

TERMS & CONDITIONS

I. Terms and Conditions of Auction

The property will be offered for sale in five parcels. Prospective buyers must submit bids per parcel. The written bids and 10% of the purchase price earnest money check are due at 4:00pm, Friday, April 13, 2012 to Cando Auction & Real Estate, 416 Main St, PO Box 190, Cando, ND 58324. The top eight bidders will be invited to the oral bidding which will be held at 11:00am, Thursday, April 19, 2012 at The Fireside Inn & Suites, Devils Lake, ND. All bids will be taken without regard to a prospective bidder's sex, race, color, religion or national origin.

A. If you are the successful bidder on this property, you will be required to not only provide a **10 PERCENT** of the purchase price earnest money deposit, but also are required to complete and sign a standard North Dakota Real Estate Purchase Agreement provided by the Auctioneer.

B. If you are the successful bidder on this property, your 10% earnest money deposit will be held in escrow until the closing date. All documentation will be available for your review prior to commencement of the auction. All real estate sales must be closed and the total balance of the purchase price paid on or before **May 24, 2012**. During the days following the auction, you will be contacted by the closing agent to schedule your closing date and time.

II. Bidding Procedures

The oral bidding is open only to those who have submitted their written bid & earnest money check with the auctioneer and have been notified that they are invited to the open outcry auction. Bids will be taken only by those who show their bidder number.

Retain your bidder number for the duration of the auction as you are responsible for your assigned number. The property is sold when the Auctioneer announces, "sold," identifies the winning bid number and the amount of the bid and the information is recorded by the Auctioneer or her designee. In case of a tie bid, bidding will be reopened between the two tied bidders. The high bid cannot be withdrawn once the Auctioneer determines it to be the winning sale bid.

III. Purchase Agreement, Marketability, Signing Area

At the auction completion, the successful high bidder must sign a standard North Dakota Real Estate Purchase Agreement to purchase this property for which it was the high bidder. An appointment date to close the transaction will be furnished to the Purchaser after the Purchase Agreement is signed. The transaction must be closed and the money paid on or before May 24, 2012 or the Purchaser will be in default and the earnest money paid herein will be forfeited to the Seller. The Auctioneer and the Seller assume that the bidders have inspected the property and are satisfied with the conditions of such property and accept that property in an "as is—where is" condition.

The buyer agrees to hold the Auctioneer and their client(s) harmless regarding any representation as to the status, zoning, condition and any other material representation regarding this property.

It is the Purchaser's responsibility to make needed repairs or improvements, if any to bring the property up to necessary state, local and federal codes. The Auctioneer and the seller(s) obtained information from sources deemed reliable, but do not guarantee its accuracy. Due diligence of the property and related information by the buyer is strongly recommended.

IV. Forfeiture of Purchase Money Paid Pursuant to the Terms of the Purchase Agreement

Purchaser's failure to close the sale by the closing date due to insufficient funds, or for any other reason will result in the forfeiture of the Purchaser's earnest money deposit.

V. Closing

At closing, the Buyer will be required to pay the difference between the purchase money deposit and the final selling price along with the buyer's premium. Title insurance will not be furnished and any fees and closing costs regarding determination of title or title insurance purchase will be paid by the Purchaser. An updated Abstract of Record Title will be furnished to the Purchaser prior to close for the Purchaser's attorney to prepare a preliminary title opinion if desired by the Purchaser or the Purchaser's lender.

VI. Showing of Property

The farmland is accessible by highway, county and township roads for inspection. **WHETHER OR NOT YOU ACTUALLY INSPECT THE PROPERTY, YOU WILL BE BOUND TO ACCEPT THE PROPERTY "AS IS-WHERE IS" AND WITH ALL FAULTS AND DEFECTS AND WITH NO EXPRESSED OR IMPLIED WARRANTY AS TO THE MARKETABILITY OR THE CONDITION THEREOF.** It will be your responsibility to make any needed repairs, improvements or compliance requirements to bring the property to applicable codes.

