

**TERMS AND CONDITIONS OF SALE**  
**REAL PROPERTY LOCATED AT**  
**1595 ORR STREET, TOWN OF BUSTI**  
**COUNTY OF CHAUTAUQUA, STATE OF NEW YORK,**  
**IDENTIFIED AS: PART OF TAX PARCEL: SECTION 403.00 BLOCK 3 LOT 42**  
**WILL BE OFFERED FOR SALE AT PUBLIC AUCTION**  
**ON SATURDAY, NOVEMBER 21, 2020. BIDDING TO BEGIN AT 3 PM**

The auction will be held on location at the property

**Open House Preview Wednesday, November 18, 2020 at 3pm - 5pm**

**Auction Parcel:** (All measurements & acreage is approximate)

+/- 1.5 acres of land with a 1 ½ story home with attached garage and approximately 250' of road frontage on Orr Street

- (1.) This property is being offered for sale “AS IS, WHERE IS”, with no guarantees or warranties of any sort, either actual or implied, including but not limited to the septic/sewer, water system, plumbing, heating, electrical, interior and exterior of all buildings, any fixtures, and the land. The Purchaser will pay for a Chautauqua County health department septic and water test at closing and will pay for any and all repairs or updates if required by Chautauqua County.
- (2.) All property boundaries are approximate, and no guarantees of any kind are given with respect to the acreage shown on tax maps or referred to in any existing deeds, surveys, or sale literature. An updated land survey will be provided prior to closing.
- (3.) Prospective Purchasers are responsible for inspecting the property, being knowledgeable about its physical condition and any existing zoning regulations, leases, easements, rights of way, or other restrictions regarding its use, and understanding closing costs and fees, **PRIOR TO THE AUCTION.**
- (4.) The sale will be subject to the approval of the Seller within 48 hours of the auction. The Seller reserves the right to accept or reject any and all bids, for any reason whatsoever.
- (5.) The successful high bidder will immediately sign a Contract for Sale of Real Property and will place the following deposit of \$5,000.00 in the form of cash or good check with Peterson Auction & Realty LLC to be held in their escrow account until closing.
- (6.) The deposit will **NOT** be refunded if the sale is not completed due to the default of the Purchasers for any reason and therefore will be forfeited to the seller.
- (7.) The deposit **WILL** be refunded in full to the Purchasers if the sale is not completed due to the default of the Seller for any reason.

(8.) The BALANCE will be due AT CLOSING, ON OR BEFORE JANUARY 21, 2021. POSSESSION will be granted at closing.

(9.) The Seller shall furnish a Clear and Marketable title to the Purchaser, free and clear of any liens or encumbrances, subject to any leases, easements, rights of way, or deed restrictions of record. All sellers' oil, gas, mineral, & timber rights will be conveyed to the purchasers at time of closing.

(10.) CLOSING COSTS - The Seller will pay for the Title Search update. Purchaser will pay for Revenue Stamps, TP 584 Filing Fee, Deed Recording Fee, RP5217 Filing Fee, and any costs in obtaining financing. Each will pay own attorney fees.

(11.) ALL PROPERTY TAXES will be APPORTIONED AND PRORATED as of the CLOSING DATE.

(12.) Seller and/or Auctioneer reserve the right to cancel the auction for any reason prior to set auction date.

(13.) Michael W. Peterson is acting only as Sales Agent for the Seller, and has no personal interest in the property.

ANY ANNOUNCEMENTS MADE BY THE AUCTIONEER ON THE DAY OF THE SALE WILL TAKE PRECEDENCE OVER ANY PRINTED MATERIAL.

THE SELLER AND HIS SALES AGENTS WILL NOT BE HELD RESPONSIBLE FOR ANY ACCIDENTS SHOULD THEY OCCUR BEFORE, DURING, AFTER, OR BECAUSE OF THE AUCTION.

SELLER: Estate of LeRoy J. McCray/ Jack A. McCray, Executor  
1595 Orr Street  
Jamestown, New York 14701

ATTORNEY: Wright, Wright, & Hampton (716) 483-1122  
525 Fairmount Avenue  
Jamestown, New York 14701

BROKER: Michael W. Peterson, Peterson Auction and Realty LLC  
164 Ivory Street, Frewsburg, New York 14738  
Telephone: 716-665-0668 Fax: 716-661-9629  
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## PROPERTY DESCRIPTIONS

Location: 1595 Orr Street, Jamestown, New York 14701

PART OF TAX PARCEL NUMBER: Section 403.00 Block 3 Lot 42

TAXES: This property is currently part of a larger tax parcel  
Projected Taxes after sale: Subject to assessed value upon completion of sale  
Current tax rates for taxing jurisdiction available on Chautauqua County Web Site

SCHOOL DISTRICT: Jamestown Public Schools

ALL MEASUREMENTS ARE APPROXIMATE

House: 1950ish 1,212 sq ft two story house w/ 22'x 50' attached garage

Roof: shingle

Foundation: block

Siding: Vinyl

Electric: 60 amp w/ breakers/ Niagara Mohawk

Heating: Baseboard/Boiler, gas

Water Heater: 40 gln, gas, pump replaced this year

Windows: Anderson Energy Star

Full Basement: concrete floor, laundry hookups

1<sup>st</sup> Floor: 776 sq ft

Porch: 7' x 28' covered porch

Kitchen: 9'8" x 11.5', carpet, wooden cupboards, stove, refrigerator, dishwasher, microwave

Dining Room: 8' x 14', carpet

Living Room: 12' x 24', carpet, fireplace

Bathroom: 5' x 7', carpet, toilet, sink, tub/shower

2<sup>nd</sup> Floor: 436 sq ft

1<sup>st</sup> Bedroom: 9'x 13', carpet, 3'5" x 10' walk in closet that has wood floor

2<sup>nd</sup> Bedroom: 13'x 14', Masonite flooring, built in dresser

Attic Space