

# REAL ESTATE AUCTION

Bisbee & Douglas, Arizona



**Burris, Hennessy & Co.**  
*A Commercial Real Estate Company*



**Address:** 1166 S. Naco Hwy, Bisbee, AZ

**Tax ID Number:** 102-23-004F

**Property Type:** Commercial/Other Land

**Sale Price:** Price not disclosed

**Land Size:** 1.47 acres

**Zoning:** Commercial

**Property Description:**

This commercial property will be AUCTIONED to the highest bidder by orders of the Seller on April 22, 2011 at 9:30am on site. The property is adjacent to the New Dollar General Store. The APN is for a larger parcel.

**Property Location:**

The property is located just south of Hwy 92 and fronting Naco Hwy and adjacent to the New Dollar General Store in Bisbee, AZ.

**Property Contact:**

**Tim Burris**  
Broker  
520-730-1830  
tim@burrishennessy.com



**Location:** West side of 1100 N. San Antonio Ave, Douglas, AZ

**Tax ID Number:** 409-17-059A3

**Property Type:** Commercial/Other Land

**Sale Price:** Price not disclosed

**Land Size:** 1.16 acres

**Zoning:** Commercial

**Property Description:**

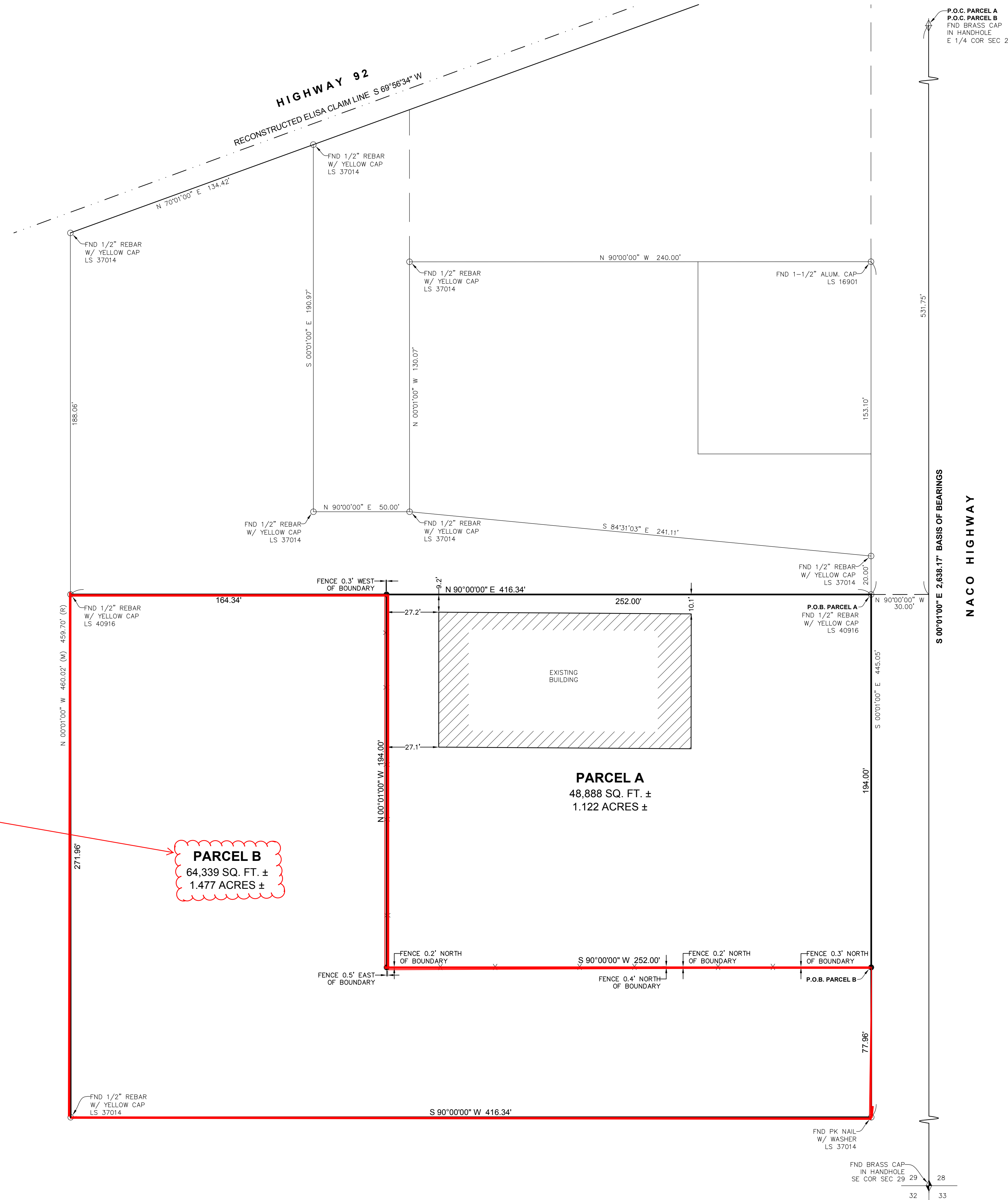
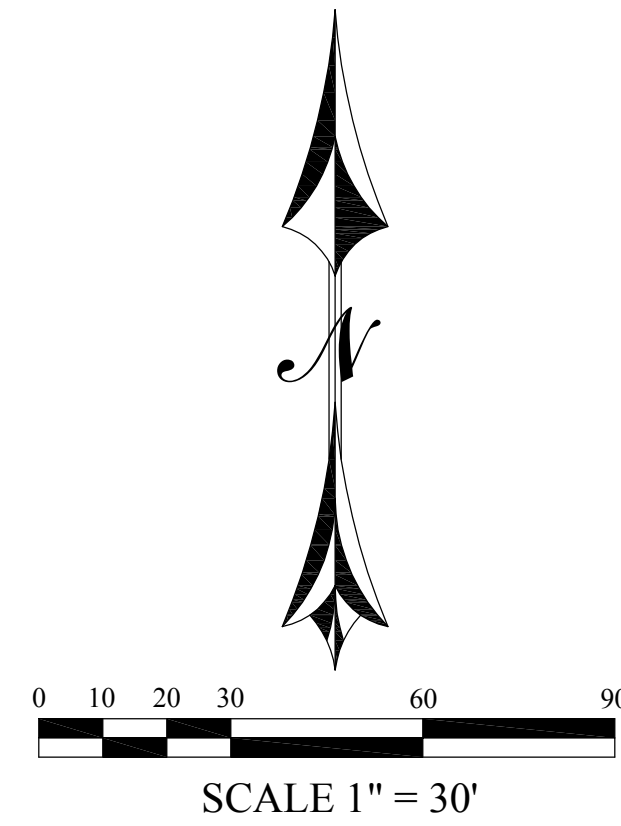