This auction bidder's information (including these terms and conditions and any picture or description of any property) is for your information and convenience only. Nothing contained in this information shall be binding on the Seller of the property or the Auctioneer. Announcements made on sale day by the Auctioneer, Amy Nikolaisen of Cando Auction & Real Estate, will take precedence over said printed matter.

We encourage you to inspect any property you wish to bid on. This property is subject to prior sale and bids will be taken until the last and final bid has been taken and accepted. The seller reserves the right to reject or accept any and all bids. **A 6% Buyer's Premium will be added to the high bid(s) to equal the contract price. The seller will retain 50% of the owned subsurface mineral rights. There is no US Fish & Wildlife wetland easement on any of the property. The property is currently subject to a cash rent lease for 2012 and said payment will be prorated to the date of close. The 2012 Real Estate Taxes will also be prorated to the date of close.**

MULTI-PARCEL LAND AUCTION

788 +/- ACRES - PIERCE COUNTY, NORTH DAKOTA
Written Bids Due: Friday, April 13th by 4:00pm

CAN-DO
auction &
REAL ESTATE

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Kris Kozak & Laura Scott, Owners

GENERAL PROPERTY INFORMATION

Welcome prospective bidders!

It's with great pleasure that I welcome you to the Kozak & Scott land auction! Kris, Laura and our auction company are offering for sale five *exceptional* quarters of land in Pierce County, ND located near Hurricane Lake. Parcels 1 & 2 feature 316 tillable acres with an average soil productivity index of 80.6 and strong base acres and yields. Parcel 3 features 144 tillable acres with a soil productivity index of 80.4. Parcels 4 & 5 have 226 cropland acres and an average soil productivity index of 79.2. Additionally, all five quarters for sale do not have a US Fish & Wildlife wetland easement recorded on them. As you may already know, good, tillable cropland for sale is hard to find. But, you're in luck. Here are five excellent, drained, productive quarters ready to go. Feel free to inspect the property at your leisure. If you're unable to attend the auction, call us to make arrangements for phone or online bidding. Make sure you don't miss this great opportunity to purchase exceptional farm ground. The sellers and I wish you the best at the auction! Please call with any questions. See you at the sale!

