

**Avon Marching Black & Gold Band Boosters
2017 Car Raffle
to benefit the Avon Marching Black & Gold Band Program**

Official Rules & Regulations

By participating, you agree that:

The Avon Marching Black & Gold Band Boosters Car Raffle (the "Raffle") is a fundraising activity conducted by the Avon Marching Black & Gold Band Boosters. (Hereinafter "Avon Band Boosters") in support of the **Avon Marching Black & Gold Band Program**. These Official Rules & Regulations govern the conduct of the Raffle and together with the decisions of Avon Band Boosters are binding on everyone who purchases a Raffle ticket and/or who is named on a Raffle ticket. It is the responsibility of the ticket purchaser or person named on the Raffle Ticket to review the Official Rules for modifications or supplements. These Official Contest Rules may not be waived, modified or supplemented except by the Avon Band Boosters in writing. No modification of these official contest rules shall be enforceable unless made by the Avon Band Boosters in writing and approved by the Board. These rules apply to any and all individuals selling Raffle tickets or anyone on the committee for Community night.

GRAND PRIZE DRAWING: The Grand Prize drawing for the Avon Marching Black & Gold Band Boosters, Car Raffle will be held on Saturday, March 18, 2017, at approximately 8:00 PM at the Avon Marching Black & Gold Band Boosters IPA Event in the Avon High School main gym, except this date and all other dates stated in these rules may be extended at the absolute discretion of the Avon Band Boosters. Ticket requests by mail must be received before 4:00 PM EDT Friday, March 17, 2017. Tickets may be purchased at the event until approximately 7:30 PM EDT, March 18, 2017.

Tickets may sell out before that time. The Avon Band Boosters will conduct all drawings in accordance with Raffle rules contained herein. The winning ticket will be drawn at random from a drum containing all eligible Raffle tickets. The drawing for the prize is open to the public; however the winner does not need to be present to win.

Early Bird Drawings: In addition to the Grand Prize Drawing the Raffle will include two (2) Early Bird Drawings. The first drawing will be held at the Prism Concert in the Avon High School Auditorium on Wednesday, January 25, 2017 and the second being held at the Winter

Showcase in the Avon High School Gymnasium on Friday, March 3, 2017. The winning tickets will be drawn at random from a drum containing all eligible tickets purchased and accepted up to the date and time of the drawing. Ticket requests by mail must be received by 5:00 PM the day prior to the Early Bird Drawings to be eligible. Tickets may be purchased in person the day of each Early Bird Drawing. Date/times of Early Bird Drawings may be subject to change at the sole discretion of Avon Marching Black & Gold Band Boosters.

Early Bird drawing winners will be eligible for all subsequent drawings and the final drawing on March 18, 2017. The odds of winning will depend on the number of eligible entries received and accepted but will be no greater than 5,000 to 1. For each Early Bird Drawing the winner will receive a check for the cash sum of three hundred dollars (\$300). The Early Bird Drawings will be open to the public; however the winner need not be present to win.

Tickets: The price per one (1) ticket is \$20.00; for three (3) tickets sold to the same person is \$50; and for seven (7) tickets sold to the same person is \$100. A maximum of 5,000 tickets will be sold. Ticket sales will cease when the maximum number of qualified entries is reached. Any requests and payments received following the cut off time or after the sale of 5,000 tickets will be returned to the sender. The ratio of Grand Prizes to tickets is approximately 1 to 5,000 if all tickets are sold.

All entries must be fully completed in order to be eligible including the printed name, address, phone number, and email of the entrant as well as a signature of the entrant agreeing to abide by the rules of the Raffle as prescribed by Avon Band Boosters.

Avon Band Boosters does not undertake to give advice on the legal or tax consequences of the Raffle, or its winner. However, it understands that the IRS position is that amounts paid for chances in raffles, lotteries or similar drawings for valuable prizes are not gifts, and consequently do not qualify as deductible charitable contributions.

GRAND PRIZE:

The Grand Prize winner assumes and must pay all fees and charges (including, but not limited to, tags and license), income taxes (local, state and federal taxes) when the car is transferred to the winner. In addition, all costs of car ownership, including but not limited to insurance, are the Grand Prize winner's sole responsibility. Avon Band Boosters

assumes no responsibility for a prizewinner's tax obligations and suggests you consult your tax advisor. Forms W-2G & 941 will be filed with the Internal Revenue Service to report the value of the prize won. All required forms will also be filed with the state of Indiana Department of Revenue and Gaming Commission. The winner will also receive a copy of these forms. This offer is void where prohibited by law and all federal, state and local laws and regulations apply.

