

**TERMS OF SALE FOR SEALED BID AUCTION**

**Seven Land Parcels in Greater Phoenix Area**

**Sealed Bids Due October 15, 2009**

**AUCTION INFORMATION CENTER - (949) 313-0705, -0701: [info@amgre.com](mailto:info@amgre.com): [www.amgre.com](http://www.amgre.com)**

**PROPERTIES: SEVEN (7) Properties are being offered for submission of Sealed Bids:**

1. **13.56± Acres** (590,120± SF) of M-2 zoned land NWC of Val Vista and Thomas Road, S of 202, Mesa, Maricopa County APN 141-20-004C.  
**Published Reserve: \$3.50 per SF, \$2,065,420**  
**Driving Directions:** Take Red Mountain Freeway/Loop 202 East to Val Vista, Turn Right, Property is on immediate right along Freeway and Thomas Road.

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2. **10.00± Acres** (435,608± SF) of R-190 zoned land 8400 E. Black Mountain Road, Scottsdale, Maricopa APN 216-34-004A.  
**Published Reserve: \$2.50 per SF, \$1,089,020**  
**Driving Directions:** Take Loop 101 North to Exit 36 (Princess Dr.). Stay straight on Pima Road. Go 10.7 miles to E Black Mountain Road & turn left – Property is on the right.

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3. **28.63± Acres** (1,246,148± SF) of R-190 zoned land 8400 E. Black Mountain Road, Scottsdale, Maricopa APN 216-34-004B.  
**Published Reserve: \$2.50 per SF, \$3,115,370**  
**Driving Directions:** Take Loop 101 North to Exit 36 (Princess Dr.). Stay straight on Pima Road. Go 10.7 miles to E Black Mountain Road & turn left – Property is on the right.

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4. **76.58± Acres** (3,329,814± SF) of R-43 zoned land NEC 411<sup>th</sup> and Camelback, Tonopah, Maricopa APN 506-35-027A and APN 506-35-026.  
**Published Reserve:**  
**Option A: \$0.23 per SF, \$765,857.22**  
**All Cash**  
**Option B: \$0.29 per SF, \$965,646.06 with Seller financing at 35% down, Interest Prime + 1% with a floor of 6%, 20 year amortization, 5 year balloon.**  
**Driving Directions:** Take I-10 West towards Los Angeles to Exit 94 (411<sup>th</sup> Ave.) Turn right. Property is at NEC 411<sup>th</sup> & Camelback.

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5. **18.75± Acres** (816,684± SF) of R-43 zoned land NEC of 337<sup>th</sup> Ave. and Teepee Road, Arlington, Maricopa APN 401-40-026A.  
**Published Reserve: \$0.12 per SF, \$100,000**  
**Driving Directions:** I-10 West to Exit 109, Palo Verde Ave. South on Palo Verde to Old US 80. West on Old US 80 to 333<sup>rd</sup> Ave. North on 333<sup>rd</sup> Ave to W. Teepee Road. West on W. Teepee Road to 337<sup>th</sup> Avenue. Property is on NEC of 337<sup>th</sup> and W. Teepee Road.

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6. **7.85± Acres** (341,946± SF) of R-43 zoned land with Commercial Potential at E of the NEC of 411<sup>th</sup> and Indian School Road, Tonopah. Maricopa APN 506-34-019E.  
**Published Reserve: \$0.51 per SF, \$175,000**  
**Driving Directions:** I-10 West to Exit 94 411<sup>th</sup> Ave., 411<sup>th</sup> South to Indian School Road, East on Indian School Road to Property on N. side of Indian School Road.

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7. **4.58± Acres** (199,606± SF) of R-43 zoned land with Commercial Potential S of the SWC of Sun Valley Parkway & Roosevelt Street, Buckeye, Maricopa County APN 504-15-045.  
**Published Reserve: \$1.25 per SF, \$250,000**  
**Driving Directions:** I-10 West to Exit 109, Palo Verde Ave. North on Palo Verde becomes Sun Valley Parkway to Roosevelt Street. Property is S of the SWC of Sun Valley and Roosevelt.

**BID PROCEDURE:**

All Sealed Bids must be received by 5:00 p.m. P.D.T. **October 15, 2009**. *Seller will consider all bids.* All Bids must be submitted to: Accelerated Marketing Group, 5000 Birch Street, Suite 205, Newport Beach, CA 92660, Attention: Todd Good. Bids that are received after the deadline may not be eligible for consideration and may be returned to the sender unopened. All bids must have a complete return address on the outside of the envelope.

**BID FORM:** All Bidders are required to purchase a Property Information Packet for the Properties. All seven Properties' information is included in the PIP. Said packet (PIP) is being sold at a cost of \$20.00. The Packet includes a request for the Seller-Approved bid submission contract. *The Seller will consider all bids.*

Each bid must be on the Seller-Approved bid submission contract and must include a cashier's check in the amount of three percent (3%) of the bid amount as initial earnest money deposit made payable as provided for in the Contract. The earnest money must be increased by an additional seven percent (7%) to total ten percent (10%) of the bid amount within five business days of the acceptance of the bid. All earnest money will be held in a non-interest bearing account during the consideration period and prior to closing in the case of successful bid. All bids shall also include a completed recent financial statement or other evidence of the bidder's ability to close the transaction. All such

financial information shall be treated as strictly confidential by Seller and Broker.

**BID CONSIDERATION:** Bids will be given priority by Seller based on conforming to the following criteria. Said criteria shall be evaluated by Seller in its sole discretion.

