



Online Real Estate Auction Contract

7912 Interstate 70 Dr. SE, Columbia, MO 65201 • 573-474-9295

FIRM OR INDIVIDUAL LISTING AGENT ATTERBERRY AUCTION & REALTY COMPANY

THIS AGREEMENT, made and entered into this Click here to enter text. day of Click here to enter text., **2020** I or we hereby grant unto **Atterberry Auction & Realty Company** the exclusive right to sell at public auction the following described real estate in the City of Click here to enter text., County Of Click here to enter text., State Of **Missouri**, to-wit: Click here to enter text.

Said online public auction shall be conducted for the above described property on the following date:

TERMS ON SALE OF REAL ESTATE: Choose an item. earnest money deposit down day of auction, to be deposited in escrow account of designated title company. Remaining balance due within 45 days or upon closing.

It is understood and agreed that taxes shall be paid as follows: Prorated At Closing.

It is also further understood and agreed that possession of said real estate shall be given on the following date upon closing, subject to the following rights of tenants or others:

Said sale shall be made subject to the following mortgage, mortgages, or contract transfer _____ with an unpaid principal amount of _____.

I or we agree to furnish a commitment to issue an owner's policy of title insurance for the sale price of said real estate, and agree to execute and deliver to purchaser(s) a Personal Representative's deed, general warranty deed, Trustee's deed, or an acceptable contract for sale of real estate.

The undersigned hereby warrant that he or they is or are the sole owner or owners of said real estate above described and that the above described liens are the only encumbrances against said real estate.

In consideration for services rendered I or we agree to pay to **Atterberry Auction & Realty Company 4% of the gross total selling price. Atterberry Auction & Realty Company shall also receive a 4% buyers fee of the gross total selling price.**

ADVERTISING SHALL BE PAID BY: Sellers at signing of this contract not to exceed \$Click here to enter text..

Reserve Auction: Seller(s) agree to accept \$ _____ or they can accept less upon their discretion. Should Sellers not accept final bid, Sellers agree to list property for 90 days with Atterberry Real Estate Co., to pursue prospective buyers.

Absolute Auction: Seller(s) agree to sell their property to the high bidder regardless of price.

I or we agree that all expenses incurred for advertisement, promotion and of conducting said auction as above agreed, if not paid in advance, shall be first paid from the proceeds realized from the sale of said real estate before payment and satisfaction of any liens or encumbrances.

This contract is enforceable without relief from valuation and appraisal laws and with attorney's fees. Any disputes arising under the terms of this agreement shall be through binding arbitration. The parties shall share the costs of this process equally with each party being responsible for its own attorney's fees. Further, any disputes shall be decided according to the laws of the State of Missouri and venue of matters under jurisdiction of the District Court of Missouri shall be proper only in Boone County District Court.

I OR WE HAVE READ THE FOREGOING CONTRACT AND FULLY UNDERSTAND THE CONTENTS THEREOF: I OR WE FURTHER REPRESENT THAT THE STATEMENTS CONTAINED HEREIN ARE MADE BY ME OR US AND THE SAME ARE TRUE TO OUR BEST KNOWLEDGE; THAT THIS CONTRACT CONTAINS AND SETS OUT THE ENTIRE AGREEMENT OF THE PARTIES.

IT IS MUTUALLY AGREED THAT THIS CONTRACT SHALL BE BINDING AND OBLIGATORY UPON THE UNDERSIGNED, AND THE SEPARATE HEIRS, ADMINISTRATORS, EXECUTORS, ASSIGNS AND SUCCESSORS IN INTEREST OF THE UNDERSIGNED.

THE UNDERSIGNED ACCEPTS THIS CONTRACT FOR SALE OF REAL ESTATE AT PUBLIC AUCTION AND AGREES TO THE AFOREMENTIONED TERMS & AS SET FORTH THEREOF THIS Click here to enter text. day of Click here to enter text., **2020.**

_____	_____	_____
Owner Signature	Address	Phone Number
_____	_____	_____
Print	City, State, Zip	Email Address
_____	_____	_____
Owner Signature	Address	Phone Number
_____	_____	_____
Print	City, State, Zip	Email Address

Atterberry Auction & Realty Company Representative: _____