

Kimvale Farms Complete Dispersal

Real Estate, Machinery, Produce, & Growing Crops!

Friday September 20, 2013 at 10:00 AM

3456 Dry Brook Road, Falconer, New York

OPEN HOUSE: Thurs 9/12 from 10am-2pm

Real Estate: Thirty parcels totaling approximately 725 acres of land! All of the real estate is certified organic and includes the mineral rights! Includes tillable land, woods, creeks, and a dairy complex with two homes and a mobile home!

Machinery: Full line of farm machinery featuring John Deere tractors plus harvest, tillage, barn and milking equipment!

Produce: A large quantity of certified organic forage including corn silage, haylage, wrapped bales, round bales, and small squares of hay, straw, and bedding!

Growing Crops: Approximately 160 acres of organic corn & approximately 48 acres of organic soybeans!

NOTICE TO ALL BIDDERS

The information included herewith is a summary of information available from a number of sources, most of which have not been independently verified. This summary has been provided only for the use of prospective bidders at Public Auction to be held on Friday September 20, 2013, Falconer, New York, and is supplied for whatever assistance it may provide in answering questions; however: **SUCH INFORMATION AND OPINIONS ARE SUPPLIED WITHOUT ANY WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED WHATSOEVER.**

Prospective bidders are advised to avail themselves of the land and tax records of Chautauqua County, (Poland) township, and to make an inspection of the premises on their own behalf, consulting whatever advisors they may feel appropriate.

The property for sale will be auctioned in an "AS IS, WHERE IS" condition and neither the Auctioneer/Broker, WILLIAM KENT INC., nor the seller or their respective agents make any express or implied warranties of any kind. The description and conditions listed in this and other advertising materials are to be used as guidelines only, and are not guaranteed. Announcements made by the Auctioneer/Broker from the auction block at sale time will take precedence over ALL printed materials.



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REAL ESTATE

For more information on the real estate, including maps, deposits, soil types, etc. please visit our website, www.williamkentinc.com, or call our office at 585-343-5449!

MACHINERY, PRODUCE & CROPS

MACHINERY: TRACTORS & LOADERS: John Deere 8120, MFWD, 10,583 hrs, 3 remotes, 3pt, PTO, 16.9R30 front, 710/70R38 rear; John Deere 8200, MFWD, 5,737 hrs, 3 remotes, 3pt, PTO, 13.9R30 front, 18.4R46 rear; John Deere 6430 Premium with John Deere 673 self leveling loader, MFWD, 5,631 hrs, 2 remotes, 3pt, PTO, 13.6R28 front, 18.4R38 rear; John Deere 6300, MFWD, Cab, 11,948 hrs, 2 remotes, 3pt, PTO, 13.6R24 front, 18.4R38 rear; John Deere 3155 with John Deere 265 loader, MFWD, ROPS, 11,029 hrs, 2 remotes, 3pt, PTO, 16.9-24 front, 18.4R38 rear; Ford 6600; John Deere 317 skidloader, 5,849 hrs; John Deere 6675 skidloader; Bobcat 15c post hole digger for skidsteer; jackhammer attachment for skidloader; buckets; spears; feed pusher; tire scrapers; skidsteer bucket adapter for JD loader; etc. **VEHICLES:** '83 Ford 6 wheel with hoist, needs work; '78 Ford 10 wheel with H&S 18' rear unload box, needs transmission; '98 Featherlite 8120 7'x20' aluminum trailer; Gravely Trekker, needs work; **HARVEST:** John Deere 7720 combine, 4wd, 14.9R24 rear, 30.5L-32 front; John Deere 920 flex head; UM HT25 header cart; John Deere 936 MoCo discbine; Kuhn GMD800 3pt discbine; Krone KW 5.52/4X7T tedder; Kuhn GA7822 twin sweep rake; Farmhand wheel rake; Claas Rollant 250 Rotocut; John Deere 336 baler, twine; Pronovost P6300 tube bale wrapper; Gehl 24' round bale wagon; round bale wagon; Killbros 350bu gravity wagon; Turnco gravity wagon; EZ Trail gravity wagon; Central Tractor gravity wagon; NI 323 1 row picker; Richardton 700 dump wagon; New Holland 40 Whirl-a-feed blower with pipe; Allied 225 elevator with 2hp motor; New Holland 355 grinder/mixer; NECO 51 grain cleaner; **TILLAGE:** John Deere 7000 Conservation 6 row planter; John Deere 3710 7btm on-land plow; Ford 151 4btm plow; John Deere 637 disc; Brillion 12' cultmulcher; section drag; 4 row cultivator with tanks; 6 row cultivator; **BARN & MANURE:** Penta 4110 Lo Profile mixer wagon with Digistar EZ2000 scales; H&S 430 box spreader; Gehl Scavenger 1315 spreader; Houle vertical manure pump; feeder wagons; Teagle Tomahawk 5050 bale shredder; HLA side slinger for skidsteer; **MILKING EQUIPMENT:** Mueller 3000 gallon bulk tank #66611; Mueller 1500 gallon bulk tank, #OH4129; Germania double 10 parallel parlor; DeLaval GACMKPA0145 vacuum pump; DeLaval vacuum pump; Mueller plate cooler; dairy supplies; **OTHER EQUIPMENT:** Winco generator; Bushhog 307 mower; John Deere 717 mower; Barn fans; waterers; neck numbers; gates; Woodsman 3pt buzzsaw; hoof trimming table; belts; duals; 12' alum. boat; JD suitcase weights; quick hitch; horse drawn equipment; tanks; tires; 1" black hose; pipe; snow fence; augers; high tensile wire; bob sleds; & much more! **PRODUCE:** Certified organic roasted soybeans, oats, wheat, corn, rye, buckwheat; Certified organic timothy seed, clover seed, pasture grass mix seed; Certified organic Nature Smart 4:1 lactating minerals; Certified organic sea salt, selenium, dry cow minerals; Large quantity of certified organic feed including corn silage, haylage, wrapped bales, round bales, small squares of hay, straw, & bedding. **GROWING CROPS:** Approximately 160 acres of organic corn & approximately 48 acres of organic soybeans.