1. Highest purchase price.
2. Bids which are conforming to the terms and conditions of the Contract.
3. Bids that have the Bidder's proper financial information included.
4. The offer which has the shortest closing period.

*Seller will consider all bids. Seller is obligated to accept the highest conforming bid at or above the published reserve, where Bidder has proven financial ability.* Seller reserves the right to waive any technical defects in a bid in its sole and absolute discretion. In the event two or more bids are determined in the Seller's sole discretion to be equal in price and financial ability, Seller reserves the right to request a Best and Final Bid from those bidders.

**BID AWARD:** All bids shall be irrevocable and subject to acceptance for a period of 5 business days following the submission deadline. All persons submitting bids will be notified in writing of the acceptance or rejection of their bid. Failure of Bidder to receive the notice shall not constitute an acceptance of the bid.

**FINANCING:** All Properties are being sold on an all-cash basis with the exception of Property 4. Buyer may elect Seller-Financing on Property 4 only.

**INSPECTION SESSIONS: September 22, 29 & Oct 6 • 11:00 am to 1:00pm. Location: SRS Real Estate Partners • 2415 East Camelback Road, Suite 465 • Phoenix, AZ 85016.** Due Diligence Packages will be available for inspection and purchase. Call the Auction Information Center at (949) 313-0705 or 0701 for additional information.

**DOCUMENTS AVAILABLE:** Property Information Packet (PIP) contains some or all of property description, preliminary title report with underlying documents, legal description, demographics, survey, area information, specimen contract request form, bidding procedures and other information are available for review and inspection during the Off-Site Inspections or by appointment. All information contained in this brochure and all other auction-related material is subject to and superseded by the Contract, which should be carefully reviewed by an attorney prior submission of the bid.

**CLOSING DATES:**

**The Closing date for each Property shall be November 24, 2009** at which time the buyer will remit the balance of the purchase price in all-cash; exception is Property 4 should the buyer elect the Seller-Financing option.

**BUYER'S PREMIUM:** All sales shall provide that each buyer pay a premium equal to seven percent (7%) of the high bid or sealed bid price. This amount shall be added to the final bid and inserted in the Contract to determine the total purchase price.

**QUICK CLOSE INCENTIVE:** A credit of one percent (1%) of the High Bid Price will be issued at Closing to the Successful High Bidder in the event that the Bidder closes on or before **November 3, 2009**.

**CONDUCT OF THE AUCTION:** The property is being sold on an "AS-IS, WHERE-IS" basis subject to taxes or other encumbrances of record. A complete inspection of the property by you and your experts, prior to the auction, is invited. Buyer and/or any person receiving information regarding the property to be sold acknowledge that Seller is providing this information without warranty or representation as to its accuracy or completeness. Buyer and/or any person receiving information regarding the property to be sold acknowledges and agrees that the property is being sold in an "AS IS" condition and neither Seller nor Broker makes any warranty or representation regarding the property or any matter relating to the property and further acknowledges that no agent acting on behalf of Seller has been authorized to make any such warranty or representation.

Buyer and/or any person receiving information regarding the property to be sold further acknowledges that it has been given a full and complete opportunity to investigate the property, including the right and opportunity to obtain its own consultants to examine the property and any structure thereon and that Buyer and/or any person receiving information regarding the property to be sold is relying solely upon its own investigation and not upon any statement made by Seller or its agents or Auctioneer.

**AGENCY DISCLOSURE:** It is understood that the Accelerated Marketing Group, Inc. is a licensed Arizona broker ("Broker") acting in the capacity of real estate Broker on behalf of the Seller and that the Broker has been approved by Seller to conduct the sale. The Seller and Broker have executed an agency agreement, which provides for the payment of a commission to Broker upon the sale of the real property.

**REALTOR®/BROKER PARTICIPATION INVITED:** A one and one-half percent (1.5%) referral fee, of the High Bid Price, will be paid at closing from the commission due the listing Broker to the licensed real estate broker whose prospect pays and purchases the property. To qualify for the referral fee, the real estate broker must:

- a) Be a licensed Arizona real estate broker who will abide by the National Association of Realtors Code of Ethics.
- b) Register their prospect before **October 6, 2009** by mail, email or facsimile to Accelerated Marketing Group, 5000 Birch Street, Suite 205, Newport Beach, CA 92660. FAX 949-250-4440.

- c) Ensure that the registration is received before any inspection of the property by the prospect.
- d) Register using the Buyer/Broker Registration Form available.
- e) If registering multiple prospects. Submit written agreement that each prospect agrees to your multiple representation.

All referral registrations accepted by the Auctioneer on behalf of the Seller will be acknowledged. A complete file on all such prospects will be maintained. No REALTOR®/Broker will be recognized on a prospect that has previously contacted or been contacted by the Seller or the Seller's representatives. Seller will pay referral fees upon receipt of commissions by the Accelerated Marketing Group. No referral fees will be paid by the Seller if the REALTOR®/Broker or a member of his immediate family is participating in the purchase of the property. No referral fees will be paid by the Seller if the REALTOR®/Broker has an equity interest in the purchaser of the property. An affidavit

will be required certifying that the REALTOR®/Broker is serving only as a broker and not as a principal. There can be NO EXCEPTIONS to this procedure and no oral registrations will be accepted.

The information contained in this brochure is subject to inspection and verification by all parties relying on it. No liability for its inaccuracy, errors or omissions is assumed by the sellers or their agents. ALL ACREAGE, DIMENSIONS, STATISTICS AND TAXES IN THIS OFFERING ARE APPROXIMATE. This listing may be withdrawn or modified without notice at any time.

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