Warmest regards,

Amy Nikolaisen
Auctioneer
Cando Auction & Real Estate

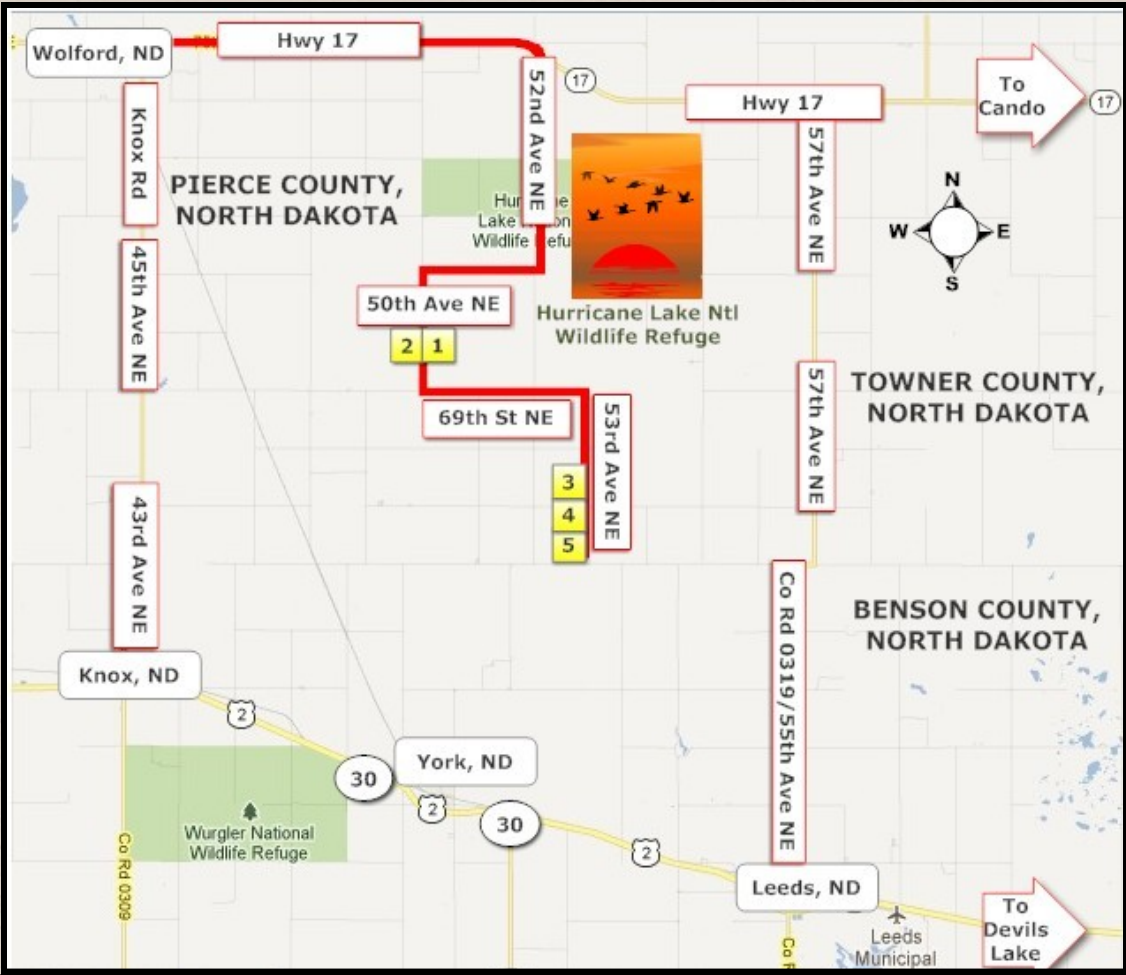




Contact:
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Auctioneer
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ND Auctioneer's #951 ND Clerk's #644



Driving Directions:
From Wolford, ND, travel 7 miles east on Hwy 17, travel 4 miles south on the York Road (52nd Ave NE). Turn west & travel 2 miles on 71st St NE. Turn south on 50th Ave NE & travel 1 mile. You'll be in between parcels 1 & 2. Continue south 1 mile, turn east on 69th St NE & travel 3 miles. Turn south on 53rd Ave NE & travel 1 1/2 miles. You'll be at the northeast corner of parcel 3. Travel 1/2 mile south to reach parcels 4 & 5.



Contact Cando Auction & Realty 877-812-4305

PARCEL 5 INFORMATION



Legal: SE 1/4 Section 35-157N-69W, Hurricane Lake Township

Deeded Acres: 160 +/-

2011 Real Estate Taxes: \$681.35

FSA Cropland Acres: 226.3 (includes NE 1/4 Sec 35 acres)

