



**1656 HENTHORNE STE. 200
MAUMEE, OHIO 43537
419-877-7777**

AUCTION/BROKERAGE PARTICIPATION AGREEMENT

Client Registration

It is the policy of Miller Danberry Commercial Realty (the “Company”) that all Commercial/industrial real estate listed for sale at auction by the Company will be offered on a cooperative brokerage basis to those brokerage firms and individuals (“Broker/Agent”) licensed to conduct real estate in the State of Ohio.

In order to offer the maximum amount of protection to a third party brokerage, and subsequently secure a claim to a commission, Miller Danberry **REQUIRES** each participating Broker/Agent to register the prospect with Jerry Miller (“Auctioneer”) of Miller Danberry Commercial Realty **AND** attend the auction with the client.

To receive your commission, the following procedures must be followed in registering your prospect:

1. Register the name of your prospect (personal name and corporate name where applicable), your prospect’s address, and the subject auction property. This registration **MUST** be completed in writing no less than 48 hours prior to the conduct of the auction. Faxed or e-mailed registrations are acceptable. **NO VERBAL REGISTRATIONS ARE ACCEPTED.**
2. Within one business day of receipt of the above registration letter, Miller Danberry Commercial Realty will provide written verification of your registration and will either accept or reject the registration; based on other registrants, or if the Company has engaged the prospect/client independently of the registering third party.
3. Attend the auction with your client. Your client must complete a bidder’s registration card prior to the auction and submit the necessary earnest deposit required under the terms and conditions of the auction, along with any other considerations required or otherwise advertised as a part of the auction.

Registration will remain in effect beginning upon the date of verification and extending for a period of 30 days following the auction date. Registrations may be extended upon demonstration of on-going, active negotiations with the owner of a property.

In the event that more than one registration is received and all of the procedures above have been followed, the earlier date of the registration will be honored.

Co-brokerage

Miller Danberry shall share any commission earned as a part of the auction listing agreement with any qualified selling Broker/Agent at a rate equal to 2.0% of the final bid/contract amount. Commission shall be due and payable only upon successful closing of the property.

Agency

Real estate Broker/Agent shall represent the buyer/purchaser only and agrees to complete the required Ohio Division of Real Estate Form “Agency Disclosure Statement” upon execution of the real estate purchase contract. The Company and the Auctioneer represent the Seller unless otherwise disclosed. Real estate Broker/Agent represents the buyer and shall hold Seller and Miller Danberry and Jerry Miller, Auctioneer harmless from any claims, acts, omissions, costs and expenses, including attorney’s fees, arising out of any acts performed or representations made by Broker/Agent in connection with the participation in the auction or the purchase and sale of the property. All properties are sold “as-is” with guarantees or warranties as to condition or fitness and buyer shall rely solely on their own inspection and discovery.

Non-disturbance

Broker/Agent shall not in any manner interfere with or disturb the conduct of the auction, solicit other attendees, or offer advice to other attendees at the auction.

If for any reason, you should require a clarification on this or any other brokerage policy, please do not hesitate to call Jerry Miller, Auctioneer, Vice President of Miller Danberry Commercial Realty. at 419-877-7777 Ext. 206.

Agent Name: _____
Company: _____
Address: _____
Phone: _____ Fax: _____
E-mail _____

Client Name: _____
Company: _____
Address: _____

I hereby accept the terms and conditions of this Auction/Brokerage Participation Agreement this ___ day of ____, 20__.

Real Estate Agent/Broker

Date

Client Signature

Date

This registration is hereby Accepted Rejected for the following reason:

Miller Danberry Commercial Realty

Date

Updated 10.26.2017