**Online Auction Date:**
Thursday, March 24, 2022
10:00 - 12:00 pm CT (11am-1pm ET)

**Inspections By Appointment Only:**
Monday, March 14 and 21
By appointment only. Visit cwsmarketing.com for online scheduling of appointment and full list of COVID-19 requirements. Visitors must follow COVID-19 guidelines.

**3-Step Registration:**
1. Create an account with CWS and validate with credit card information (only required once).
2. Visit auctions.cwsmarketing.com and click on “Register to bid.” Required for each property bid on.
3. Mail Bid Deposit Form (found online) with deposit check to arrive no later than March 23 OR email the Bid Form and wire deposit to arrive no later than 5pm ET on March 22
   Request wiring instructions at realproperty@cwsams.com

**Deposit Amount:** $100,000
Cashier’s check made payable to CWS Marketing Group OR request wiring instructions at realproperty@cwsams.com

**Starting Bid:** $380,000

For more details visit the Treasury website at: www.treasury.gov/auctions/treasury/rp and click on upcoming auctions or call the Public Auction Line at (703) 273-7373.

**Property Description:**
Two unit commercial property for auction. Currently used as Zen Asian Bistro, unit 2 has 2,448 ± sq. ft. with 2 restrooms. Unit 1 has 4,032 ± sq. ft. with 2 restrooms and was used as a Souper Salad restaurant. There is also a 18,100 ± sq. ft. parking and much more! **Note:** The furnishings and equipment in the leased unit do not convey. The lease can be viewed online. **Inspection is by appointment only. Please visit cwsmarketing.com for online scheduling of appointment and full list of COVID-19 requirements and precautions.** Per the stated Terms of Sale, this property is sold **AS IS WHERE IS WITH ALL FAULTS** including any building violations for the building as a whole that may apply (including but not limited to fines and penalties).

**Property Details:**
- Improved Area: 6,480 ± sq. ft.
- Site Area: 47,516 ± sq. ft.
- Year Built: 2015
- 2021 County Taxes: $39,490.95 ±
- Utilities: Electricity, Gas, Water, Sewer
- Zoning: C-3/General Business
- County: Hidalgo
- Parcel No: 895217

For free email notifications of upcoming auctions visit: cwsmarketing.com
**TERMS OF SALE FOR ONLINE AUCTION - McAllen TX / Sale #22-66-812**

**GENERAL INFORMATION:** The placement of a successful bid at a U.S. Department of the Treasury online auction establishes a legally binding contract between the successful bidder and the Government. An e-mail notification sent to the high bidder establishes the contract, which is subject to final acceptance by the Government. This contract is bound by these Terms and Conditions, any Special Terms and Conditions published by the Contractor for the specific auction, 19 CFR Customs Duties Part 162 and all other Federal regulations governing contracts for the purchase of Government property, which may be found at http://www.acquisition.gov. The successful bidder is legally bound to pay for property awarded in accordance with his/her bid.

**ELIGIBILITY OF BIDDERS:** The bidder warrants that he/she is not: (a) under 18 years of age, (b) an employee of any department or agency of the Federal Government prohibited by the regulations of that agency from purchasing property sold heretofore; (c) an agent or immediate member of the household of the employee in (b), above; (d) the Contractor, subcontractor or vendor, or their agent who has access to information concerning the property to be sold at U.S. Department of the Treasury auctions that is not generally available to the public; (e) presently debarred or declared ineligible for the award of contracts. The credit card will be charged $1.00 for this process. This is an authorization only and the amount is released after verification. Bidders will need to accept the Terms & Conditions in order to establish an account.

**DEPOSIT:** A $100,000 bid deposit is required to bid. U.S. funds only. Persons wishing to participate in the bidding process of the sale are required to register online for each specific auction you are interested in. To complete the registration process, download the Bid Deposit Form and mail with the cashier’s check deposit or wire the deposit and email the Bid Deposit Form. Once the deposit is received, the bidder will be sent an email notification confirming they are approved to bid. If you are not approved to bid, please visit our CWS Auctions App, you will also receive an approval text alert on your mobile device.