This commercial property will be AUCTIONED to the highest bidder by orders of the Seller on April 22, 2011 at 11:30am on site. The property is adjacent to the New Dollar General Store located at 1100 N. San Antonio Ave, Douglas, AZ. The APN number includes the adjacent property. The property fronts on paved Cochise Ave and the parking lot for Food City.

**Burris, Hennessy & Co.**  
1802 W. Grant Road, Suite 110, Tucson, Arizona 85745  
Main Office 520-882-4343  
www.burrishennessy.com



**Burris, Hennessy & Co.**  
*A Commercial Real Estate Company*

# RECORD OF SURVEY



### LEGAL DESCRIPTION:

**PARCEL A**  
A PORTION OF LOT 9, SECTION 29, TOWNSHIP 23 SOUTH, RANGE 24 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENTING THE EAST QUARTER CORNER OF SAID SECTION 29;  
THENCE S00°01'00"E, A DISTANCE OF 531.75 FEET, ALONG THE EAST LINE OF SAID SECTION 29 TO A POINT;  
THENCE N90°00'00"W, A DISTANCE OF 30.00 FEET, TO A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 40916;  
THENCE S00°01'00"E, A DISTANCE OF 194.00 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365;  
THENCE S90°00'00"W, A DISTANCE OF 252.00 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365;  
THENCE N00°01'00"W, A DISTANCE OF 194.00 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365;  
THENCE N90°00'00"E, A DISTANCE OF 252.00 FEET, TO A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 40916, ALSO BEING THE POINT OF BEGINNING;  
CONTAINING 1.122 ACRES, MORE OR LESS.

