

## Sale Terms & Conditions

*Consignor's Guarantee:* The buyer is the responsible party to examine horses carefully before they bid. Each seller will be totally responsible for guarantees they make on their animals and guarantees will be made only from the auction block while the animal is being sold. Absolutely no guarantee or warranty will be expressed or implied by the auctioneers or ring men. Effort has been made to insure correctness of the catalog and all printed material. However, employees and auctioneers will not assume responsibility for errors or omissions but appreciate having them called to their attention.

**Announcements in the ring take precedence over printed information.** Pay close attention to the announcements. Any guarantee is between buyer and seller and does not include any other persons. If the horse is called sound in the ring and is not considered sound by buyer, the buyer has until Monday following the sale @ noon to have Sugarcreek Stockyards management inspect the horse. Sugarcreek Stockyards management will make the final decision as to the soundness of the horse. If the horse is considered unsound, the buyer will be returned his purchase price less fees. If Sugarcreek Stockyards management determines the horse not to have the alleged defect, the sale of said horse is valid and enforceable and purchaser assumes sale purchase price.

In settling disputes, the decision by sale management is final. Soundness does not guarantee pass of a check by any vet following the sale. **Make sure you do your homework and shop the horses extensively.** Ask questions about disposition, manners, attitudes, faults, riding ability, comparisons, etc. Take advantage of the time before the sale to inspect horses prior to purchasing. Once you bid on a horse, you are indicating you have done your homework enough to satisfy yourself and no one else is responsible. *The consignor* of each animal represents and warrants to the buyer and to Sugarcreek Stockyards to include but not limited to the following:

- Title of the animal, free from all claims of ownership
- If called sound in the ring to be sound of limb, wind and eyes.
- Not a cribber or wind sucker

If said horse is not what the consignor represents it to be, Sugarcreek Stockyards management will be the sole decider. Consignor will be expected to take the horse back and give the buyers a horse that they claimed to have purchased OR the consignor can refund the buyers money minus fees. A decision will be made based on what is best for both parties. Whether the buyer did their homework or not, will also be taken into consideration.

### Liability:

Buyers, sellers, and spectators are cautioned to exercise care while attending the sale and enter premises at their own risk according to the laws of the State of Ohio. Neither the owners nor any other persons connected with this sale assume any liability, legal or otherwise, for accidents to persons or property, before, during, or after the sale. Sugarcreek Stockyards LLC, its principals, directors, officers, agents, employees and volunteers, and each and every landowner, municipal and/or government agency upon whose property this activity is conducted, shall not be liable for injuries sustained by anyone attending the sale. Sugarcreek Stockyards, LLC. and its associates act as agents only and are not responsible for buyer/seller error or misunderstanding. All guarantees are strictly between the buyer

and seller. In further consideration of purchasing at this sale, I agree to indemnify and defend Sugarcreek Stockyards, LLC., their agents and associates, from all injury, loss of equipment, loss of animal or damages to myself, my newly purchased animals or damages or injury to others lien property from my animals, by purchasing a horse at this sale in Sugarcreek, Ohio. By purchasing a horse at Sugarcreek Stockyards or by executing this instrument, I verify that I have read the above information/terms & conditions in full and hereby agree to be bound by them.

By bidding on and/or purchasing a horse at Sugarcreek Stockyards, I verify that I understand all terms & conditions and agree to be bound by them whether I read them or not.