Norm Khoury & Todd Cochran

Mark S. Abood: OH Auctioneer  
OH RE Salesperson

**216.239.5060**  
[www.colliers.com](http://www.colliers.com)



# PARCEL 1: DAYTON RESOURCE INDUSTRIAL PARK



Fully improved, ready for construction! 46.2+/- acres of I-1 Industrial zoned land located on Needmore Road in the City of Dayton Ohio, 45414. Commonly known as the Dayton Resource Industrial Park, this site is officially certified as a shovel-ready industrial site by McCallum Sweeney Consulting and Dayton Power & Light. It is also located in an Enterprise Zone with significant development and tax incentives readily available. All utilities are located at the site including high-speed fiberoptic connectivity. Environmental and preliminary engineering studies have been completed. Conveniently and ideally located minutes from I-75, I-70, Wright Patterson Air Force Base, Dayton International Airport, Downtown Dayton, Miami Valley Racing, Kroger, colleges, universities, retail, hospitals, public transportation and much more! Recently offered at \$55,000 per acre or \$2,540,000! It could be yours for the highest bid over \$750,000 on auction day!



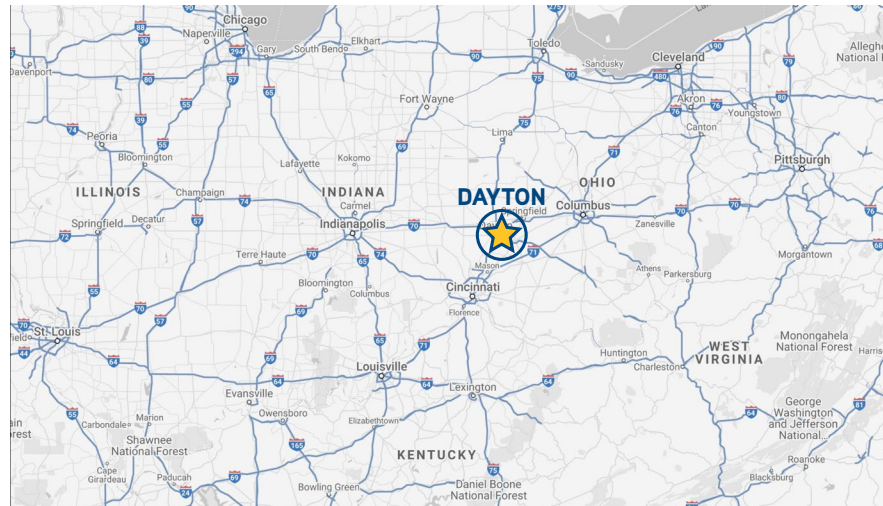
Montgomery County Tax Valuation: \$197,000.00  
 Published Reserve Price: \$750,000.00  
 Permanent Parcel Number: R722177080003, 0004, 0005, 0006 and 0007  
 2019 Estimated Tax Bill: \$2,500.00  
 Cashier's Check Required to Bid: \$50,000.00

**PROPERTY VIDEO**

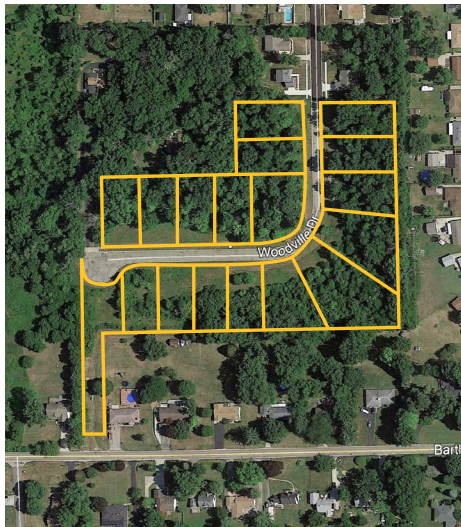


## CENTRALLY LOCATED

Chicago	232 Miles
Indianapolis	102 Miles
Louisville	133 Miles
Cleveland	175 Miles
Pittsburgh	227 Miles
Columbus	65 Miles
Cincinnati	49 Miles



## PARCEL 2: 18 RESIDENTIAL HOME LOTS (SOLD AS A WHOLE) - BARTLEY WOODS, DAYTON, OH



Incredible opportunity to purchase home lots at YOUR PRICE! Located in the Bartley Woods Subdivision on Woodville Drive and Woodson Circle in Dayton, OH 45414, this 7.1 acre subdivided, paved development is just waiting for a developer or builder to finish these last 18 lots. Each lot ranges in size from 0.35 acres to over 0.40 acres. These lots will be offered **ABSOLUTE**, REGARDLESS OF PRICE, in bulk to a single developer/investor as a whole. The only requirement from buyer is that they must provide adequate and sufficient security to the City of Dayton for the construction of the remaining infrastructure improvements (including the release of Seller from its Subdivider's Agreement with the City of Dayton and the release of the bond posted by Seller) as a condition to closing and transfer. This scenic and wooded development is located in the Northridge Local School District. Homes are in the Bartley Woods Development range from \$150,000 to \$200,000 in value.

