

**Terms, Conditions, and Procedure for Western Kane
County Special Service District No. 1 Surplus Auction**

Bidder Name: _____ Date of Birth: _____

Phone: _____

Address: _____ City: _____

State: ____ Zip: _____

This agreement is entered into as of the date signed below by and between Western Kane County Special Service District No. 1 (WKCSSD), and "Bidder," the individual listed above. By signing Bidder understands and agrees as follows:

Western Kane County Special Service District Surplus Auction Procedure:

1. The WKCSSD Surplus Auction is open to the public and will take place at the Kane County Landfill in Kanab Utah beginning on May 20, 2019 at 7:30 am and concluding May 30, 2019 at 12:00 pm. The items available for public auction will be viewable during these hours. In order to submit a bid a bidder must sign this agreement and be assigned a bidder number by the WKCSSD Billing Office. Bids must be offered using your bidder number.

2. Surplus items will be auctioned using one of two methods as explained below, sealed bids or open silent bids. If any item has a minimum bid listed no bid will be accepted that is lower than the minimum bid amount.

A. Sealed Bids: For items requiring the **sealed bid** method, a bidder will be given a bid sheet and envelope for that item. The bid sheet must be completely filled out, including the bid amount and the bidder number, sealed in the envelope, and returned to the WKCSSD Billing Office located at 34 N. Main prior to the end of the auction. Any bid that is not sealed, incomplete, or received after 12:00pm on May 30, 2019 will not be accepted. All bids will remain sealed until the conclusion of the auction, at that time an auction committee will unseal the bids and the highest bidder will win the item. In the event that two bidders place the same highest bid, the bidder who placed their bid first will win the item.

B. Silent Bids: For items requiring the **silent bid** method, the bidder will locate the item(s) that the bidder wants to bid on. There will be a paper to place the bidder number on along with the bid amount. The bid amount must be higher than the most recent bid amount and if a bid increment is listed, at least one bid increment higher than the most recent bid amount. The bidder who lists the highest bid (last person to bid) at the time of the closing of the auction will win that item. All bids must be placed using only your bidder number. Any bid placed using a name will not be accepted.

3. By submitting a bid, the winning bidder understands and agrees to pay the highest bid amount that they submit. The bidder may win the auction by having the highest bid at the end of the auction or if the highest bidder fails to pay as set forth above and the bidder is the next highest bidder.

4. All winning bids are final, and all items are sold "AS IS" without any warranty or guarantee, either express or implied. There are no returns or further negotiation. Bidder will be notified of a winning bid by phone and shall pay the bid amount within 48 hours using certified funds, delivered to the secretary at Western Kane County Special Service District Billing Office, located at 34 N Main, Kanab, Ut. 84741.

5. Failure to pay on a winning bid will result in loss of the item, damages, including but not limited to paying the difference between Bidder's bid and the next highest bidder's bid, and attorney's fees.

6. Once a winning item has been paid for the item will be available for pick up. Any item that has not been picked up before **Friday, June 14th 2019**, will be considered abandoned and will be resold or disposed of at the discretion of the WKCSSD. Any necessary title documents or other required paperwork will be provided within thirty days of sale.

7. This agreement shall be governed by the laws of the State of Utah and any dispute shall be resolved by a Court of competent jurisdiction in Kane County.

Signature _____

Date _____ Bidder Number: _____