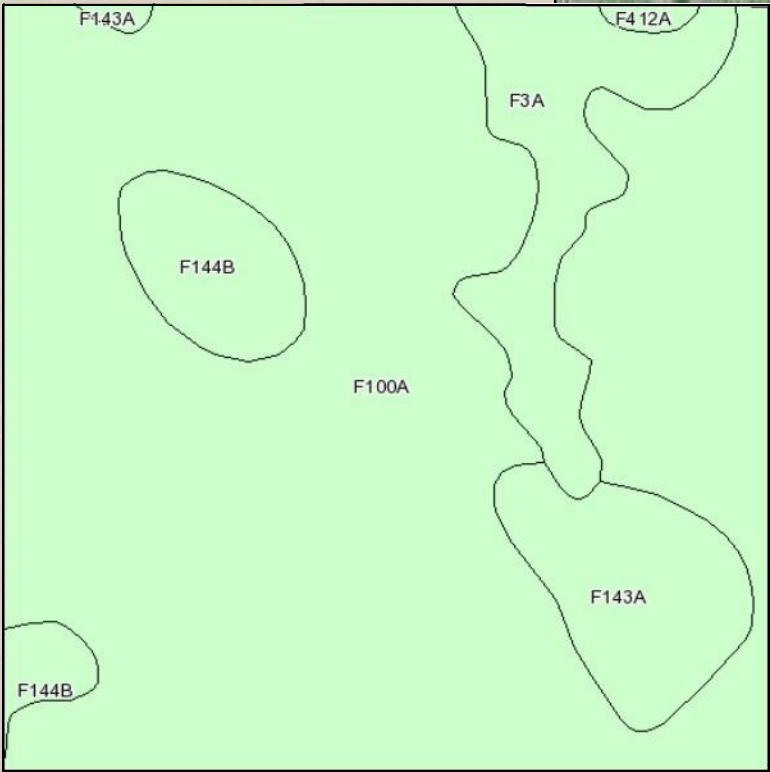
Base Acres: Wheat...202.7 ac...28 bu; Canola...0.3 ac...757 lbs; Soybean...0.6 ac...17 bu; Barley...18.2 ac...39 bu

Rental Contract: Contract for 2012 crop season only (2012 payment will be pro-rated to the date of close)

USFW Wetland Easement: None

Minerals: 50% Owned Subsurface Mineral Rights Retained by Sellers

Code	Soil Description	Acres	Percent Of Field	Non-Irr Class	Productivity Index
F100A	Hamerly-Tonka complex, 0 to 3 percent slopes	125.5	78.4%	11w	80
F3A	Parnell silty clay loam, 0 to 1 percent slopes	13.7	8.5%	11lw	69
F143A	Barnes-Svea loams, 0 to 3 percent slopes	11.5	7.2%	11c	87
F144B	Barnes-Buse loams, 3 to 6 percent slopes	8.7	5.4%	11e	73
F412A	Hegne silty clay, 0 to 1 percent slopes	0.6	0.4%	11w	80
Weighted Average					79.1



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PARCEL 4 INFORMATION

Legal: NE 1/4 Section 35-157N-69W less outlot 341 (farmstead), Hurricane Lake Township

Deeded Acres: 148.01 +/-

2011 Real Estate Taxes: \$662.81

FSA Cropland Acres: 226.3 (includes SE 1/4 Sec 35 acres)

Base Acres: Wheat...202.7 ac...28 bu; Canola...0.3 ac...757 lbs; Soybean...0.6 ac...17 bu; Barley...18.2 ac...39 bu

