

## Auction Legal Statements

**By bidding in the Carden Arbor View 2021 Spring Benefit, each bidder agrees to these auction rules:**

- **All sales are final. There will be no exchanges or refunds unless otherwise noted.**
- **All items are being offered "as is". Carden Arbor View School has endeavored to describe and catalog the items by obtaining descriptions from the donors. Carden Arbor View School neither warrants nor represents, and is in no way responsible for, the correctness, genuineness, authenticity or authorship of the description, or the value of any item. No statement made in this online auction, or made orally at the auction or elsewhere, shall be deemed such a warranty, representation or assumption of liability.**
- **Values for each item are determined by the donor or by an estimate at fair market value and are not warranted by Carden Arbor View School for tax or any other purpose. The amount of a bidder's contribution that is tax deductible is limited to the excess of the bid and purchase price over fair market value. The School is not responsible for any taxes found owing on any purchases. Please consult a tax professional. Please pay careful attention to all conditions, restrictions, and expiration dates on items and services. Unless otherwise noted, all auction items and services must be used within one year. No extensions on expirations will be granted. We appreciate your strict observance of these restrictions, as future donations depend on it. The winning bidder is responsible for contacting the donor to redeem items and/or services, and for acknowledging exclusions, time limitations, and requirements stated on gift certificates or item listing.**
- **Packages containing alcohol will not be shipped and must be picked up by an individual 21 + years of age with a valid ID. You must be at least 21 years old to purchase any packages containing alcohol and/or tours of alcoholic establishments (wineries, brewery etc.)**
- **Each winning bidder agrees that any and all payments to School for any item shall be considered solely to be an unrestricted charitable contribution to School and that School will not be obligated under any circumstances to refund any such amounts paid for any reason.**
- **The winner must pick up item(s) from Carden Arbor View School at 784 Aster Street, Upland, CA 91786 (Advancement Office) after 3:30 pm beginning Tuesday, May 18, 2021. Please make arrangements with Ms. DiMarco for any other shipping arrangements.**
- **Carden Arbor View School is not responsible for lost or stolen items. Any item(s) left unclaimed after 30 days, without prior arrangements, will be sold and proceeds will go to to promote the School's exempt purpose. Carden Arbor View School reserves the right to add or withdraw items, without notice, to or from the auction.**
- **By purchasing, the winning bidder, on his or her behalf and on behalf of his or her heirs, estate, or assignees, (i) waives any claim for liability against Carden Arbor View School and its employees and agents and (ii) agrees that the Carden Arbor View School and its agents, elected and appointed board of trustees or administrators, members, and employees, the auctioneers, the auction company and**

**its agents and employees, the event organizers, sponsors and/or volunteers connected with the auction are not responsible for any personal injury or damage to property that may result from the utilization of the property or services sold.**

- **Hosted by Carden Arbor View School.**
- **Powered by GiveSmart, the premier mobile bidding and fundraising platform.**

*COVID-19 -Please note, many items in this auction are experiences or events that will need to be planned with the donor or CAVS in advance. Due to current CDC guidelines, some of the experiences will have to be planned once the experience is permitted, with group gatherings etc. If tickets for an event are cancelled, due to COVID -19, a refund will be offered to the bidder. We appreciate your understanding but the health and safety of our students, families and staff are the highest priority.*