**PARCEL B**  
A PORTION OF LOT 9, SECTION 29, TOWNSHIP 23 SOUTH, RANGE 24 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENTING THE EAST QUARTER CORNER OF SAID SECTION 29;  
THENCE S00°01'00"E, A DISTANCE OF 531.75 FEET, ALONG THE EAST LINE OF SAID SECTION 29 TO A POINT;  
THENCE N90°00'00"W, A DISTANCE OF 30.00 FEET, TO A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 40916;  
THENCE S00°01'00"E, A DISTANCE OF 194.00 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365, ALSO BEING THE POINT OF BEGINNING;  
THENCE CONTINUING S00°01'00"E, A DISTANCE OF 77.96 FEET, TO A FOUND PK NAIL WITH WASHER MARKED LS 37014;  
THENCE S90°00'00"W, A DISTANCE OF 416.34 FEET, TO A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 37014;  
THENCE N00°01'00"W, A DISTANCE OF 271.96 FEET, TO A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 40916;  
THENCE N90°00'00"E, A DISTANCE OF 164.34 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365;  
THENCE S00°01'00"E, A DISTANCE OF 194.00 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365;  
THENCE N90°00'00"E, A DISTANCE OF 252.00 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365, ALSO BEING THE POINT OF BEGINNING;  
CONTAINING 1.477 ACRES, MORE OR LESS.

**PARCEL B**  
64,339 SQ. FT. ±  
1.477 ACRES ±

**PARCEL A**  
48,888 SQ. FT. ±  
1.122 ACRES ±

### LEGEND:

- SET 1/2" REBAR WITH SURVEYOR'S CAP RLS 30365 UNLESS OTHERWISE NOTED
- OTHER MONUMENTS FOUND AS NOTED
- ◊ FOUND QUARTER SECTION CORNER AS INDICATED (UNLESS OTHERWISE NOTED)
- ◊ FOUND SECTION CORNER AS INDICATED (UNLESS OTHERWISE NOTED)
- x — EXISTING FENCE

### NOTES:

1. RECONSTRUCTED ELISA CLAIM LINE IS FROM 4" TAGGED PIPE MONUMENTS FOR IDA CLAIM CORNERS 1, 2 AND 4. THIS CLAIM LINE IS 10 FEET NORTHWESTERLY OF LOCALLY ACCEPTED LINE.
2. LOCATION OF UTILITIES AND APPURTENANCES ARE BEYOND THE SCOPE OF THIS SURVEY.

### RESOURCE DOCUMENTS:

- BOOK 20 OF MAPS AND SURVEYS, PAGE 36
- BOOK 23 OF MAPS AND SURVEYS, PAGE 79
- COCHISE COUNTY RECORDS
- COCHISE COUNTY, ARIZONA
- COCHISE COUNTY RECORDER'S OFFICE.

### BASIS OF BEARING:

EAST LINE OF SECTION 29 BETWEEN A BRASS CAP IN HANDHOLE AT THE SOUTHEAST CORNER OF SAID SECTION AND A BRASS CAP IN HANDHOLE AT THE EAST QUARTER CORNER OF SAID SECTION (N 00°01'00" W).

### RECORDING DATA:

STATE OF ARIZONA }  
COUNTY OF COCHISE } SS

FILED FOR RECORD AT THE REQUEST OF ARIZONA LAND SPECIALISTS, INC.  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
IN BOOK \_\_\_\_\_ OF MAPS OF SURVEYS AT PAGE \_\_\_\_\_ THEREOF,  
FEE NO. \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

COCHISE COUNTY RECORDER/DEPUTY COUNTY RECORDER

### CERTIFICATION:

I HEREBY CERTIFY THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION AND THAT THE PROPERTY CORNERS AND SURVEY MONUMENTS EXIST AS SHOWN HEREON.