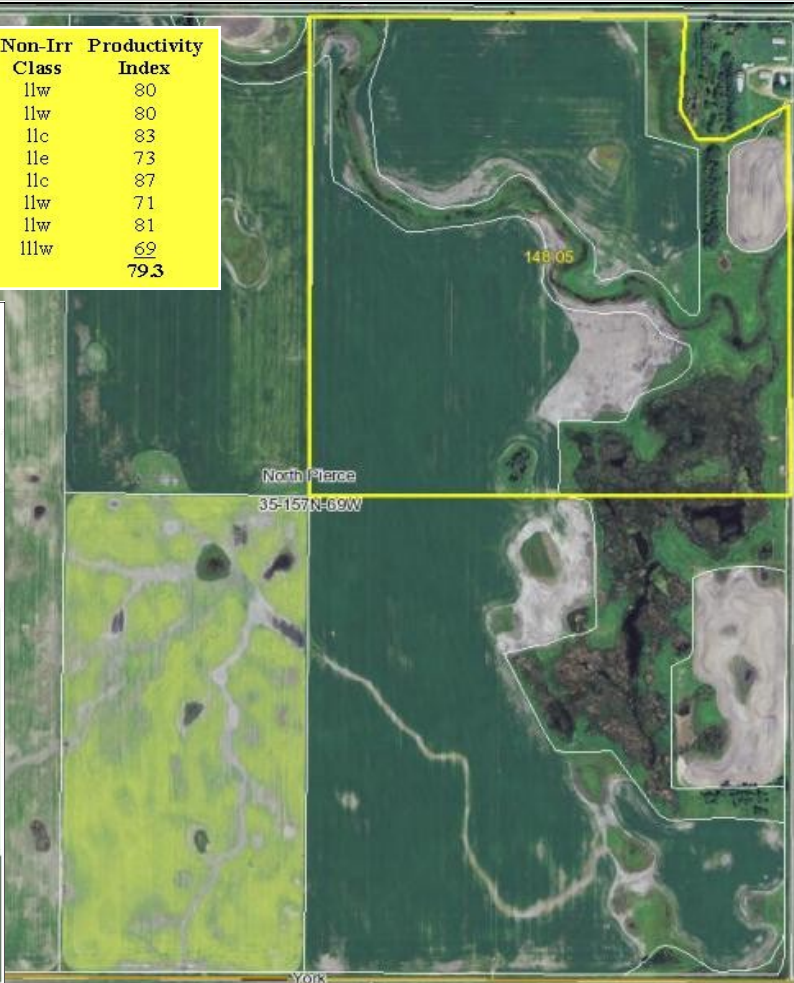
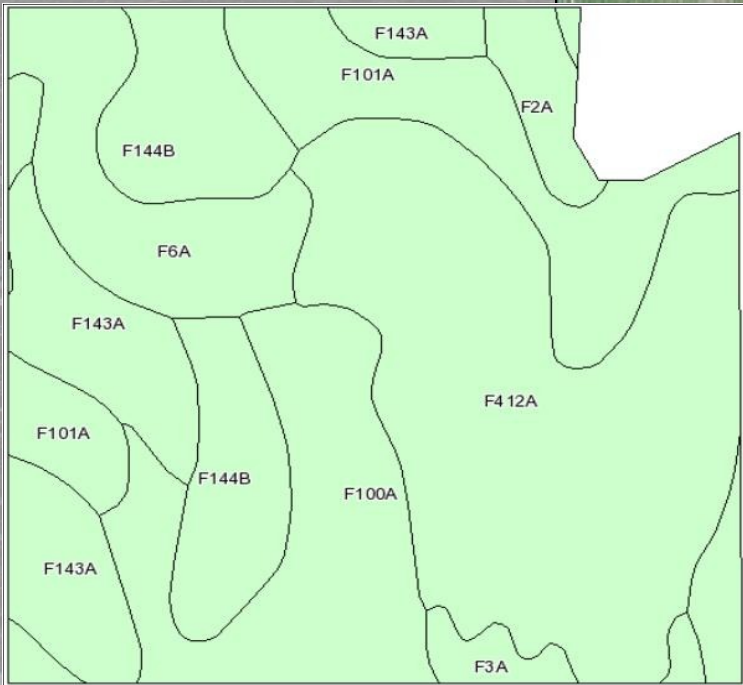
Rental Contract: Contract for 2012 crop season only (2012 payment will be prorated to the date of close)

USFW Wetland Easement: None

Minerals: 50% Owned Subsurface Mineral Rights Retained by Sellers



Code	Soil Description	Acres	Percent Of Field	Non-Irr Class	Productivity Index
F412A	Hegne silty clay, 0 to 1 percent slopes	49	33.1%	1lw	80
F100A	Hamerly-Tonka complex, 0 to 3 percent slopes	24.1	16.3%	1lw	80
F101A	Hamerly-Wyard loams, 0 to 3 percent slopes	19.3	13.0%	1lc	83
F144B	Barnes-Buse loams, 3 to 6 percent slopes	18.2	12.3%	1lc	73
F143A	Barnes-Svea loams, 0 to 3 percent slopes	17	11.5%	1lc	87
F6A	Vallers loam, 0 to 1 percent slopes	13.7	9.3%	1lw	71
F2A	Tonka silt loam, 0 to 1 percent slopes	3.9	2.6%	1lw	81
F3A	Parnell silty clay loam, 0 to 1 percent slopes	2.8	1.9%	1llw	69
Weighted Average					79.3