**WIRING DEPOSIT:** Request wiring instructions at realproperty@cwsams.com. Deposits made by bank wire must include bidder’s name in the reference line. Email completed Bid Deposit Form to realproperty@cwsams.com. The deposit is due no later than 5:00 p.m. ET on March 22, 2022.

**MAILING DEPOSIT:** If mailing in a deposit, it must be in the form of a cashier’s check and made payable to CWS Marketing Group, Inc. The completed Bid Deposit Form and deposit should be mailed to: CWS Marketing Group, 7798 Democracy Dr., Suite 700, McLean, VA 22102. The deposit is due no later than 5:00 p.m. EST on March 22, 2022.

The successful bidder’s deposit will be retained as the initial payment for the property. Cashier’s checks payable to the bidder’s name CANNOT be accepted. Unsuccessful deposit checks will be mailed out within 5 business days and unsuccessful wires will be sent to the originating bank account within 5 business days.

The registrant agrees that, should the registrant be the successful bidder of a property, if the deposit exceeds the purchase price or if there is any misrepresentation, the registrant agrees to: (a) pay the full purchase price for the property, (b) if the successful bid is made on the website, notify the contractor of the bid acceptance within 24 hours of the time the notice was sent. This acknowledgement confirms the price offered by the bidder and is subject to final approval by the Government. If the successful high bid is established a final written sales contract will be prepared to include the individual information of the high bidder along with the high bid amount. A contract will be established with the recognized back-up bidder for execution.

At the conclusion of bidding, an e-mail will be sent to the successful high and backup bidder confirming the bid amount. The successful high and backup bidder must acknowledge receipt of notice and supply information requested to validate the bid acceptance within 24 hours of the time the notice was sent. This acknowledgement confirms the price offered by the bidder and is subject to final approval by the Government. A contract document will be sent to the successful high and backup bidder for signature. The contract must be returned to CWS within 24 hours of receipt. At this time the contract will be presented to the Government and is subject to final acceptance. The Government may withdraw the property at any time before the sales contract is accepted. During this process the successful bidder may not review their own bid at any time. Unilateral actions taken by any bidder will not be accepted.

The high bidder shall deliver ten percent (10%) of the Purchase Price less the initial money deposit, whichever is greater, to CWS by cashier’s/certified check, payable to CWS Marketing Group, Inc or by bank wire transfer. Within three business days, should the high bidder fail to deliver a deposit, the high bidder shall have all rights and remedies provided in the Terms of Sale, including the right to retain the initial money deposit and any other deposits or payments made by the high bidder as liquidated damages.

The successful bidder’s deposit(s) will be retained as the initial payment for the property. Personal or business checks, bank letters, or letters of credit will not be accepted. Cashier’s checks made payable to the bidder’s name CANNOT be accepted. The bidder, who placed the bid accepted by the Government, is legally bound to pay for property awarded to him/her in accordance with the successful bid. Payment of the full purchase price must be made within the time specified on the auction site.

**PLACING A MAXIMUM BID:** Please be aware that all bids placed are maximum bids. The website will enter the next bid increment and enter your bid as a maximum bid. The website will bid on your behalf up to your set maximum bid amount. A contract document is sent to the high bidder once the current bid is $5000 and the bidder enters a maximum bid of $5000 with a bid increment of $500. The system will bid one increment (1000) until the bidder’s “Maximum Bid” is exceeded. If the maximum bid is exceeded, the bidder will be notified by email or text (mobile device) they’ve been outbid. Bidders may increase the bid but not lower it. In the case of a tie, precedence is given to the earliest bid.

**AUCTION SOFT CLOSE:** All auctions end with a “Soft Close.” A “Soft Close” means if any bid is placed within the last 3 minutes of the close of the auction, the bid will automatically extend the closing time an additional 3 minutes. This feature protects bidders from being outbid without the opportunity to be notified and place another bid before the close of the auction.