DAVID L. SUTHERLAND R.L.S. # 30365  
EXPIRES: 9/30/2008

DATE:

### Arizona Land Specialists, Inc.

PLANNING, SURVEYING, LANDSCAPE ARCHITECTURE  
100 S. 7th St.  
Sierra Vista, Arizona 85635  
(520) 458-3327 FAX (520) 459-0244

### REVISIONS

NO.	DESCRIPTION	BY	DATE

FEE# \_\_\_\_\_ BOOK \_\_\_\_\_ SURVEY, PAGE \_\_\_\_\_

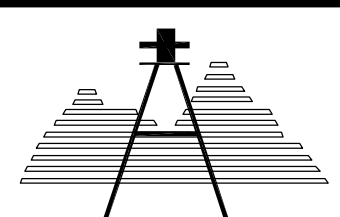
A PORTION OF LOT 9, SECTION 29, T-23-S, R-24-E,  
OF THE GILA AND SALT RIVER MERIDIAN,  
COCHISE COUNTY, ARIZONA

DOLLAR GENERAL  
NACO HIGHWAY  
BISBEE, ARIZONA

PROJECT NO. 08-036.2

Drawn By: AMH  
Checked By:

Date: 06/17/2008  
Sheet: 1 of 1



# RECORD OF SURVEY

## LEGEND:

- SET 1/2" REBAR WITH SURVEYOR'S CAP RLS 30365 UNLESS OTHERWISE NOTED
- OTHER MONUMENTS FOUND AS NOTED
- ⊗ FIRE HYDRANT
- LIGHT POLE
- ⊕ POWER POLE
- ⊗ WATER DEPT. MANHOLE
- ⊗ SANITARY SEWER MANHOLE
- OVERHEAD ELECTRIC
- — — BASIS OF BEARINGS
- SW — SANITARY SEWER LINE

## RESOURCE DOCUMENTS:

- McCullars FIRST ADDITION TOWNSITE OF DOUGLAS RECORDED AS MAP 20 DATED: AUGUST 28, 1903
- EASTSIDE ADDITION BOOK 1, OF MAPS AND PLATS, PAGE 96 DATED: FEBRUARY 4, 1948
- RHONE'S ADDITION BOOK 1, OF MAPS AND PLATS, PAGE 5 DATED: MARCH 10, 1904.
- RECORD OF SURVEY BY ARIZONA LAND SPECIALISTS, INC. BOOK 36, OF MAPS OF SURVEYS, PAGE 96
- COCHISE COUNTY RECORDS COCHISE COUNTY RECORDER'S OFFICE COCHISE COUNTY, ARIZONA
- COMMITMENT FOR TITLE INSURANCE PREPARED BY FIDELITY NATIONAL TITLE AGENCY ORDER NO. 404156 AMENDED: FEBRUARY 15, 2007

## RECORDING DATA:

STATE OF ARIZONA }  
COUNTY OF COCHISE } SS

FILED FOR RECORD AT THE REQUEST OF ARIZONA LAND SPECIALISTS, INC. ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ IN BOOK \_\_\_\_\_ OF MAPS OF SURVEYS AT PAGE \_\_\_\_\_ THEREOF. FEE NO. \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

COCHISE COUNTY RECORDER/DEPUTY COUNTY RECORDER

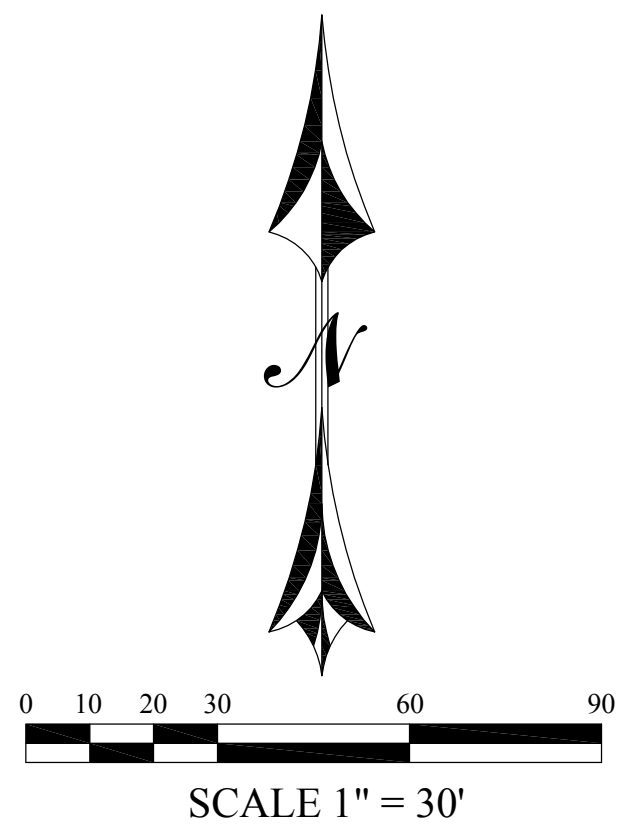
## CERTIFICATION:

