



**ONLINE ONLY REAL ESTATE**

# **AUCTION**

**BIDDING ENDS: TUESDAY, NOV. 9TH AT 1:00 PM**

**209 N CHESTNUT, WINFIELD, IA**



**OPEN HOUSE**  
Tuesday, Oct. 26th  
5:00 - 6:00 PM

**BID YOUR PRICE ONLINE NOW!**

**DONALD L. JOHNSON - SELLER**

Timothy Liechty of Bell, Ort & Liechty—Attorney for the Seller

**FraiseAuction.com**



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Auctioneer/Broker  
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Dear Prospective Buyer:

Thank you for inquiring about another opportunity to purchase real estate at auction with Fraise Auction & Real Estate.

We have prepared the enclosed Property Information Packet in an effort to assist you in your due diligence prior to the auction. We hope that the enclosed information is useful, resourceful, and valuable while you develop your bidding strategy for this property.

As with any auction, prior to bidding, it is important that you read all of the available property information, you do your own research, and that you thoroughly understand the terms and conditions of the auction. Each auction can have its own set of terms depending upon the type of auction being conducted.

We also encourage you to attend one of the scheduled property inspections. The Open House for this property is scheduled on Tuesday, October 26th from 5:00PM to 6:00 PM.

If at any time you have a question about this property and/or the auction process, please call our office at 319-367-5744. Our objective is to help you answer all of your questions prior to the auction.

Good luck at the auction!

A handwritten signature in blue ink that reads "Corey D. Fraise".

Corey D. Fraise  
Broker/ Auctioneer



*Innovative Marketing. Exceptional Results*



# General Information

## Property Information



<b>Address</b>	<b>209 N Chestnut</b>
<b>City</b>	<b>Winfield</b>
<b>County</b>	<b>Henry</b>
<b>State</b>	<b>Iowa</b>

<b>Style</b>	2 Story	<b>Bedrooms</b>	4
<b>Year Built</b>	1900	<b>Total Baths</b>	1 1/4
<b>Sq. Ft.</b>	1,648	<b>Laundry</b>	Basement
<b>Lot Size</b>	145x71	<b>Water/Sewer</b>	City
<b>Foundation</b>	Concrete Block	<b>Utilities</b>	Alliant Energy-\$137/Month
<b>Basement</b>	Partial-Sump Pump	<b>Heating System</b>	Electric Baseboard
<b>Roof</b>	Metal	<b>Air Conditioning</b>	Central Air
<b>Siding</b>	Masonite	<b>Hot Water Heater</b>	50 gal. Electric
<b>Windows</b>	Many Vinyl Replacement	<b>Electrical</b>	200 amp breaker panel
<b>Floor Coverings</b>	Carpet	<b>School District</b>	Winfield-Mt Union Schools
<b>Assessed Value</b>	\$79,800.00	<b>Net Taxes</b>	\$1,284.00





SELLER DISCLOSURE OF PROPERTY CONDITION (BASIC)

(To be delivered prior to buyer making Offer to Buy Real Estate)

Property Address: 209 N. Chestnut St., Winfield, IA 52659

Property Owner (Seller - please print per title): Don J. Johnson

Purpose of Disclosure: Completion of this form is required under Iowa law which mandates Seller disclose condition and information about the property, unless the property is exempt.

Instructions to the Seller: (1) Complete this form yourself. (2) Report known conditions materially affecting the property and utilize ordinary care in obtaining the information. (3) Provide information in good faith and make a reasonable effort to ascertain the required information. (4) Additional pages or reports may be attached. (5) If some items do not apply to your property, write "NA" (not applicable). (6) All approximations must be identified "AP". If you do not know the facts, write or check UNKNOWN. (7) Keep a copy of this statement.

Exempt Properties: Properties exempted from the Seller's disclosure requirement include (IA Code 558A): Bare ground; property containing 5 or more dwellings units; court ordered transfers; transfers by a power of attorney; foreclosures; lenders selling foreclosed properties; fiduciaries in the course of an administration of an decedent's estate, guardianship, conservatorship, or trust; between joint tenants, or tenants in common; to or from any governmental division; quit claim deeds; intra family transfers; between divorcing spouse; commercial or agricultural property which has no dwellings.