PARCEL 1 INFORMATION

Legal: NW 1/4 Section 16-157N-69W, Hurricane Lake Township

Deeded Acres: 160 +/-

2011 Real Estate Taxes: \$988.11

FSA Cropland Acres: 315.8 (includes NE 1/4 Sec 17 acres)

Base Acres: Wheat...183.4 ac...36 bu; Canola...77.5 ac...1,217 lbs; Flax...39.9 ac...18 bu; Barley...9 ac...38 bu

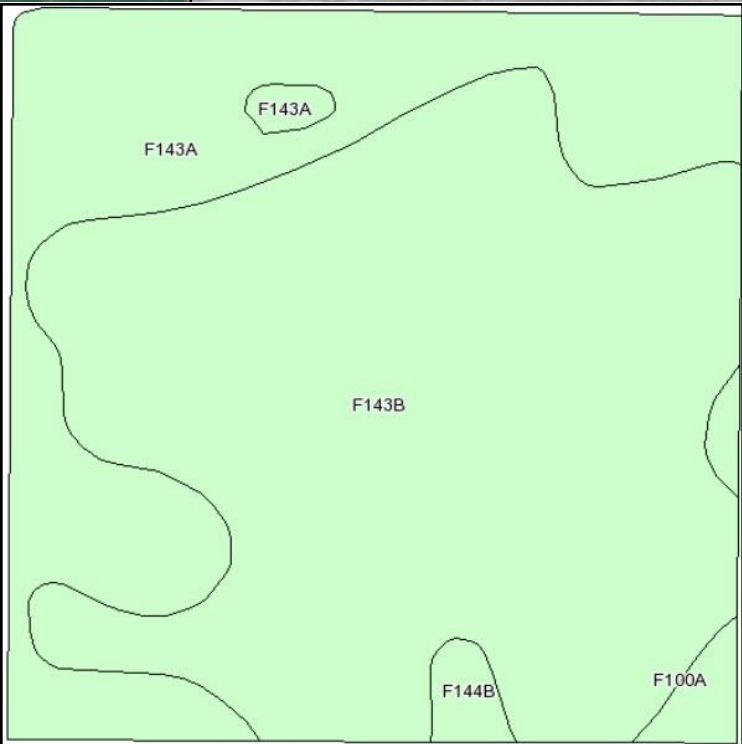
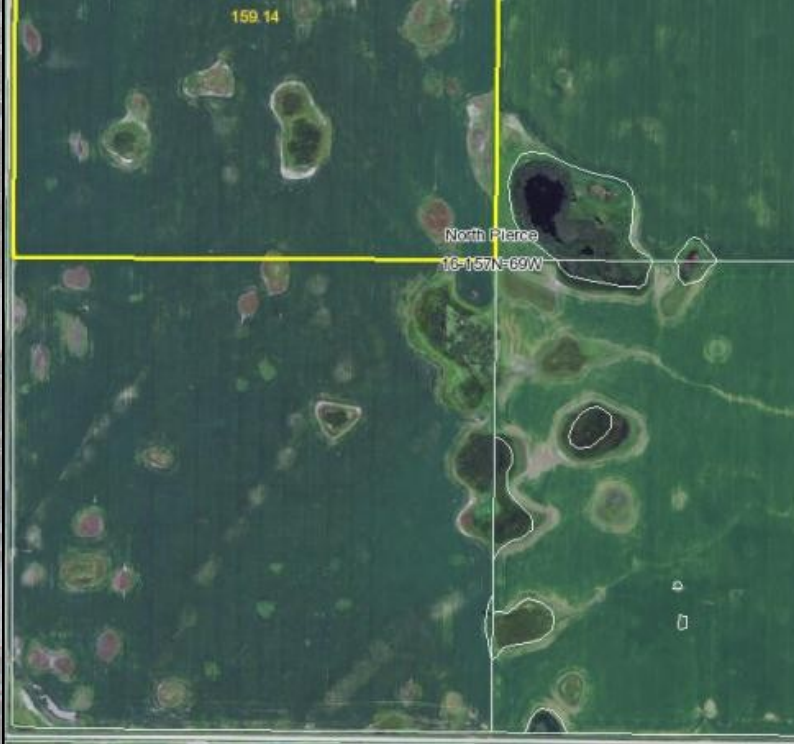
Rental Contract: Contract for 2012 crop season only (2012 payment will be prorated to the date of close)