I HEREBY CERTIFY THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION AND THAT THE PROPERTY CORNERS AND SURVEY MONUMENTS EXIST AS SHOWN HEREON.



DAVID L. SUTHERLAND R.L.S. # 30365  
EXPIRES: 9/30/2008

DATE:



### LEGAL DESCRIPTION:

**PARCEL A**  
A PORTION OF SECTION 18, TOWNSHIP 24 SOUTH, RANGE 28 EAST, OF THE GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, BEING A PORTION OF THE FOLLOWING SUBDIVISIONS;

A PORTION OF BLOCKS 2, 3, 6 AND 7 OF RHONE'S ADDITION, AS SHOWN IN BOOK 1, OF MAPS AND PLATS, PAGE 5, COCHISE COUNTY RECORDS, INCLUDING THE ADJACENT STREETS AND ALLEY ABANDONED BY THE CITY OF DOUGLAS RESOLUTION NO. 636, AND RECORDED IN DOCKET 1095 AT PAGE 43, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 43604, AS DESCRIBED IN A RECORD OF SURVEY RECORDED IN BOOK 36, OF MAPS OF SURVEYS, PAGE 96, COCHISE COUNTY RECORDS;

THENCE S00°03'00"E, A DISTANCE OF 204.54 FEET, TO A FOUND 5/8" REBAR WITH SURVEYOR'S CAP MARKED LS 29273;

THENCE N89°58'12"E, A DISTANCE OF 5.00 FEET, TO A POINT;

THENCE S00°03'00"E, A DISTANCE OF 30.02 FEET, TO A POINT;

THENCE S89°58'12"W, A DISTANCE OF 231.99 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365;

THENCE N01°15'24"E, A DISTANCE OF 236.95 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365;

THENCE S89°30'08"E, A DISTANCE OF 231.99 FEET, TO A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 43604, ALSO BEING THE POINT OF BEGINNING;

CONTAINING 1.246 ACRES, MORE OR LESS.

**PARCEL B**  
A PORTION OF SECTION 18, TOWNSHIP 24 SOUTH, RANGE 28 EAST, OF THE GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, BEING A PORTION OF THE FOLLOWING SUBDIVISIONS;

A PORTION OF BLOCKS 3, 4 AND 6, ALL OF BLOCK 5 OF RHONE'S ADDITION, AS SHOWN IN BOOK 1, OF MAPS AND PLATS, PAGE 5, COCHISE COUNTY RECORDS, A PORTION OF LOT 9, BLOCK 11 AND ALL OF LOT 8, BLOCK 14 OF EASTSIDE ADDITION, AS SHOWN IN BOOK 1, OF MAPS AND PLATS, PAGE 96, COCHISE COUNTY RECORDS, INCLUDING THE ADJACENT STREETS AND ALLEY ABANDONED BY THE CITY OF DOUGLAS RESOLUTION NO. 636, AND RECORDED IN DOCKET 1095 AT PAGE 43, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 43604 AS DESCRIBED IN A RECORD OF SURVEY RECORDED IN BOOK 36, OF MAPS OF SURVEYS, PAGE 96, COCHISE COUNTY RECORDS;

THENCE N89°30'08"W, A DISTANCE OF 231.99 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365, ALSO BEING THE POINT OF BEGINNING;

THENCE S01°15'24"E, A DISTANCE OF 236.95 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365;

THENCE S89°58'12"W, A DISTANCE OF 168.01 FEET, TO A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 43604;