Montgomery County Tax Valuation: \$12,000- \$14,000 per lot (\$235,000 total).  
 Published Reserve Price: OFFERED **ABSOLUTE** - REGARDLESS OF PRICE.  
 Permanent Parcel Number: R721161210003 through 0020.  
 2019 Estimated Tax Bill: \$400-\$500 per lot (\$9,000 total).  
 Cashier's Check Required to Bid: Must deposit 10% of Purchase Price into escrow on auction day.

# TERMS OF SALE FOR OCTOBER 22, 2020 REAL ESTATE AUCTION

**AUCTION PROCEDURE AND FORMAT:** This is a live, public, open-outcry auction. To bid, a participant must be a registered bidder and must raise their hand, shout out their bid or notify a bidder's assistant of their bid. A bid shall not be valid unless or until the auctioneer recognizes the bidder and their respective bid. The authorized signatory of each Seller will be at the auction. The final High Bid will be accepted at the time and place of the auction provided such High Bid is equal to or greater than the Published Reserve Price. The Auctioneer reserves the right to seek an opening bid below the Published Reserve Price. In the event the bidding level does not reach the Published Reserve Price, the High Bid will be considered an offer and the Property will be offered 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. ***Pounding and knocking of a gavel is a common occurrence at an auction. Such occurrences shall not be deemed to indicate a sale or that a parcel has been sold unless or until the auctioneer announces verbally that said parcel has been sold.***

## METHOD OF BIDDING:

**PARCEL 1:** 46.2+/- acres of industrial land located on Needmore Road, Dayton, OH 45414 shall be offered with a Published Reserve Price of \$750,000.

**PARCEL 2:** 7.1+/- acres of residential land located in Bartley Woods Subdivision on Woodville Drive and Woodson Circle, Dayton, OH shall be offered in **ABSOLUTE**, REGARDLESS OF PRICE.

**BIDDER INFORMATION PACKAGE:** A Bidder's Information or Due Diligence Package must be obtained by all registered bidders prior to the Auction. The Bidder's Information Package shall contain information pertaining to the property being offered; however, all bidders are advised to perform their own due diligence prior to the Auction.

**ATTORNEY REVIEW RECOMMENDATION:** All information contained in the brochure and all other auction-related material, such as the Bidder's Information Package should be carefully reviewed by an attorney prior to the auction and is subject to and may be superseded by the Real Estate Purchase Agreement to be signed at the auction and announcements made from the podium prior to the commencement of bidding.

**AUCTION REGISTRATION:** All participants interested in bidding at the auction shall register at the registration counter by providing the following items: (1) valid state issued identification; (2) proof that participant has inspected the Property; (3) presentation of certified or cashier's check in the amount required to bid (if any); and (4) an acknowledgment that the bidder has received, reviewed and understands the terms of sale, purchase and sale agreement, Bidder's Information Package and is capable of closing if they are the successful bidder.

**REQUIREMENTS OF THE HIGH BIDDER:** The High Bidder of each respective parcel in the auction shall be required to: (1) Immediately tender a deposit as follows (unless otherwise noted):

**Parcel 1:** 46.2+/- acres of land, Needmore Road, Dayton, OH 45414  
**\$50,000.00 Certified Funds.**

**Parcel 2:** 7.1+/- acres of land, Woodville Drive and Woodson Circle, Dayton, OH  
**10% of Purchase Price in cash or check on day of auction.**

(2) Execute the Purchase and Sale Agreement; (3) Execute the appropriate Ohio Agency Disclosure Forms and Property Disclosure Forms; and (4) Increase their money deposit to ten percent (10%) of the Purchase Price within five (5) days of the auction; (5) In the case of Parcel 2, provide adequate and sufficient security to the city of Dayton for the construction of infrastructure improvements (including the release of Seller from its Subdivider's Agreement with the City of Dayton and the release of the bond posted by Seller) as a condition to closing and transfer.

**NON-REFUNDABLE MONEY DEPOSITS:** All money deposits submitted by the successful high bidder shall become immediately non-refundable. This sale is not subject to Purchaser obtaining financing, any contingencies, inspections or other reasons except as noted herein. If Purchaser fails to perform within the time limitations specified, any and all money deposits shall be forfeited as liquidated damages.

Disclaimer: the information contained herein is subject to independent 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.

All potential purchasers who become bidders at this auction have received copies of these terms of sale, had them orally presented to them on auction day, and by placing their bids agree to be bound.

