

## **SEALED BID TERMS OF SALE – LOWE’S SURPLUS REAL ESTATE**

**DEADLINE:** Lowe’s has requested that all expressions of interest be submitted on the Seller-approved Purchase and Sale Agreement and be delivered to Hilco Real Estate no later than **May 16, 2019 by 5:00 p.m. Central Standard Time**. The Purchase and Sale Agreement can be found in our Virtual Data Room.

### **VIRTUAL DATA ROOM:**

A Virtual Data Room has been set up for the properties within this portfolio and contains important due diligence information on the properties. For access to the Virtual Data Room, please fill out the online Non-Disclosure Agreement (NDA), on Hilco Real Estate’s website ([www.LowesSurplusRealEstate.com](http://www.LowesSurplusRealEstate.com)).

### **INITIAL BID SUBMISSION:**

Please email your signed Purchase and Sale Agreements on or before **May 16, 2019 by 5:00 p.m. Central Standard Time** to: Ed Beck ([ebeck@hilcoglobal.com](mailto:ebeck@hilcoglobal.com)). If you have questions, please call: 847-313-4753

**TERMS:** The following factors will be reviewed as part of the Seller’s consideration:

- *Purchase Price*
- *Earnest Money Deposit*
- *An outline of the proposed schedule for due diligence and closing*
- *Source of buyer’s capital (equity and debt, financing, cash, etc.)*
- *List of any contingencies required to close the transaction*
- *Experience in completing similar transactions*

**Note:** *Time is of the essence. Seller prefers non-contingents offer with a quick closing timeframe. The bidder may mark-up the Purchase and Sale Agreement, as necessary. However, bidders are encouraged to minimize changes, as any material modifications will be considered a core component of the Seller’s decision-making process in selecting the Successful Bidder*

### **Process after Qualifying Bids are received:**

1. The Seller will review all qualifying offers received within 5 business days.
2. Bidders that qualify *may* be notified and asked to participate in a second round of bidding where the highest bid amount will be announced and qualifying bidders will be asked to re-submit bids in excess of the current high bid price and under terms that are acceptable to the Seller, unless Seller elects to work exclusively with one of the initial bids. Second round bids will be due within 30-days of notification that the original bid has qualified.
3. Once all second-round bids have been received and reviewed, a winning bidder will be notified. All other bidders will be notified that their bid was not accepted.

**Note:** *If bids are close to each other in price, the Seller has the right to conduct a runoff auction. At the sole discretion of the Seller, all bids that are considered close in terms and value will be invited to participate in a runoff auction.*

**INSPECTIONS:** The properties are being offered for sale in their existing condition. We recommend you thoroughly inspect the properties prior to submitting an offer. Those inspecting the properties assume all risk associated with any inspection. **The properties will be open for inspection on specific dates and times. Please contact a Hilco representative for on-site inspections information.**

**DOCUMENTS AVAILABLE:** Due Diligence information on all the properties is available online in our property specific virtual data room and includes the Purchase and Sale Agreement, detailed property information, and other applicable information. To gain access to the virtual data room, follow the steps below:

1. Visit the following link: <http://www.lowesurplusrealestate.com>
2. Select the asset type in which you are interested (Available Retail Buildings, Available Development Sites, Available Subleases)
3. Select the specific property in which you are interested to be taken to the property-specific website
4. Click on the “Documents” tab located on the website and download the form titled “Further Due Diligence Information – Owned”
5. Click on the embedded link titled “Complete Lowe’s NDA for Owned Info”
6. Once you have completed and submitted the electronic Non-Disclosure Agreement (NDA), you will receive a link to the virtual data room
7. Login to the virtual data room by creating an account and password

**THE NON-DISCLOSURE AGREEMENT IS ONLY EXECUTABLE BY PRINCIPALS, INVESTORS OR PURCHASING PARTIES; BROKERS WILL NOT BE GRANTED ACCESS EXCEPT VIA THEIR PRINCIPALS, INVESTORS OR PURCHASING PARTIES' AUTHORIZATION.**

**SELLER'S AGENT:** Hilco Real Estate, LLC, in cooperation with Ron Young, Licensed Alabama Broker #000080484-2, Southern Auction Solutions; Joel Wynton, Licensed California Broker #01756158; Adam Gower, Licensed Colorado Broker #El.100048121; Nick Morizio, Licensed Connecticut Broker REB 075146, Colliers International; Paul A. Lynn, Licensed Florida Broker #BK3210083; Paul A. Lynn, CCIM, Licensed Louisiana Broker #76068; Paul A. Lynn & Associates, Texas License #9000489; Jeff Azuse, Licensed Illinois Broker #471.011086; Steve Mathis, Licensed Indiana Broker #RB15000976; Aaron Eichenberg, Licensed Michigan Broker #6501359351; Aaron Goldstein, Licensed Minnesota Broker #40605893; Tom Karras, Licensed Missouri Broker #2011011721; Tom Karras, Licensed New Mexico Broker #18262; Tom Karras, Licensed Oregon Broker #201223100; John Haldane, Licensed North Carolina Broker #226452, The Haldane Group, Inc.; David Taylor, Licensed South Carolina Broker #78984, Prime Time Realty LLC; Fernando Palacios, Licensed Virginia Broker #225069387. © 2019 Hilco Global, LLC and all licensees employed by or associated with Hilco Real Estate, LLC who are involved with this sale, represent the Seller in this real estate transaction.

**BROKER PARTICIPATION:** Neither Seller nor Seller's Broker shall be responsible for cooperating broker fees in connection with this sale. Real estate brokers licensed in the property's state whose client agrees to broker's representation must seek cooperating broker fees directly from their clients.

**ATTORNEY REVIEW:** All information contained in the marketing material should be carefully reviewed by an attorney prior to the bid deadline and is subject to and may be superseded by the Purchase and Sale Agreement for signature.

**DISCLAIMER:** Any property information and third-party reports have been obtained from the Seller and are subject to inspection and verification by all parties who are relying on it to formulate their bid. No liability for its inaccuracy, errors, omissions, is assumed by the Seller or its agents. The information contained herein is subject to inspection and verification by all parties relying on it. No liability for its inaccuracy, errors, or omissions, are assumed by the Sellers, their representatives, Broker or Auctioneer. ALL SQUARE FOOTAGE, ACREAGE AND DIMENSIONS IN THIS BROCHURE ARE APPROXIMATE. This offering is subject to prior sale and may be withdrawn, modified or canceled without notice at any time. This is not a solicitation nor offering to residents of any state where this offering may be prohibited. **These properties are being sold on an "AS IS, WHERE IS" basis.**