THENCE N00°03'00"W, A DISTANCE OF 30.22 FEET, TO A FOUND 1" OPEN PIPE;

THENCE S89°58'12"W, A DISTANCE OF 70.00 FEET, TO A FOUND 5/8" REBAR WITH SURVEYOR'S CAP MARKED LS 29273;

THENCE N00°03'00"W, A DISTANCE OF 140.00 FEET, TO A FOUND 5/8" REBAR WITH NO IDENTIFICATION;

THENCE N89°58'12"E, A DISTANCE OF 70.00 FEET, TO A FOUND 5/8" REBAR WITH SURVEYOR'S CAP MARKED LS 29273;

THENCE N00°03'00"W, A DISTANCE OF 50.00 FEET, TO A FOUND NAIL WITH NO IDENTIFICATION;

THENCE S89°58'12"W, A DISTANCE OF 70.00 FEET, TO A FOUND NAIL WITH NO IDENTIFICATION;

THENCE N00°03'00"W, A DISTANCE OF 18.82 FEET, TO A FOUND 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 43604;

THENCE S89°58'12"E, A DISTANCE OF 233.03 FEET, TO A SET 1/2" REBAR WITH SURVEYOR'S CAP MARKED LS 30365, ALSO BEING THE POINT OF BEGINNING;

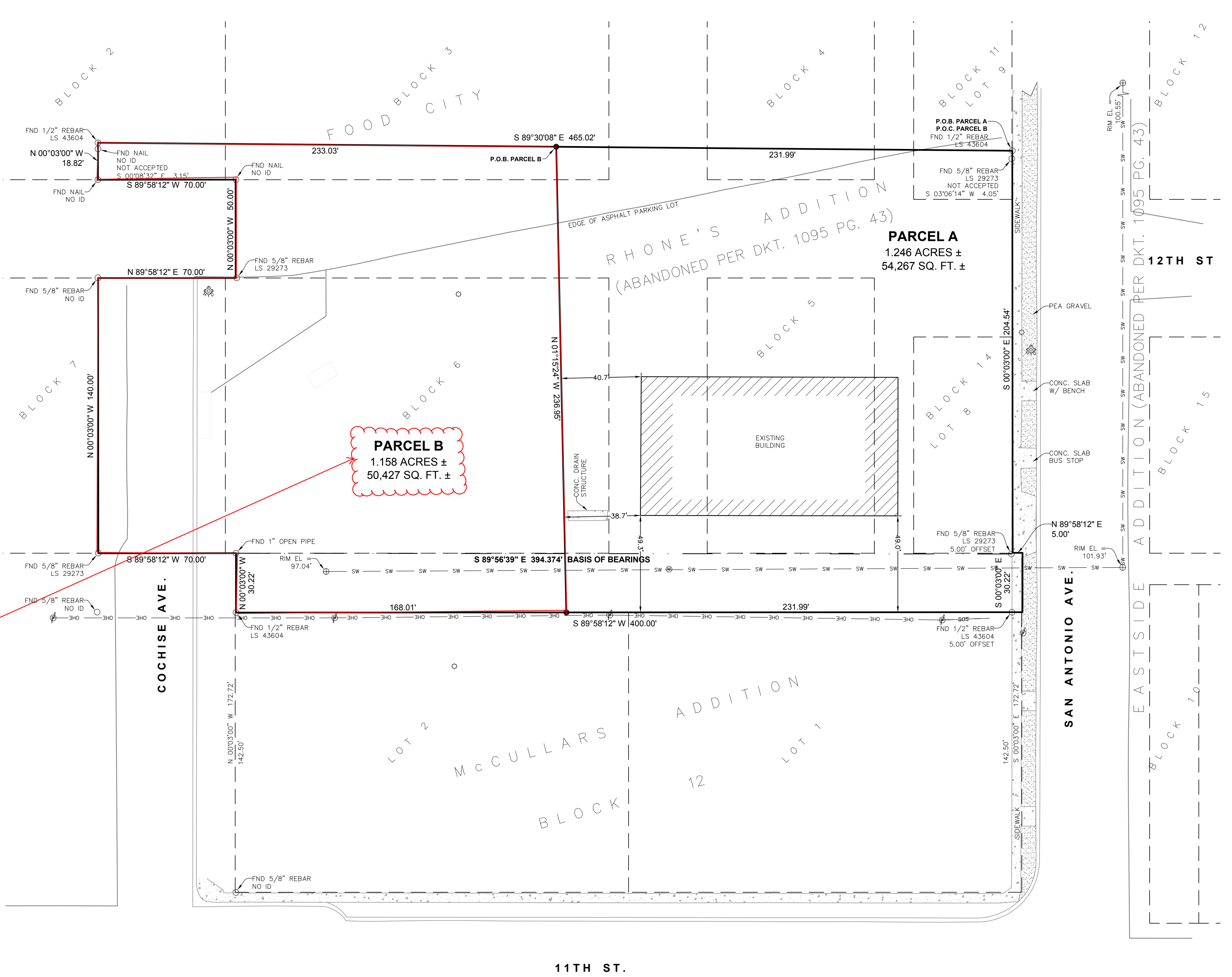
CONTAINING 1.158 ACRES, MORE OR LESS.