TERMS: GENERAL TERMS: Cash, check, MasterCard or Visa. Nothing to be removed until settled for. All items sold "AS IS"! Out of state buyers must bring a bank letter of credit made out to William Kent, Inc.



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REAL ESTATE AUCTION PROCEDURE

The real estate will be sold by a multi-parcel auction. In a multi-parcel auction the parcels are offered individually and then in combination. After they have been offered in combination there will be a brief break after which time the parcels will be offered individually again. To advance the bids on the individual parcel the next bid must be high enough to offset any advancement in bidding that took place when the parcels were offered in combination.

Example: Round 1

Parcel A \$10,000

Parcel B \$5,000

Combination (A+B) \$20,000

In this example individually Parcel A had a high bid of \$10,000 and Parcel B had a high bid of \$5,000. As a combination the high bids rose from \$15,000 (\$10,000 + \$5,000) to \$20,000. To bid on the individual parcels again the next bid on either Parcel A or B must not only increase by the minimum bid increment but it must also increase by the amount the bids increased at the combination. Given a minimum bid increment of \$2,500 the next round would require the following:

Round 2

Parcel A

Current Bid \$10,000

Next Bid \$17,500 (\$10,000 original bid + \$5,000 increase at combination + \$2,500 minimum bid increment)

Parcel B

Current Bid \$5,000

Next Bid \$12,500 (\$5,000 original bid + \$5,000 increase at combination + \$2,500 minimum bid increment)

Combination (A+B)

Current Bid \$20,000

Next Bid \$22,500 (\$20,000 original bid + \$2,500 minimum bid increment)

If no one advances any bids the auction is over. If a bid is advanced the auction would continue another round. In this example we will say that Parcel B is advanced to a new high bid of \$15,000. No advancement is made on Parcel A or the Combination. The \$15,000 bid on Parcel B, when added to the original bid of \$10,000 on Parcel A totals more than the high bid on the Combination (\$20,000). This means that the high bidder on A & B are the current winning bids. The high bidder on the Combination was winning at the end of Round 1 but is now out at the end of Round 2. Round 3 would require the following bids.

Round 3

Parcel A

Current Bid \$10,000

Next Bid \$12,500 (\$10,000 original bid + \$2,500 minimum bid increment)

Parcel B

Current Bid \$15,000

Next Bid \$17,500 (\$15,000 high bid + \$2,500 minimum bid increment)

Combination

Current Bid \$20,000

Next Bid \$27,500 (\$10,000 Parcel A bid + \$15,000 Parcel B bid + \$2,500 minimum bid increment)

These rounds of offering the property at combination and individually will continue until no advancement of the bids takes place. The auction could last for two rounds or could continue for numerous rounds. Please contact our office if you have any questions regarding the multi-parcel auction.



