Timber Sale Prospectus

B & D Tree Farm – Brockway Parcel

June 2021 Photo

SW ¼, Sec. 27, T14N, R3W

N

Timber Sale Prospectus

March 15, 2022 11:00 AM BID TIME **STEWART & STEWART LAW OFFICE, Inc. PS**

This is a prospectus for a lump sum timber sale, offered by Bryon and Donna Loucks. The sale contract will run from date of contract signing and for 2 years. The sale area boundaries are marked with orange flagging, and the riparian boundary with pink and orange flagging. Roads, or streams if they are part of the borders, are shown on the attached photo. The Purchaser should verify said boundaries. Once the Purchaser has been selected and signed the contact, they will need to sign a 5-day FPA notification form as the Harvester (part of the Sellers 15-year plan). The permit will return in 5 working days from arrival at the DNR office and will be good for one year. If the harvesting runs into the second year, a second 5-day notification permit will need to be signed.

Sale Location

The sale unit is a gated access parcel located in Lewis County. Description:

Portions of the SW¼, & Portions of the W½, SE¼ Sec. 27 - T14N - R3W
Street Address of gated entry: 765 Brockway Road, Chehalis, WA 98532
Lewis County Tax Parcel #: 022323000000

Seller will receive, on the bid form attached hereto, offers to purchase on a lump sum basis all merchantable timber on the above described area until 11:00 AM, March 15, 2022. Bidders may wait in the conference room of Stewart & Stewart Law Office, 101 South 1st St., Montesano, WA 98563. Or bidders will be notified as soon as possible via information left on their bid form. If bidders appear at the Law Office, they will receive their Bond Certificate or Bond Check via hand delivery. The successful bidder will sign the Contract and the FPA in the Stewart & Stewart Law Office within 3 working days of bid opening.

Qualifications for Bidding and Payment

Bid Form: Prospective Purchasers will submit the "Bid Form" found in "Call for Bids", sealed and clearly marked to **Loucks Timber Sale,** at the office of **Stewart & Stewart Law Office, Inc. PS**, 101 South 1st St., Montesano, WA 98563**,** before the time and date specified above. Bidders are welcome to attend the bid opening.

Bond: A money order, bank draft, certified check, cashier's check, or Guarantee bond payable to **Stewart & Stewart Trust Account – Loucks Farm Timber Sale**, in the amount of 5% of the bidder's total bid price, must accompany the completed bid form.

Timber purchase payment: The timber will be sold on a lump sum cash basis. Purchaser will pay **100% due at contract signing.** Payment will be made to **Bryon and Donna Loucks**, via business check.

Bid deposits of the unsuccessful bidders will be returned following the announcement of the successful bidder if present, or mailed within 3 working days.

Seller reserves the right to reject any and all bids and the right to enter or not enter into a contract for the sale of any or all of the timber herein offered for bid with any bidder or other person. In accepting bids, Seller is not obligated to accept the highest bid. The successful bidder shall execute a timber sale agreement on day of bid opening or within three business days, in the form available for review as hereinafter stated at the Stewart & Stewart Law Office. The timber sale contract, not this prospectus, will contain the final terms and conditions governing this timber sale between Seller and the successful bidder.

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Acres

The area of the sale is approximately 37.5 gross acres (includes roads). The unit acres were determined using photos, or traverse with GPS. Seller does not guarantee acres.

Volumes

Four units that make up this sale were cruised by Wahl Timber Cruising in 2021, however the cruise done was equivalent to an inventory cruise, so the number of plots per acre does not qualify as a higher grade timber cruise. However the stand is so uniform the number of plots may not be as critical. The estimated total volumes for the four units is 884 MBF of timber in the sale area. These are inventory estimates and the Seller does not guarantee volumes. See "Call for Bids (D)" for individual stand Species, Sort/Grade, and estimated Volumes.

Age

The four units were planted in 1975 and are now 48 years old.

Logging

All harvest operations must follow the appropriate Forest Practice Rule and Regulations for harvest of west side logs.

The Purchaser may only use WCLA Certified Logging Contractors. The logging contractor needs to also carry the same business insurance levels as Purchaser and list the Seller as "Additional Insured.

Logging shall be on a clearcut basis using accepted logging practices and in compliance with the approved forest practices permit.

Purchaser may use any of the existing roads as a landing site as long as the road is cleared of dirt and limbs and debris at completion of that logging setting, and the road is brought back up to the condition it was found in.

During or Post Logging

The "Call for Bids" under "I. 5(a) through I. 5(h)" describes the pile building and burning process required of the sale. In doing so, the Purchaser needs to follow Lewis County and the State DNR burn guidelines.

All reforestation shall be the responsibility of the Seller.

Taxes

Purchaser will pay all State Forest Excise Taxes imposed on the net value of the harvested timber plus any B&) taxes, severance taxes, and all other taxes of any kind associated with the Purchaser's harvest operation.

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Access

Reasonable access to and from sale area across Seller's land will be granted. There is only one access point to the Tree Farm located off Brockway Road. At that access point there is a locked 16 foot wide farm gate. Upon request Sellers will open the gate or a temporary key will be provided. The Purchaser will be required to place their lock (in addition to the Sellers) on the gate chain prior to logging commencement. Purchaser will also be required to lock the gate at the end of each days logging.

Property Lines

The tree farm property lines are all surveyed and marked with T-Posts with a white PVC pipe placed over the T-Post on about a 100 foot interval. The South line of the timber sale is on the southern boundary of the Tree Farm. One of the landowners is planning to commence house building prior to Bid Opening. The SW corner of the tree farm is on the junction of Jefferies Road and Brockway Road. Just short of that junction and on the Jefferies Road, there is an access blacktopped road into the above development. It makes a good viewing of the property line.

Road Construction

Purchaser will build any additional landing spurs that are needed at Purchasers expense. Seller makes no warranties as to the conditions of existing roads. New road construction greater than 50 feet in length will follow the new construction guidelines in "Call for Bids" Exhibit E. All road and landing construction locations must be approved by Seller prior to construction.

Road Maintenance Post-Logging

The Purchaser will be required to perform normal maintenance or repair damage which it causes on all roads, which includes grading, shaping, and compaction. Roads will be left in same shape they were when the Sale started. Any rocking done to bring the road condition back to its original condition will be done with 3-inch minus rock. For additional requirements and road information see Call for Bids Exhibit E (Road Maintenance).

Permits

Seller will provide a completed and approved FPA that is attached to this prospectus within 2 weeks or less, of contract signing

Insurance

Purchaser and any of their contractors shall obtain and maintain during the term of this agreement the insurance described in Call for Bids I. (3).

Performance Bond

Purchaser shall upon execution of contract provide a 5% performance bond, or use the 5% bid deposit as same. Returnable 60 days after termination of contract.

Termination of Contract

Purchaser shall notify Seller in person or via letter within 10 days of contract completion. Any questions should be directed to Bryon Loucks at 150 Jones Road, Centralia, WA 98531.