### BASIS OF BEARING:

THE BASIS OF BEARINGS FOR THIS SURVEY IS S 89°56'39" E BETWEEN A FOUND 1" OPEN PIPE MARKING THE INSIDE CORNER OF THE SUBJECT PROPERTY ON THE EAST SIDE OF COCHISE AVENUE AND A FOUND 5/8" REBAR AND BRASS TAG MARKED 29273 MARKING AN INSIDE CORNER OF THE SUBJECT PROPERTY ON THE WEST SIDE OF SAN ANTONIO AVENUE, AS SHOWN HEREON.

### NOTES:

1. THE RECORD DIMENSION FOR THE WIDTH OF THE ALLEY TO THE NORTH OF MC CULLAR'S ADDITION, MAP 20, IS 27 FEET, HOWEVER, EXISTING IMPROVEMENTS AND FOUND MONUMENTATION SUPPORT A 30.00' WIDTH FOR THE ALLEY.
2. UTILITIES LOCATIONS WERE NOT A PART OF THE SCOPE OF SERVICES FOR THIS SURVEY, AND THUS WERE NOT LOCATED OR SHOWN.



**Arizona Land Specialists, Inc.**  
PLANNING, SURVEYING, LANDSCAPE ARCHITECTURE  
100 S. 7th St.  
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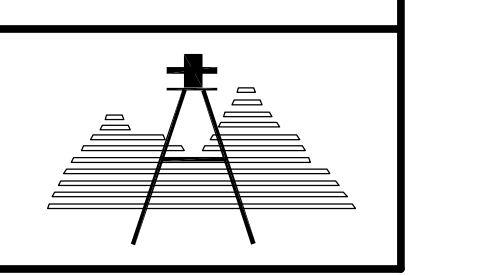
REVISIONS			
NO.	DESCRIPTION	BY	DATE

FEE# \_\_\_\_\_ BOOK \_\_\_\_\_ SURVEY, PAGE \_\_\_\_\_

A PORTION OF SECTION 18, T-18-S, R-28-E,  
OF THE GILA AND SALT RIVER MERIDIAN,  
COCHISE COUNTY, ARIZONA

11TH ST. & SAN ANTONIO AVE.  
DOUGLAS, ARIZONA

PROJECT NO. 08-036.1  
Drawn By: AMH  
Checked By: \_\_\_\_\_  
Date: 06/17/2008  
Sheet: 1 of 1



## Terms of Sale

Registration at the auction confirms your agreement to the terms and conditions of sale as stated in the Contract for Sale and its Addenda (the 'Contract') which are incorporated by reference into your bidding. **DO NOT BID** unless you have registered, received a Bidder's Card and Sale Day Notes and have read and agreed to be bound by the terms of sale in the Contract as they are enforceable against you upon becoming a high bidder.

**All properties are sold "AS IS, WHERE IS" with no financing, inspection or other contingencies to sale.** Burris, Hennessy & Co. represents the Sellers only and does not inspect properties on bidder's behalf. Read the Contract and Sale Day Notes to determine the existence of any disclosures, exclusions, representations and disclaimers. Do not bid if you have not inspected the property(s). By bidding you agree to all disclosures.