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NOTICE TO ALL BIDDERS
KIMVALE FARMS REAL ESTATE AUCTION
Friday, September 20, 2013, Poland, NY

1. The **TERMS OF THE SALE** are all cash at time of Closing or otherwise as mutually agreed. The contract is not subject to condition of financing or any other contingencies. You must be sure that your financing is arranged, if needed, or that you are capable of paying cash at closing.
2. This property sells subject to confirmation by Seller.
3. Upon acceptance of the final bid, Deposits will be required in cash or certified check made out to William Kent Inc. Brokers. This deposit will be held in Escrow. If the property fails to close due to no fault of the buyer, the deposit will be fully refunded.
4. A Contract of Sale must be signed by the Buyer immediately following the Auction of Real Estate. The Buyer is also required to sign the Agency Disclosure, and Price Verification.
5. The property sells in "AS IS" condition without exceptions.
6. Seller will convey to buyer the premises by Warranty Deed.
7. This Contract of Sale has been reviewed and approved by the Sellers' attorney.
8. Announcements made from the Auction Block at the time of the sale will take precedence over all other information and all printed material. WILLIAM KENT INC. believes all material to be correct, but assumes no legal responsibility for its accuracy or for the accuracy of its representation.

<u>BID PRICE</u>	\$ _____
<u>PLUS 10% BUYER'S PREMIUM</u>	\$ _____
<u>TOTAL PURCHASE PRICE</u>	\$ _____

By signing this verification, I/We, _____
Buyer, agree and acknowledge that I/We understand how the total purchase price was computed. I/We also acknowledge that either my/our attorney approved the purchaser offer or I/We waive our attorney approval.



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NOTICE TO ALL BIDDERS!

1. The TERMS OF THE SALE are all cash at time of closing. The contracts are not subject to condition of financing or any other contingencies. You must be sure that your financing is arranged if needed, or that you are capable of paying cash at closing.
2. This property sells subject to confirmation by Seller.
3. Upon acceptance of the final bid, deposits will be required in cash or certified check made out to William Kent Inc. Brokers. This deposit will be held in Escrow. If the property fails to close due to no fault of the buyer, the deposit will be fully refunded. The deposit is non-refundable in case of default or breach of contract on the part of the buyer. The deposit amounts are as follows:

Parcel 1-\$40,000	Parcel 16-\$7,500
Parcel 2-\$7,500	Parcel 17-\$7,500
Parcel 3-\$5,000	Parcel 18-\$7,500
Parcel 4-\$10,000	Parcel 19-\$7,500
Parcel 5-\$5,000	Parcel 20-\$5,000
Parcel 6-\$5,000	Parcel 21-\$5,000
Parcel 7-\$2,000	Parcel 22-\$5,000
Parcel 8-\$15,000	Parcel 23-\$7,500
Parcel 9-\$5,000	Parcel 24-\$7,500
Parcel 10-\$7,500	Parcel 25-\$2,000
Parcel 11-\$5,000	Parcel 26-\$7,500
Parcel 12-\$5,000	Parcel 27-\$2,000
Parcel 13-\$7,500	Parcel 28-\$7,500
Parcel 14-\$7,500	Parcel 29-\$2,000
Parcel 15-\$7,500	Parcel 30-\$10,000

****If parcels are sold in combination the deposits for the individual parcels are added together. The sum of the deposits of each individual parcel in the combination is the deposit required.***

4. A Contract of Sale must be signed by the Buyer immediately following the Auction of Real Estate. The Buyer is also required to sign the Agency Disclosure, Price Verification, and provide attorney approval of the contract or elect to waive attorney approval at the auction.
5. The property sells in "AS IS" condition without exceptions. Compliance with any government regulations will be the responsibility of the buyer. Any fixtures or appliances are sold "AS IS". Seller makes no representations, or warranties, expressed or implied regarding the same.
6. Seller will convey to buyer the premises by Warranty Deed.

