

November 9, 2021

## Additional Terms and Conditions

### Scales Estate Auction

The following Terms and Conditions apply to all online auctions conducted by The Counts Realty & Auction Group (Auctioneer). The Auctioneer may be referred to as “we” or “our” or “Auctioneer” in the Terms and Conditions and references to the Auctioneer include all the Auctioneer’s employees, officers, directors, employees, agents and other representatives.

The Auctioneer is conducting this auction as an online auction only or a live on-site auction with online bidding available. Bidders are referred to as “you” or “your” or “Bidder” in the following Terms and Conditions. You are required to acknowledge that you have read and understand these Terms and Conditions before you will be allowed to register for and bid at this auction. In addition, the Auctioneer may add additional Terms and Conditions for this auction, and you will be required to acknowledge that you have read and understand any Additional Terms and Conditions. In the event of any conflict between these Terms and Conditions and any such Additional Terms and Conditions provided by the Auctioneer, the Additional Terms and Conditions shall apply and shall supersede any conflicting provisions in these Terms and Conditions.

**Due Diligence** – It is your responsibility to obtain and read the information package relating to the property being sold at this auction as well as any other information made available on the Auctioneer’s web site relating to this auction. You acknowledge and agree that the property in this sale is being offered on an “as is, where is” basis, with no representations or warranties of any kind, expressed or implied, by the Seller and/or the Auctioneer. You also acknowledge that any information obtained from the information package, the Auctioneer’s web site, and directly or indirectly from the Auctioneer and/or the Seller is deemed to be reliable but is not guaranteed.

**No Contingencies** – This sale is not contingent on or subject to financing, appraisal, survey, study period, or inspections of any kind, as agreed to by Bidders at registration prior to bidding. The property is sold in as-is condition with no warranties or guarantees of any kind.

**Registration and Verification** – In order to bid at this auction, you will be required to register at The Counts Realty & Auction Group website, [www.countsauction.com](http://www.countsauction.com) . All Bidders must be eighteen (18) years of age or older, must be eligible to bid in the Auctioneer’s sole discretion based on the Auctioneer’s past experience with the registering bidder or otherwise, and may be subject to verification through credit card information in the registration process. You will be asked to provide credit card information for this purpose, and we will use a third party service to verify that your credit card is valid and has available credit. When your registration to bid on this auction has been approved, you will receive an email notification that you have been approved for bidding. Bidding rights are not absolute.

We may suspend or terminate your registration for this auction at any time, and for any reasons or no reason, in our sole discretion.

**Bidding Time** – This auction is a timed auction event. Bidding is scheduled to begin and close at the times set in the Auctioneer’s web site. All time references on the bidding are expressed in Eastern Time.

**Extended Bidding Time** – The auction is scheduled to begin on the “Starting Date and Time” and tentatively end on the “Scheduled Closing Date and Time” that are listed in the information package. Should a bid be received just before the Scheduled Closing Date and Time, an automatic extension feature in the online bidding platform will extend the Scheduled Closing Date and Time and keep the auction open for an additional period of time beyond the time that the last bid was received. Subsequent and additional extensions shall be applied to any and all bids placed during any such extension period until an extension period has expired without additional bids being placed, at which time the bidding time, as extended, shall be closed. The number of minutes of extended bidding time may vary in the sole discretion of the Auctioneer.

**Bid Increments** – Once bidding has begun, any additional bids must be made in increments at least as great as those which we, in our sole discretion, have determined. We reserve the right to change or modify the bid increments from time to time during the auction.

**Technical Issues** – Neither the Auctioneer nor the company providing the software shall be held responsible for a missed bid or the failure of the software to function properly for any reason

### ELECTRONICS

**Auction Date and Time** – Tuesday December 7, 2021 closing the first lots at 12:00 pm EST

1. ABSOLUTE AUCTION – All items will be sold to the highest bidder regardless of price.
2. Online only auction
3. A Buyer’s Premium of 13% will be added to the high bid to determine the final sales price of each lot.
4. Virginia sales tax will be added to the final sales price unless a tax exempt certificate is provided.
5. Payment by credit card only.
6. Packing and shipping will be handled by Packaging Store (540-772-0999) or VA203@gopackagingstore.com. Please contact Packaging Store for quotes and shipping arrangements. Charges will be billed directly to the high bidder by Packaging Store. Please notify Packaging Store no later than 5:00 pm EST Friday December 10, 2021 if you wish to use their services. Please notify us if you wish to pick up the lots from the sale site.
7. Packaging and shipping charges will be the responsibility of the high bidder.
8. At the close of the auction being held on December 7, credit/debit cards of the high bidders will be charged.

9. Three lots will close per minute starting at 12:00 pm EST on Tuesday December 7. There will be Extended Bidding Time available on all lots. Should a bid be received within 1 minute of the scheduled closing time of a block of lots (3 lots) on any of the 3 lots, the bidding on those three lots will be extended for an additional 1 minute. This will continue until such time as there are no bids for 1 minute on any of the lots within that block. At that time, all 3 lots within the block will close and the sale will be final for those 3 lots. This method will continue on all lots until the sale is concluded.

#### REAL ESTATE , AUTOMOBILES, TRACTOR/BUSH HOG

Auction Date and Time – Friday December 10, 2021 at 12:00 pm

1. All items except real estate will be sold at ABSOLUTE AUCTION.
2. Live on site and simultaneous live online auction. The on site location is 8475 Cascade Rd, Axton, VA.
3. A Buyer's Premium of 10% will be added to the high bid to determine the final sales price of each lot and each tract of land.
4. Virginia sales tax will be added to the final sales price as applicable.
5. All payments will be by cash, check, or wire transfer. No credit cards will be accepted.
6. For the real estate, a 10% deposit on sale day is required with closing in about 30 days.
7. For all other items, payment must be made in full on sale day by either cash or check. If paying by check, titles will be held by the auctioneer for approximately 7 days to ensure the check clears its bank.
8. Should an on line bidder be the high bidder on any of the items or the real estate, payment as outlined in #5 and 6 above must be received by The Counts Realty & Auction Group no later than 5:00 pm EST Monday December 13, 2021.
9. The automobiles, tractor, and bush hog furniture and rugs must be moved from the property on sale day unless other arrangements are made with the auctioneer.
10. Packaging Store is able to aid in the packaging and shipping of all items in this sale including the vehicles. Please contact Packaging Store (540-772-0999) or [VA203@gopackagingstore.com](mailto:VA203@gopackagingstore.com) for a quote.

#### HOUSEHOLD FURNITURE AND WARES

Auction Date and Time – Saturday December 11, 2021 at 10:00 am

1. ABSOLUTE AUCTION – All items will be sold to the highest bidder regardless of price
2. Live on site only auction. The on site location is 212 Pulaski Rd, Ridgeway, VA (Absolute Machine building).
3. A Buyer's Premium of 13% will be added to the high bid to determine the final sales price if paying by credit card. A 10% Buyer's Premium will be added to the high bid if paying by check or cash.
4. Virginia sales tax will be added as applicable.
5. Payment must be made in full on sale day by cash, check, or credit card.

6. All items must be removed from the sale site on sale day by 4:00 pm unless other arrangements have been made with the auctioneer.
7. Packaging Store (540-772-09990) or [VA203@gopackagingstore.com](mailto:VA203@gopackagingstore.com) is able to aid in the packaging and shipping of all items. Please contact Packaging Store for a quote.