**Buyers receive a deed and insurable title to each property,** as evidenced by the Title Insurance offered by the Closer indicated in the Contract. Current year's property taxes are pro-rated through day of closing as customary. Any manufactured housing not already considered attached to the real estate will be conveyed only with a hold harmless agreement or quit claim Bill of Sale unless otherwise noted.

**An Auction Services Fee of \$1,000.00 shall be paid by the Buyer at close of escrow** and added to the total purchase price. Please see the Sale Day Notes, The Contract for Sale, and/or the Auctioneer for specifics about the property you wish to bid on.

Each high bidder must make a 5% non-refundable deposit per property (**\$2,500 MINIMUM** - whichever is greater) immediately following auction. Cash, cashier's checks, and personal checks (electronically processed) are accepted. If you are a resident / citizen of a country outside of the US, certified funds (bank check, wire transfer, certified checks) are required for the down payment and closing. The balance of the purchase price and all closing costs are due at closing. Closing costs generally total approximately \$1,500 and include title exam, title policy, closing fee, filing costs and any other fees noted. If for any reason Seller does not perform or accept the terms of the Contract, the sole remedy shall be the return of Buyer's deposit.

**Bidding starts at the nominal Opening Bid(s) indicated and is open to the public.** The Auctioneer will call the sale and control any increments of bidding. To make a bid, raise your hand or Bid Card to be recognized. The bidding usually takes less than 3 minutes for each property. Absentee bids may be accepted at the discretion of the Auctioneer. The Auctioneer reserves the right to enter bids on behalf of absentee bidders as specified in 21 NCAC 4B. Any mistakes during bidding as to who has the high bid and/or at what price may be called to the Auctioneer's attention and corrected. The Auctioneer is the sole arbiter and controller of the conduct of the auction and shall be the final and absolute authority without liability to any party.

**Your inspection of the property(ies) and attendance at this auction are at your own risk.** Broker and Seller, their agents and employees, expressly disclaim any "invitee" relationship and shall not be liable to any person for damage to their person or property while in, on or about these properties, nor shall they be liable for any defects, dangers or conditions on the property(ies). All persons enter the property(ies) and attend the auction at their own risk and shall defend, indemnify, and save harmless Broker and Seller, their agents and employees, from any and all liability attendant thereto.

**Possession:** Buyers are not allowed possession until Closing and filing of the deed, at which time the property should be re-keyed by the Buyer. "Showing" requests from Buyers after the auction may not be able to be accommodated.

Burris, Hennessy & Co. and the Seller expressly disclaim any liability for errors, omissions or changes regarding any information provided for these sales. Please read the Contract and Sale Day Notes for a full and complete understanding of Burris, Hennessy & Co. and Seller's disclaimers. Bidders are strongly urged to rely solely upon their own inspections and opinions in preparing to purchase property and are expressly advised to not rely on any representations made by the Seller or their agents and employees. Property information may change without notice and potential purchasers should investigate all data fully before relying upon it.

Regardless of local custom, the buyer understands and agrees that the **Buyer will pay for the owner's title policy and lender's title policy (if any) and that the buyer will pay all other closing/transfer costs including survey, escrow, all closing fees, and all realty transfer taxes. Septic Inspection.** Buyer acknowledges that a state mandated septic inspection may be required prior to conveyance of the Property. If required, Buyer will order the inspection, and the inspection must be completed in accordance with governing regulation. Buyer agrees to comply with all requirements to obtain any necessary permits, and shall make arrangements to correct any noted violations at Buyers expense, accepting all responsibility for any remediation, fees, or terms required. Buyer is responsible for submitting a notice of transfer form within 15 days of closing. Buyer acknowledges and understands that neither Seller and/or Burris, Hennessy & Co, nor its agents make any assertions or guarantees as to the condition of any septic system, and Buyer is purchasing this property as-is, where-is.

**CLOSING:** Closing shall occur on or before May 23, 2011 at Pioneer Title Agency, 220 S. Curtis Ave, Willcox, AZ. 85643, Phone (520) 384-4205.