Covid-19 release from liability: the novel coronavirus, covid-19, has been declared a worldwide pandemic by the world health organization. Covid-19 is reported to be extremely contagious. Evidence has shown that covid-19 can cause serious and potentially life-threatening illness and even death. I acknowledge that I feel in good health today, have checked my temperature and do not have any symptoms associated with covid-19. I hereby forever release and waive my right to bring suit against owner, trustee, colliers international, mark abood, aws commercial llc and all their respective officers, directors, managers, officials, trustees, agents, attorneys, employees, or other representatives in connections with exposure, infection, and/or spread of covid-19 related to my presence on the premises. I understand that this waiver means I give up my right to bring any claims including for personal injuries, death, disease, or property losses, or any other loss, including but not limited to claims of negligence and give up any claim I may have to seek damages, whether known or unknown, foreseen or unforeseen.

**TITLE AND ESCROW INSTRUCTIONS:** Title and Escrow services shall be provided by: Everest Land Title Agency Ltd., 2820 Key Tower, 127 Public Square, Cleveland, OH 44114; c/o Angela Hare, General Counsel; (216) 930-4424; [ahare@everestland.com](mailto:ahare@everestland.com). All money deposits shall be deposited with the Title Company. The total money deposit shall be increased to ten percent (10%) of the Purchase Price and delivered to the Title Company within five (5) days of the auction or October 27, 2020 whichever is later. Title and escrow fees and costs shall be split equally between the Seller and the Purchaser, with specific expense allocation set forth in the Purchase and Sale Agreement (a copy of which is included in the Bidder Information Package).

**CLOSING DATES:** The Closing Date shall be November 25, 2020 at the office of the Title Company. At such time, Purchaser shall tender or have already tendered the balance of the Purchase Price. **TIME IS OF THE ESSENCE IN THIS TRANSACTION.**

**BUYER'S PREMIUM:** A Buyer's Premium in an amount equal to ten percent (10%) of the High Bid shall be paid by the Purchaser and added to the High Bid amount in order to calculate the Total Purchase Price for all parcels in this auction. Purchaser acknowledges and accepts that such amount shall be added to the High Bid and such amounts shall be the responsibility of the Purchaser.

**FINANCING:** The Parcels offered at auction are not subject to or contingent upon the Purchaser obtaining financing.

**AGENCY DISCLOSURE:** AWS Commercial, LLC d/b/a Colliers International, OH RE Broker, West Shell Commercial, Inc. d/b/a Colliers International, Norm Khoury and Todd Cochran, OH RE Salespersons and Mark Abood, OH RE Salesperson and OH Auctioneer all represent the Seller in this transaction.

**BUYER BROKER PARTICIPATION:** A Buyer Broker meeting the following requirements is eligible to receive an amount equal to one percent (1%) of the High Bid Amount paid by the Seller out of the Seller's proceeds at Closing. To qualify, the Buyer Broker must: (1) be an active licensed OH RE salesperson or broker in good standing; (2) register their client in writing via email to [mark.abood@colliers.com](mailto:mark.abood@colliers.com) on or before October 12, 2020; (3) attend the auction with their client; and (4) their client must be the successful High Bidder and close on the sale of the property. No Buyer Broker will be recognized for a buyer 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 Buyer Broker, its agents, or a member of its immediate family is participating in the purchase of the property. An affidavit will be required certifying that the Buyer Broker is not participating in any way as a principal. No sub-agency shall be offered to any broker by Auctioneer. No oral registrations will be accepted. Buyer Brokers are hereby notified that the Seller has provided a dual commission arrangement for the sale of the property.

**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 sole direction and discretion of the Auctioneer. Auction Day Announcements made from the podium supersede printed material. The 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 either accept the final bid, to re-offer/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.

**AS-IS CONDITION - BINDING SALE:** The property is being sold in its present condition with no warranties, whatsoever, except for title, which is to be clear and marketable. It is being sold "as is where is - in its present condition, with all faults." Any gas or mineral rights in place, transfer to new lot owner. Each bidder is relying on his/her own independent inspection of the real estate for its physical conditions, character, and suitability and fitness for purchaser's intended use and is not relying upon any representation of Sellers, Colliers International, AWS Commercial, LLC, West Shell Commercial, Inc., Norm Khoury, Todd Cochran, Mark Abood, or any of their agents, representatives, personnel or staff.

## BIDDER INFORMATION PACKAGES FOR OCT. 22, 2020 REAL ESTATE AUCTION

The package includes important due diligence information about the property, the offering and the auction program. Including but not limited to: property overview, photos, real estate tax information, property disclosures, legal description, preliminary title commitment, purchase and sale agreement and terms of sale. Bidder information packages may be obtained in person at any of the Property Inspection Dates or by logging on to:

**[HTTP://COLLIERSAUCTION.LISTINGLAB.COM/DAYTONPROPERTIES](http://colliersauction.listinglab.com/daytonproperties)**

Would you like to receive more information regarding other auctions? Please contact Kris Walsh at [kris.walsh@colliers.com](mailto:kris.walsh@colliers.com)

Remote bidding is permitted with proper advanced registration. Contact Mark S. Abood for details and instructions at [mark.abood@colliers.com](mailto:mark.abood@colliers.com)