Property is exempt because one or more of the above exemptions apply. (If exempt - STOP HERE - skip to signature line)

Seller's Disclosure Statement: Seller discloses the following information regarding the property and certifies this information is true and accurate to the best of my/our knowledge as of the date signed. Seller authorizes Agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. This statement shall not be a warranty of any kind by Seller or Seller's Agent and shall not be intended as a substitute for any inspection or warranty the purchaser may wish to obtain. The following are representations made by Seller and are not the representations of Agent. The Agent has no independent knowledge of the condition of the property except that which is written on this form. Seller advises Buyer to obtain independent inspections relevant to Buyer.

I. Property Conditions, Improvements and Additional Information:

- 1. Basement/Foundation: Has there been known water or other problems? Yes No Unknown If yes, please explain:
2. Roof: Any known problems? Yes No Unknown Type Unknown Date of repairs/replacement Unknown Describe:
3. Well and pump: Any known problems? Yes No Unknown Type of well (depth/diameter), age and date of repair: Has the water been tested? Yes No Unknown If yes, date of last report/results:
4. Septic tanks/drain fields: Any known problems? Yes no Unknown Location of tank Unknown Age Unknown Date tank last inspected Unknown
5. Sewer: Any known problems? Yes No Any known repairs/replacement? Yes No Date of repairs
6. Heating system(s): Any known problems? Yes No Any known repairs/replacement? Yes No Date of repairs
7. Central Cooling system(s): Any known problems? Yes No Any known repairs/replacement? Yes No Date of repairs
8. Plumbing system(s): Any known problems? Yes No Any known repairs/replacement? Yes No Date of repairs
9. Electrical system(s): Any known problems? Yes No Any known repairs/replacement? Yes No Date of repairs

Buyer initials Seller initials DJJ

Serial #: 089790-800145-5918385

Prepared by: Corey Fraise | Fraise Auction and Real Estate | cfraise@mchsi.com |

formsimplicity

10. Pest Infestation: (wood-destroying insects, bats, snakes, rodents, destructive/troublesome animals, etc.) Any known problems? Yes  No  Unknown  Date of treatment \_\_\_\_\_ Previous Infestation/Structural Damage? Yes  No  Date of repairs \_\_\_\_\_

11. Asbestos: Is asbestos present in any form in the property? Yes  No  Unknown  If yes, explain: \_\_\_\_\_

12. Radon: Any known tests for the presence of radon gas? Yes  No  If yes, who tested? \_\_\_\_\_ Test results? \_\_\_\_\_ Date of last report \_\_\_\_\_ Seller Agrees to release any testing results. If not, Check here

13. Lead Based Paint: Known to be present or has the property been tested for the presence of lead based paint? Yes  No  Unknown  If yes, what were the test results? \_\_\_\_\_

14. Any known encroachments, easements, "common areas" (facilities like pools, tennis courts, walkways or other areas co-owned with others), zoning matters, nonconforming uses, or a Homeowners Association which has any authority over the property? Yes  No  Unknown

15. Features of the property known to be shared in common with adjoining landowners, such as walls, fences, roads and driveways whose use or maintenance responsibility may have an effect on the property? Yes  No  Unknown

16. Structural Damage: Any known structural damage? Yes  No  Unknown

17. Physical Problems: Any known settling, flooding, drainage or grading problems? Yes  No  Unknown

18. Is the property located in a flood plain? Yes  No  Unknown  If yes, flood plain designation \_\_\_\_\_

19. Do you know the zoning classification of this property? Yes  No  Unknown  What is the zoning? Residential

20. Covenants: Is the property subject to restrictive covenants? Yes  No  Unknown  If yes attach a copy OR state where a true, current copy of the covenants can be obtained: \_\_\_\_\_

21. Has there been "major" structural remodeling?  Yes  No If yes, please explain: \_\_\_\_\_

You **MUST** explain any "Yes" responses above (Attach additional sheets if Necessary): \_\_\_\_\_

Seller has owned the property since 1978 (date). Seller has indicated above the history and condition of all the items based solely on the information known or reasonably available to the Seller(s). If any changes occur in the structural/mechanical/appliance systems of this property from the date of this form to the date of closing, Seller will immediately disclose the changes to Buyer. In no event shall the parties hold Broker liable for any representations not directly made by Broker or Broker's affiliated licensees (brokers and salespersons). Seller hereby acknowledges Seller has retained a copy of this statement.

Seller acknowledges requirement that Buyer be provided with the "Iowa Radon Home-Buyers and Sellers Fact Sheet", prepared by the Iowa Department of Public Health.