THE GRAND PRIZE WINNER IS STRONGLY ADVISED TO SEEK PROFESSIONAL LEGAL TAX ADVICE. AWARD OF THE GRAND PRIZE COULD HAVE MATERIAL ADVERSE CONSEQUENCES ON THE GRAND PRIZE WINNER INCLUDING WITHOUT LIMITATION, WITH RESPECT TO TAXES, INCOME, GOVERNMENT ENTITLEMENTS OR OTHER BENEFITS, OR OTHER LEGAL, FINANCIAL OR OTHER MATTERS.

The Grand Prize is an automobile with a value not to exceed \$25,000, to be purchased at Andy Mohr. Depictions of cars shown in informational materials on the Avon Band Boosters, website and elsewhere can be found on www.andymohr.com. The vehicles shown in photos are only representative of the make and models available for selection as the Grand Prize; actual cars to be made available for selection by the Grand Prize winner may be viewed at any Andy Mohr Automotive Group dealership, at various Avon High School events during the year and at the Avon Band Boosters IPA event on Saturday, March 18, 2017.

By participating in this Raffle, all ticket purchasers and the person named on each Raffle ticket accept and agree (1) to be bound by all the rules, limitations and restrictions set forth here, and (2) that their names and/or likenesses may be disclosed to and used by the news media and may otherwise be used by Avon Band Boosters, for publicity purposes and naming of the prize winners to be published in area newspapers or other media including television, radio, web and print. The prize winner will be published on the Avon Band Booster website (Avonband.com). Names of the winners may be obtained by sending a written request plus a self-addressed, stamped envelope to Avon Band Boosters, Attn: Cathy Klemmensen, 7575 East County Road 150 South, Avon, IN 46123. Avon Booster's interpretation and application of the rules and regulations shall be final.

By participating in this Raffle, each participant releases Avon Band Boosters, and each of their respective directors, officers, contractors

and agents from any and all liability for injuries, losses or damages of any kind caused by any prize or resulting from acceptance, possession, use or misuse of any prize, and each winner agrees to indemnify and hold Avon Band Boosters and Avon Marching Black & Gold Band and each of their respective directors, officers, contractors and agents harmless from any and all losses, damages, costs, expenses, rights, claims and actions of any kind arising in connection with or as a result of the winner's acceptance or use of any prize.

ELIGIBILITY: Raffle ticket purchasers and the person named on a raffle ticket must be at least 18 years of age at the time of purchase. Raffle tickets may not be purchased in the name of a business, trust, corporation, or other entity, or wherever prohibited by applicable law. Members of the Board of Directors and officers of Avon Band Boosters and operators/workers of the raffle (as defined by Indiana Gaming Commission); or persons related by blood or marriage living in the same household are not eligible to win the Raffle. Prizewinners may be required to sign an affidavit of eligibility. Offer void where prohibited by law.

In order for the Grand Prize winner to receive the car (subject to the other provisions in these rules), the Grand Prize winner must elect to receive the car by delivering written notice of that election to Avon Marching Black & Gold Band Boosters, by 4:00 p.m. on April 17, 2017 (30 days from date of original drawing). If the winner is not present at the drawing, Avon Band Boosters will contact the winner by phone or email as soon as possible. If unable to make contact with the winner the Avon Band Boosters, shall notify the winner by certified mail within seven (7) days of the drawing. In all cases the winner will be notified that they shall claim the prize within thirty (30) days of the original drawing at the event or each time a winner is drawn should the winner decline for any reason.

A prize winner shall not donate the prize back to the Avon Band Boosters, if to do so would violate Indiana state law. If a Raffle winner does not claim the prize within thirty (30) days after the drawing, the organization shall notify the Office of Charitable Gaming and draw another ticket in the presence of "Office" personnel. The tickets shall remain under the control of Avon Band Boosters until a winner is identified and accepts the prize.

The car selected, will be transferred to the Grand Prize winner in "AS IS, WHERE IS" condition by Andy Mohr Automotive Group. Avon Band Boosters and Avon Marching Black & Gold Band do not provide any

guarantee or warranty, expressed or implied, in connection with the car. Avon Band Boosters accepts no liability or responsibility regarding the manufacturing or condition of the car. No warranties express or implied, of any type or nature are made or offered by Avon Band Boosters or Avon Marching Black & Gold Band.

GRAND PRIZE VALUE: The grand prize value of the selected 2017 automobile is the amount sponsored by Andy Mohr Automotive Group, not to exceed \$25,000. The Internal Revenue Service and the Indiana Department of Revenue will accept this grand prize value for the purpose of determining any income tax that may be payable by the Grand Prize winner. The actual vehicle make and model will be mutually agreed upon between the winner and Andy Mohr Automotive Group and will not exceed \$25,000 in value.

