

**TERMS AND CONDITIONS FOR PUBLIC AUCTION
COUNTY OWNED REAL ESTATE
March 5, 2013**

1. All sales are subject to final approval by the Erie County Legislature.
2. Offers in the amount of the opening bid have been received on some of the listed parcels and if there are no other bidders the property will be sold to such offer or for the amount of the opening bid. Bidders must be present at time of auction.
3. Bidders must pay the greater of \$ 300.00 or 10% of the purchase price in CASH, CERTIFIED CHECK OR MONEY ORDER (U.S. FUNDS) ONLY as a deposit at the time the property is struck down; if such deposit is not made the property will immediately be again offered for sale.
4. All sales must be closed within 60 days after notification of approval by the Erie County Legislature. If a bidder should not close within the 60 day period, the deposit will be forfeited and the property re-sold, the bidder remaining liable to the County for breach of contract damages.
5. The County WILL NOT provide a search or survey.
6. The County will furnish a Quit Claim Deed to the purchaser and all deeds must be recorded by purchaser.
7. The purchaser is responsible for paying the New York State Real Property Transfer Tax, the Transportation Assistance Tax and recording fees at the time when said purchaser records the deed with the Erie County Clerk's Office.
8. All properties are sold "AS IS" without any representation or warranty regarding title, value, condition, occupancy or suitability for a particular use.
9. All properties are sold subject to any existing easement, restriction, zoning regulations and encroachments.
10. No bid assignments, name changes or additional description requests will be processed by the County after the date of the sale unless accompanied by a \$50.00 fee (each), paid by the party requesting same.
11. The bidder on behalf of him/herself and the named purchaser, designates the Director of Real Property Tax Service as agent for accepting delivery of the Quit Claim Deed and acknowledges that title to said real property will not be transferred until such delivery of the Quit Claim Deed to the bidder.

**Dated: March 5, 2013
Buffalo, New York**

MEMORANDUM OF SALE

Bidder No.

The undersigned has this day submitted a bid on behalf of the purchaser named below in the amount of _____ Dollars (\$ _____) for the purchase of the real property

Designated as _____

(City) (Town) (Village) of _____ Erie County, New York

SBL # _____

The undersigned understands and agrees to the Terms of Sale set forth hereinabove and agrees to pay the balance due on the amount of said bid on or before May 3, 2013. Upon receipt of full payment of said bid a Quit Claim Deed will be duly prepared in the name of the purchaser, executed by and delivered by the County of Erie along with a completed RP 5217 Real Property Transfer Report and a TP 584 Transfer Tax Form to the purchaser for his/her recording at the Erie County Clerk's Office. The undersigned, on behalf of him/herself and the named purchaser, designates Erie County Director of Real Property Tax Service as agent for accepting delivery of the Quit Claim Deed and forwarding to the purchaser. Title of the said real property will not be transferred to the named purchaser until the delivery of the Quit Claim Deed.

Purchaser: _____

Address: _____

Phone: _____

SS# DED ID# _____

Signature _____

Bid Price \$ _____

Deposit Paid \$ _____

Balance Due on Closing \$ _____

As Director of Real Property Tax Services, on behalf of seller, Erie County, we ratify the sale, and as auctioneers acknowledge receipt of the deposit.

By: _____