Seller Way D Johnson Seller \_\_\_\_\_ Date \_\_\_\_\_

Buyer hereby acknowledges receipt of a copy of this statement. This statement is not intended to be a warranty or to substitute for any inspection the buyer(s) may wish to obtain.

Buyer acknowledges receipt of the "Iowa Radon Home-Buyers and Sellers Fact Sheet" prepared by the Iowa Department of Public Health.

Buyer \_\_\_\_\_ Buyer \_\_\_\_\_ Date \_\_\_\_\_

# DISCLOSURE

## DISCLOSURE OF INFORMATION AND ACKNOWLEDGMENT: LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS

Address: 209 N. Chestnut St, Winfield, IA 52659

### Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

### SELLER'S DISCLOSURE (initial)

PTJ (a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

PTJ (b) Records and Reports available to the Seller (check one below):

Seller has provided the Purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

### PURCHASER'S ACKNOWLEDGEMENT (initial)

\_\_\_\_\_ (c)  Purchaser has received copies of all information listed above.

or,  No Records or Reports were available (see (b) above).

\_\_\_\_\_ (d) Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home, Lead Poisoning: How to Protect Iowa Families*.

\_\_\_\_\_ (e) Purchaser has (check one below):

Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

Waived the opportunity to conduct a risk assessment or inspection for the presence of lead based paint and/or lead-based paint hazards.

### AGENT'S ACKNOWLEDGEMENT (initial)

CF (f) Agent has informed the Seller of the Seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

### CERTIFICATE OF ACCURACY

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information provided by the signatory is true and accurate:

[Signature] \_\_\_\_\_ 10/5/21 \_\_\_\_\_  
Seller Date Purchaser Date

\_\_\_\_\_  
Seller Date Purchaser Date

[Signature] \_\_\_\_\_ 10/5/21 \_\_\_\_\_  
Seller's Agent Date Purchaser's Agent Date

# Special Provisions

- The property is selling subject to public road easements, utility easements and all other easements of record.
- The seller has no knowledge of radon in the housing and has no records or reports pertaining to radon in the housing.
- Seller shall not be obligated to furnish a survey.
- If, in the future, a site cleanup is required, it shall be the expense of the buyer.
- Buyers are not bidding contingent on financing or any other contingencies. All sales are final.
- The Property is being sold "As Is, Where Is".

# Terms

**Terms:** \$7,500 earnest money deposit at the end of the auction with the remainder due on or before December 9, 2021. The Seller will provide a current abstract at their expense. Home sells "as is, where is". Sale is not contingent on Buyer's financing or any other contingencies. Real estate sells subject to Seller's confirmation. Buyer accepts any remaining personal property at closing.

**Real Estate Taxes:** Taxes will be prorated to the date of closing.

**Closing:** Closing will take place on or about December 9, 2021. The balance of the purchase price will be payable at closing in the form of guaranteed check or wire transfer.

**Possession:** At closing.

**Disclaimer and Absence of Warranties:** Announcements made by the auctioneer during the time of the sale will take precedence over any previously printed material or any other oral statements made, except the purchase agreement. All information contained in this brochure and all related materials are subject to the terms and conditions outlined in the agreement to purchase.

The property is being sold on an "As Is, Where Is" basis and no warranty or representation concerning the property is made by the seller or the auction company. Each potential bidder is responsible for conducting his or her own independent inspections, investigations, inquiries and due diligence concerning the property. All lines drawn on maps and photos are approximate. No liability for its accuracy, errors or omissions is assumed by the seller or the auction company.

**Agency:** Fraise Auction & Real Estate and their representatives are exclusive agents of the seller.

**Special Terms:** Fraise Auction & Real Estate will not be responsible for any missed bids from any source. Internet bidders who desire to make certain their bid is acknowledged should use the proxy-bidding feature and leave their maximum bid 24 hours before the auction concludes. Fraise Auction & Real Estate reserves the right to withdraw or re-catalog items in this auction.

This is a soft close auction. Any bid placed in the final 3 minutes of an auction results in the auction automatically extending an additional 3 minutes. The bidding will extend in 3 minute increments from the time the last bid is placed until there are no more bids and the lot sits idle for 3 minutes. Therefore, the auction will not close until all bidding parties are satisfied and no one can be outbid in the last seconds without having another opportunity to bid again.

**DONALD L. JOHNSON- SELLER**

**Tim Liechty of Bell, Ort & Liechty, 200 W Main St., New London, IA – Attorney for Seller**



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# Fraise Auction & Real Estate



We offer a wide range of services to assist our clients in any situation:

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