7. Properties will be sold and identified as follows:

Parcel 1-As per legal description with surveyed exception of Parcel #2

Parcel 2-As per survey*if parcels 1&2 are sold in combination parcel will transfer as per legal description

Parcel 3-As per deed description

Parcel 4-As per legal description*if parcel 4 is sold in combination with parcels 1&2 parcel will transfer as per deed description

Parcel 5-As per survey unless sold in combination with Parcel 6, if sold in combination as per deed description

Parcel 6-As per survey unless sold in combination with Parcel 5, if sold in combination as per deed description

Parcel 7-As per legal description

Parcel 8-As per legal description

Parcel 9-As per deed description

Parcel 10-As per deed description

Parcel 11-As per survey unless sold in combination with Parcel 12, if sold in combination as per deed description

Parcel 12-As per survey unless sold in combination with Parcel 11, if sold in combination as per deed description

Parcel 13-As per deed description

Parcel 14-As per deed description

Parcel 15-As per deed description

Parcel 16-As per deed description

Parcel 17-As per deed description

Parcel 18-As per survey unless sold in combination with Parcel 19 & 20, if sold in combination as per legal description

Parcel 19-As per survey unless sold in combination with Parcel 18 & 20, if sold in combination as per legal description



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Parcel 20-As per survey unless sold in combination with Parcel 18 & 19, if sold in combination as per legal description
Parcel 21-As per survey unless sold in combination with Parcel 22, if sold in combination as per legal description
Parcel 22-As per survey unless sold in combination with Parcel 21, if sold in combination as per legal description
**if parcels 18, 19, 20, 21, & 22 sell as one combination parcel will transfer as per deed description*
Parcel 23-As per deed description
Parcel 24-As per survey unless sold in combination with Parcel 25, if sold in combination as per deed description
Parcel 25-As per survey unless sold in combination with Parcel 24, if sold in combination as per deed description
Parcel 26-As per survey unless sold in combination with Parcel 27, if sold in combination as per legal description
Parcel 27-As per survey unless sold in combination with Parcel 26, if sold in combination as per legal description
Parcel 28-As per legal description
Parcel 29-As per legal description
**if parcels 26, 27, 28 & 29 sell as one combination parcel will transfer as per deed description*
Parcel 30-As per deed description

8. The Contracts of Sale has been reviewed and approved by the Sellers' attorney. Please review these contracts with your attorney prior to the auction. No changes or contingencies to the contracts will be accepted. You must have a written approval letter from your attorney at the registration for the auction or you must elect to waive attorney approval.
9. Bidding and conduct of the auction are at the discretion of the auctioneer, William Kent, Inc. and all of their agents or employees that are acting as an agent for the seller. At their discretion, auctioneer may take intermissions throughout the auction.
10. Announcements made from the auction block at the time of the sale will take precedence over all other information and all printed material. William Kent, Inc. believes all material to be correct, but assumes no legal responsibility for its accuracy or for the accuracy of its representation.