USFW Wetland Easement: None

Minerals: 50% Owned Subsurface Mineral Rights Retained by Sellers



Code	Soil Description	Acres	Percent Of Field	Non-Irr Class	Productivity Index
F143B	Barnes-Svea loams, 3 to 6 percent slopes	105.3	65.7%	1lc	78
F143A	Barnes-Svea loams, 0 to 3 percent slopes	50.8	31.7%	1lc	87
F100A	Hamerly-Tonka complex, 0 to 3 percent slopes	2.1	1.3%	1lw	80
F144B	Barnes-Buse loams, 3 to 6 percent slopes	2	1.2%	1lc	73
Weighted Average					80.7



Don't miss out on great tillable land!

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PARCEL 2 INFORMATION

Legal: NE 1/4 Section 17-157N-69W, Hurricane Lake Township

Deeded Acres: 160 +/-

2011 Real Estate Taxes: \$927.52

FSA Cropland Acres: 315.8 (includes NW 1/4 Sec 16 acres)

Base Acres: Wheat 183.4 ac...36 bu; Flax 39.9 ac...18 bu; Barley 9 ac...38 bu; Canola 77.5 ac...1,217 lbs

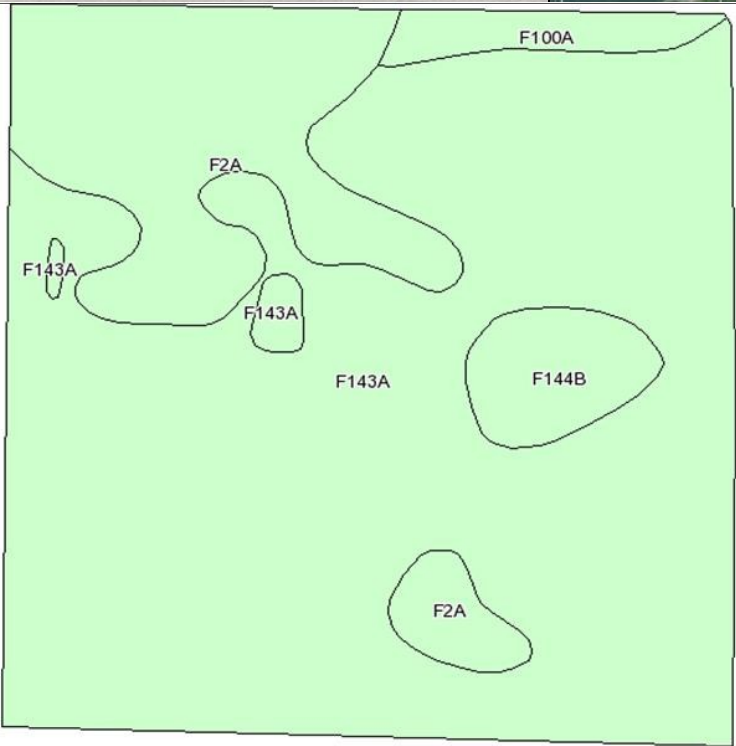
Rental Contract: Contract for 2012 crop season only (2012 payment will be pro-rated to the date of close)