REFUNDS: All Raffle ticket sales are final. No refunds will be made except any ticket request with verified payment received after 5,000 tickets have been sold or after the deadlines set forth hereinabove will be returned or destroyed with notice to the purchaser. No other refunds are available. Avon Band Boosters assumes no responsibility for lost, late, misdirected or non-delivered mail or fax messages, or any other failure to receive orders or deliver receipts prior to the drawing deadlines. A Raffle participant's sole and exclusive remedy for Avon Band Boosters breach shall be limited to the return of the purchase price paid for his or her Raffle ticket(s). In no event shall Avon Band Boosters, or their respective directors, officers, contractors, members, committee members, agents, advisors, or representatives be liable to any party for any loss or injuries to earnings, profits or goodwill, or for any incidental, special, punitive or consequential damages of any person or entity.

TICKETS: You have not entered the Raffle until your entry submission, with full payment has been accepted by the Avon Band Boosters. Acceptance of your entry submission will be communicated to you by delivery of a ticket stub or by written confirmation by e-mail from the Avon Band Boosters. If a submission is accepted it will be deemed to have been accepted on the date and time on which the submission was received by Avon Band Boosters regardless of the date that Avon Band Boosters notifies you of the acceptance of your submission. Tickets are \$20 each (3 tickets sold to the same person for \$50; 7 tickets sold to the same person for \$100) and may be purchased solely from Avon Band Boosters. You may buy as many tickets as you wish, subject to availability, until all 5,000 are sold.

Each Raffle ticket will be entered separately in the drawing. Each Raffle ticket is a separate and equal chance to win the Grand Prize.

To order tickets by mail, use a ticket request form which can be downloaded from www.car4avonband.com. Ticket requests must include payment by check, made payable to "Avon Band Boosters", or debit card information to be eligible along with all information required on the ticket including printed name, address, phone number, email address, and a signature acquiescing to all rules of the Raffle. Send completed forms to Avon Marching Black & Gold Band Boosters c/o Car Raffle, 7575 East County Road 150 South, Avon, IN 46123.

Any questions regarding the Raffle or the purchase of Raffle tickets can be directed to (317) 544-5093 or info@car4avonband.com.

All sales are final. If for any reason the check or debit card payment does not clear the bank, the ticket purchase is null and void, the purchaser will be notified immediately of the problem and any cure to the problem shall be considered a new order and processed in the order received.

When a Raffle ticket order is placed by mail and funds have cleared, Avon Band Boosters will complete the raffle ticket for the purchaser by filling in the name, address, email address, phone number, and signature of the purchaser that they understand and agree to the rules of the raffle. Avon Band Boosters will then place each completed raffle ticket stub in the secured raffle barrel or other secure container and mail the ticket(s) to the purchaser. The purchaser will receive a letter or an email from Avon Band Boosters, confirming the ticket purchase and providing the ticket number(s).

TICKET AND PAYMENT VERIFICATION: Avon Band Boosters reserves the right to reject any ticket request form that is submitted with payment that does not constitute "good funds". All defective or physically altered request forms are subject to disqualification at the discretion of Avon Band Boosters. Prior to the Grand Prize drawing, Avon Band Boosters will make a reasonable effort to notify any individual who submits such an entry form, or one which has been rejected because the check did not clear, that the entry has been rejected. All requests for tickets for the drawing must be received and/or purchased by the indicated deadline(s).

Grand Prize Winner: In order to claim any prize, including the Grand Prize, the winner must provide proper identification to the satisfaction

of Avon Band Boosters and in accordance with the requirements set forth by the Indiana Charity Gaming Commission. A representative of Avon Band Boosters will assist in coordinating all the details with the winner regarding the delivery, tags and registration of the Grand Prize automobile. Winner agrees to the use of his/her name, photograph or videotape likeness and statements for publicity purposes by Avon Band Boosters and Avon Marching Black & Gold Band and agrees to sign a publicity release without any further compensation.

GRAND PRIZE AWARD IN EVENT OF NON-SELLOUT OF TICKETS:

A maximum of 5,000 tickets will be sold. Avon Band Boosters reserves the right to cancel this Raffle contest at any time, in which event liability is limited to the refund of the ticket price to all participants.

REGISTRATION WITH THE STATE OF INDIANA: This Raffle is conducted for the benefit of the **Avon Marching Black & Gold Band Program** by Avon Band Boosters and licensed by the Indiana Gaming Commission, Indiana Annual Raffle License No. 142480.