11. Kimvale Farms Parcels

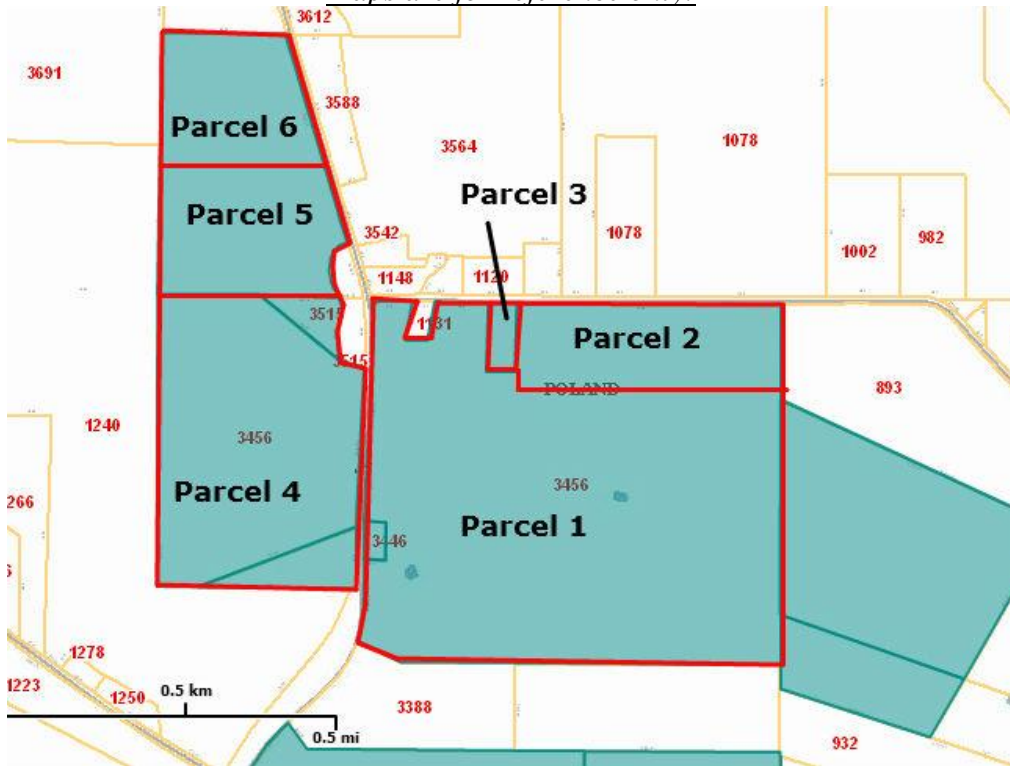
Parcel #1: ~122 acres. Portion of tax parcel #339.-2-24 east of Dry Brook Rd excluding Parcel #2
Parcel #2: ~24.5 acres. Portion of tax parcel #339.-2-24 east of Parcel 3 south of Wheelock Rd
Parcel #3: 2 acres. Tax parcel #339.-2-32
Parcel #4: ~59 acres. Tax parcels #338.-2-26, #339.-2-26, & portion of #339.-2-24 west of Dry Brook Rd.
Parcel #5: ~28 acres. South portion of tax parcel #338.-2-36.1
Parcel #6: ~14.9 acres. North portion of tax parcel #338.-2-36.1
Parcel #7: ~100'x70' lot. Portion of tax parcel #356.-1-40 located on the SW corner of Mee Rd & Dry Brook Rd
Parcel #8: ~41 acres. Portion of tax parcel #356.-1-40 located on the east side of Dry Brook Rd.
Parcel #9: 4.9 acres. Tax parcel #356.-1-39
Parcel #10: 32.1 acres. Tax parcel #356.-1-43
Parcel #11: ~14.7 acres. North portion of tax parcel #356.-1-41
Parcel #12: ~12 acres. South portion of tax parcel #356.-1-41
Parcel #13: 18.8 acres. Tax parcel #356.-2-18
Parcel #14: 33 acres. Tax parcel #356.-2-17
Parcel #15: 12.9 acres. Tax parcel #356.-2-34
Parcel #16: 42.6 acres. Tax parcel #356.-2-46
Parcel #17: 87.4 acres. Tax parcels #356.-2-10, #356.-2-11, #356.-2-12, & #356.-2-47
Parcel #18: ~37 acres. Portion of tax parcel #356.-2-13
Parcel #19: ~18 acres. Portion of tax parcel #356.-2-13
Parcel #20: ~8 acres. Portion of tax parcel #356.-2-13
Parcel #21: ~7 acres. Portion of tax parcel #356.-2-13
Parcel #22: ~5 acres. Portion of tax parcel #356.-2-13
Parcel #23: 17.7 acres. Tax parcel #339.-1-28
Parcel #24: ~35.5 acres. Portion of tax parcel #340.-1-18
Parcel #25: ~4 acres. Portion of tax parcel #340.-1-18
Parcel #26: ~16.5 acres. Portion of tax parcel #339.-1-20
Parcel #27: ~4 acres. Portion of tax parcel #339.-1-20
Parcel #28: ~13.5 acres. Portion of tax parcel #339.-1-20
Parcel #29: ~½ acre. Portion of tax parcel #339.-1-20
Parcel #30: 34.8 acres. Tax parcel #339.-1-31