USFW Wetland Easement: None

Minerals: 50% Owned Subsurface Mineral Rights Retained by Sellers



Code	Soil Description	Acres	Percent Of Field	Non-Irr Class	Productivity Index
F143A	Barnes-Svea loams, 0 to 3 percent slopes	118.1	74.8%	11c	87
F2A	Tonka silt loam, 0 to 1 percent slopes	29.7	18.8%	11w	81
F144B	Barnes-Buse loams, 3 to 6 percent slopes	6.2	3.9%	11e	73
F100A	Hamery-Tonka complex, 0 to 3 percent slopes	3.9	2.5%	11w	80
Weighted Average					85.2



PARCEL 3 INFORMATION

Legal: SE 1/4 Section 26-157N-69W, Hurricane Lake Township

Deeded Acres: 160 +/-

2011 Real Estate Taxes: \$671.26

FSA Cropland Acres: 143.9

Base Acres: Wheat 127.9 ac...28 bu; Canola 0.2 ac...757 lbs; Soybean 0.4 ac...17 bu; Barley 11.4 ac...39 bu

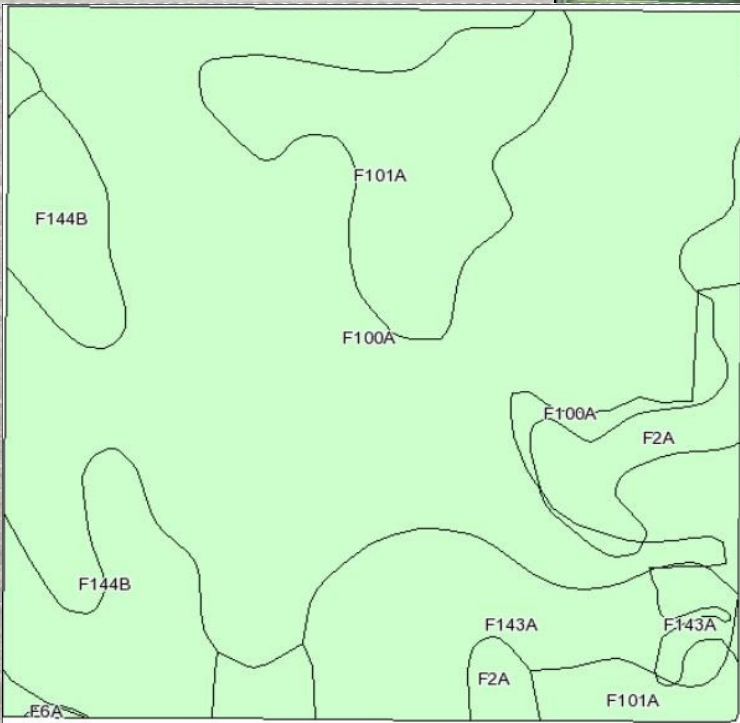
Rental Contract: Contract for 2012 crop season only (2012 payment will be pro-rated to the date of close)

USFW Wetland Easement: None

Minerals: 50% Owned Subsurface Mineral Rights Retained by Sellers



Code	Soil Description	Acres	Percent Of Field	Non-Irr Class	Productivity Index
F100A	Hamery-Tonka complex, 0 to 3 percent slopes	93	59.5%	11w	80
F101A	Hamery-Wyard loams, 0 to 3 percent slopes	22.1	14.2%	11c	83
F144B	Barnes-Buse loams, 3 to 6 percent slopes	17.2	11.0%	11e	73
F143A	Barnes-Svea loams, 0 to 3 percent slopes	15.7	10.0%	11c	87
F2A	Tonka silt loam, 0 to 1 percent slopes	8.1	5.2%	11w	81
F6A	Vallers loam, 0 to 1 percent slopes	0.2	0.1%	11w	71
Weighted Average					80.4



Excellent farm ground!

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