**TECHNICAL PROBLEMS AND TRANSMISSION ISSUES:** CWSAMS has made every reasonable effort to facilitate online bidding. However, it is possible that technical problems and transmission issues may arise and affect the CWSAMS website, bidding system and/or computer or server or your personal device. Please view the “Offending of Property for Auction and Submission of Bids” section of the rules to be beyond the control of CWSAMS. By bidding online, the bidder acknowledges that CWSAMS is not responsible for technical problems or transmission issues associated with a bid and that, in the event technical problems interfere with or prevent a bid, it may be necessary to withdraw items from bidding due to technical errors or uncontrollable circumstances. Further, in the event of the occurrence of a technical problem during any bid in any auction, CWSAMS is in its sole discretion reserves the right to declare an item sold, postpone or cancel the auction, extend the bidding time for this auction and/or re-list the property for auction at another date and time. The decision of CWSAMS on this matter shall be final. Bidder acknowledges that, by bidding in any auction held by CWSAMS, Bidder accepts the terms and conditions of this Disclaimer.

**AUCATION END & BID APPROVALS:** When the auctions close, the page will display either SOLD or ENDED. SOLD indicates the reserve (if there is a reserve) was met and establishes the high bid. Successful bidders will be notified via email of their status as the winning bidder and will be bound by the payment terms as found in the “Offering of Property for Auction and Submission of Bids” paragraph. ENDED indicates the final bid did not meet the reserve. In this case, CWS will provide the high bid to the Government for consideration. If the Government accepts the high bid, the bidder will be notified.

**CONSIDERATION OF BIDS:** The Government reserves the right to reject any or all bids, and waive any technical defects in bids. Property is sold with a minimum reserve price unless the property is, in explicit terms, offered without a minimum reserve price. If the minimum reserve price is not achieved, the Government may withdraw the property at any time before the sales contract is executed.

**FINANCING:** The buyer is responsible for obtaining his or her own financing arrangements as required. The Government does not provide financing for the purchase of any property offered under these Terms and Conditions. Bidders are strongly recommended to investigate and secure financing arrangements, if required, prior to bidding on a public offering.

Failure to obtain financing during the closing process does not relieve the buyer of his/her legal responsibility and obligation for completion of the contract. Failure to comply with all provisions of the sales contract regarding closing may result in termination of the contract because of buyer’s default and may result in the forfeiture of any earnest/deposit funds.

**CLOSING:** Closing will be held within 45 calendar days of the date the Government signs the sales contract accepting the Buyer’s offer. Closing may be held sooner, with mutual agreement of Buyer and Seller. Only the Seller may, at its discretion, extend closing beyond 45 calendar days. Closing costs including, without limitation, transfer taxes, documentary stamps, recording fees, and escrow fees will be paid by the Buyer and Seller in accordance with the customs of the county in which the property is located. In the event Buyer desires title insurance, it will be at the Buyer’s expense.

**GOVERNMENT DEED:** Clear Title will be transferred via a Government Deed. Liens and other encumbrances will be paid by the Government. Title insurance is available at Buyer’s expense.

**DEFAULTS:** Failure to make required deposit or final payments and/or comply with the terms, services, fees, and escrow fees specified on the website shall be deemed default of the high bidder and may result in cancellation of the contract and forfeiture of any rights, title, and interest the Buyer may have acquired. In that case, title of the property will remain with the Government and will result in the forfeiture of the deposit. If the default occurs because of failure to make the required deposit, the buyer shall be liable to the Government for liquidated damages in the amount of the deposit.

**PROPERTY OFFERED BY IRS-CI, HSI, OR SECRET SERVICE:** Any property sold at auction by the IRS-CI, HSI, or the Secret Service is subject to present ownership of property or lien that may be superior to the Buyer’s interests. In the event of such a claim, Buyer and Seller are responsible for the amount of money necessary to extinguish them. The listing will be removed and the property will be withdrawn from the auction, and the government will be notified.

**ADDITIONAL INFORMATION:** For additional information, please visit our website at www.treasury.gov/auctions/lead/or if you do not have Internet access or have further questions, you may call our Public Auction Line at (703) 273-7373 or fax inquiries to (571) 914-4153.