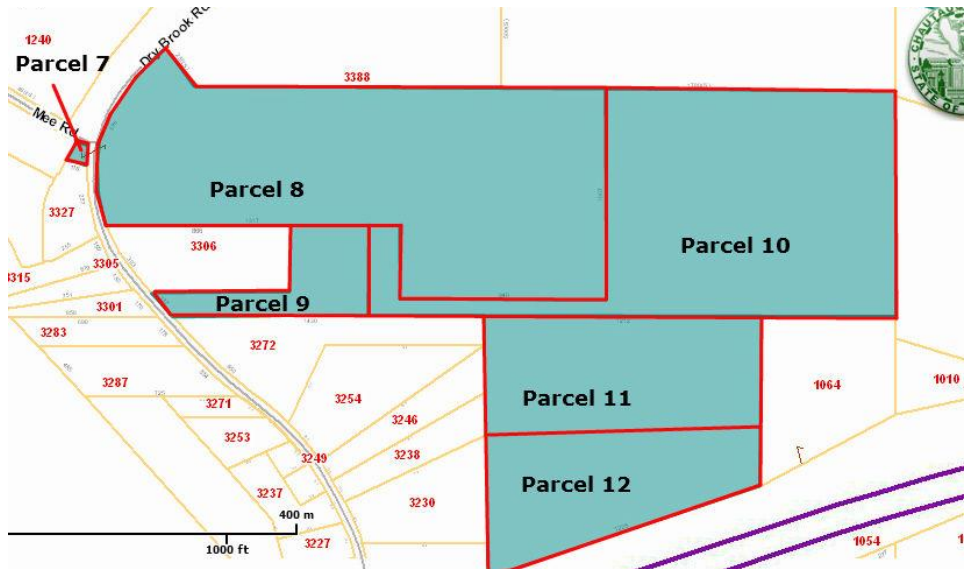
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Maps are for reference only!



Home Farm: Parcels #1-6

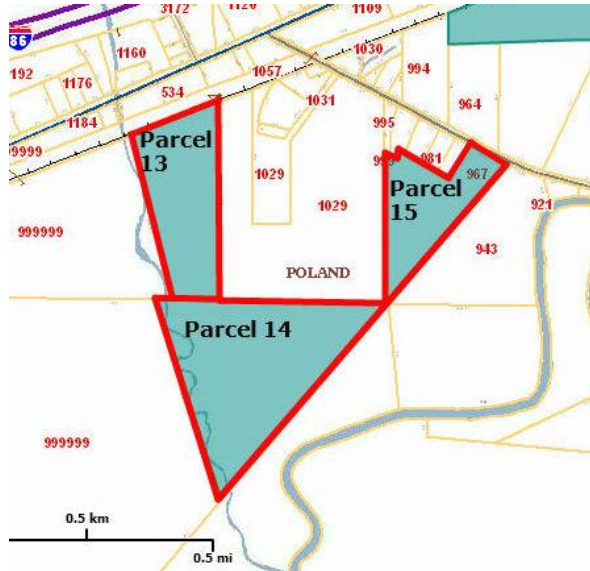


South of Home Farm: Parcels #7-12

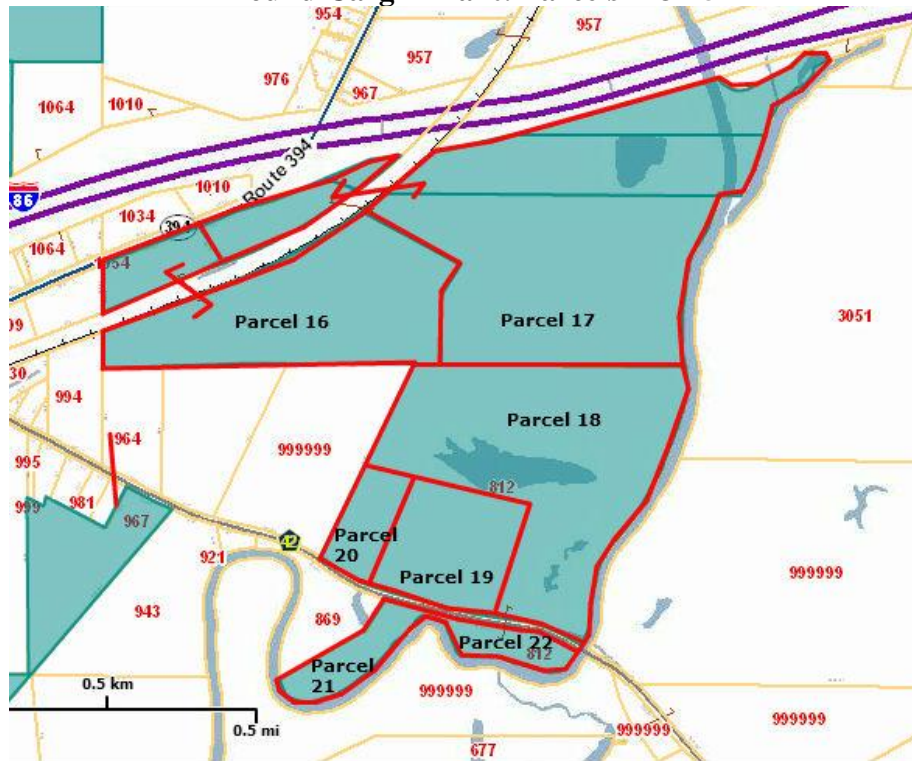


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Around Cargill Plant: Parcels #13-15

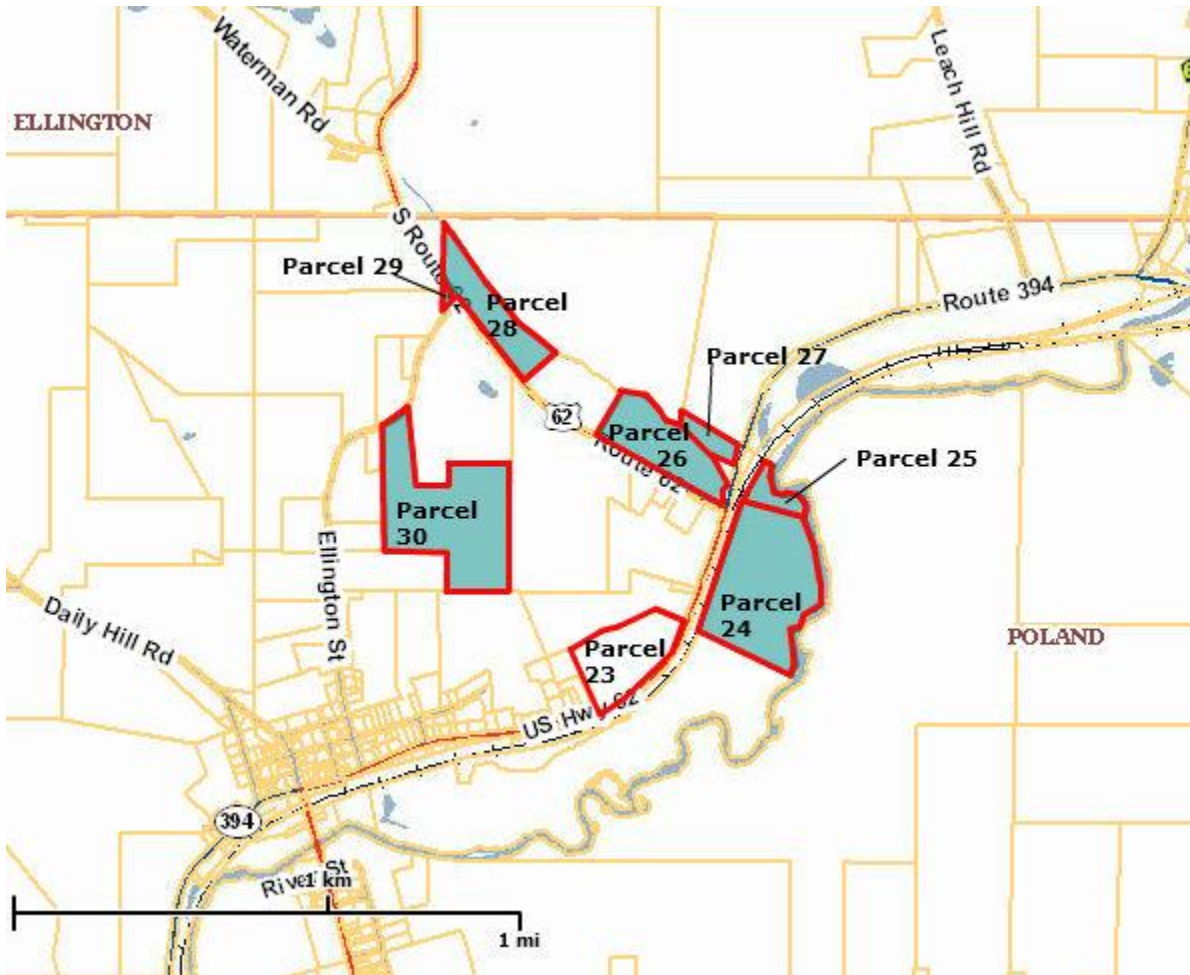


South of Route 86: Parcels #16-22



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East Farm: Parcels #23-30



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