# RESERVED AUCTION Sold Subject to Owner's Confirmation "Everything Sold As Is – Where Is" BUYER'S GUIDE

(This is a GUIDE ONLY, Buyer is the expert and must inspect each item)

## LOUISIANA RESERVED AUCTION

December 5, 2012 at 1 PM Wednesday



3901 Dendron Drive Flower Mound, TX 75028 (972) 874-1222 (972) 874-1444 FAX email: raytopcat@aol.com

Auctioneer: Ray T.C. Berryhill LA# 1703

#### BIDDER REGISTRATION AGREEMENT Auctioneer: Ray T.C. Berryhill LA# 1703

This agreement is made and entered by and between BIDDER NAME # \_\_\_\_\_\_ and BERRYHILL AUCTIONEERS (Auctioneer) and Property OWNER in consideration of the following terms and conditions:

- 1. All prospective buyers must register and receive a Bidder's number.
- 2. On day of sale, all purchases must be paid in full in United States dollar amounts, by cash, cashiers check, personal or company check. Any and all personal or company checks must be accompanied by a letter of credit from bidder's Bank for this particular sale and proof of identity. No Letters of Credit for other sales will be honored. Bidder waives his right to stop payment on any check, and directs his Bank to honor any check presented by Auctioneer; along with this contract, despite any stop payment order issued by Bidder subsequent to the date of this agreement. Bidder hereby waives any claim against the Bank for payment of such check over a stop-payment order.
- 3. All sales are subject to state Sales Tax laws. Payment of sales tax is required on all purchases unless qualified Dealers execute a Certificate of Resale, bearing Bidder's Sales Tax Exempt Number. All sales are "AS IS-WHERE IS," WITHOUT ANY WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR OPERATING CONDITION OR COMPLETENESS OF ALL PARTS.
- 4. All sales are final upon Auctioneer's acceptance of the last bid. Upon such sales, Bidder immediately assumes the risk of loss. No purchases may be removed from the premises until complete settlement has been made. All purchases must be removed within the time posted at the auction site and as announced by Auctioneer. Complete settlement must be made on date of Auction including payment of Buyer's Premium, which Bidder hereby agrees to pay. Buyer's receipt showing full settlement will be required in order to remove purchases from the auction site.
- 5. Auctioneer reserves the right to reject any bid or disqualify any Bidder due to financial or other reasons. The decision of the Auctioneer as to any dispute between one or more Bidders shall be final and binding.
- 6. If for any reason whatsoever, Auctioneer fails to deliver an awarded lot, Auctioneer's sole liability shall be for the return of any deposit or monies paid on such non-delivered lot or for such sale, and Bidder shall have no further claim. In such event, Bidder shall immediately return the subject equipment.
- 7. In the event the Bidder fails to pay the purchase price or otherwise defaults on his obligations concerning removal of assets purchased, Auctioneer may treat the articles purchased as the property of the Bidder, subject to a possessor lien in favor of Auctioneer for the amount of the bid, and cost of removal and storage. Auctioneer may resell or otherwise dispose of such articles without notice to and at the Bidder's sole risk and expense, and recover from Bidder any loss and costs of resale, including reasonable attorney's fees and costs of suit.
- 8. Bidder agrees to defend, indemnify and hold Auctioneer harmless for any injury to the person or property of any persons whatsoever caused by Bidder, or his agents, and further agrees to defend, indemnify, and hold Auctioneer harmless for any personal injury or property damage incurred by Bidder, or his agents, on the sale premises.
- 9. Bidder agrees to pay for purchases on day of sale and further agrees to pay Auctioneer 2% (**two percent**) per month on any unpaid balance.
- 10. This agreement shall be deemed made at Auctioneer's office, shall be interpreted and enforced under the laws of Denton County in the State of Texas, and jurisdiction and venue of all suits and claims arising under this Agreement or resulting from the auction which is the subject of this Agreement shall be in Denton County, Texas. Owner hereby irrevocably consents to venue and jurisdiction in Denton County, Texas in connection with any such claim or suit.
- 11. No person shall bid on any lot (a) of which he is the Consignor or associate of the Consignor, or (b) on behalf of any other person who is the Consignor of it.
- 12. Purchaser acknowledges that prior to the auction all lots were available for inspection.
- 13. Auctioneers may, at any time at their sole discretion and without notice or liability to bidder: (a) withdraw or cancel the sale of any lot; or (b) offer any lots in groups or with privilege.
- 14. All necessary documents will, if available, be delivered to Purchaser against payment in full of the purchase price as set out above and will otherwise be mailed within 10 banking days of such payment.
- 15. This writing, and any Bill of Sale issued to Bidder at this auction, constitutes the entire agreement between Auctioneer and Bidder, and all prior and contemporaneous agreements, statutes, or representations between the parties are merged herein.
- 16. The Bidder's Book is an order of sale only. The Bidder's Book most likely contains unintentional errors in description, year of manufacture, serial numbers, specifications and data concerning lots being sold. Though best effort has been extended for accuracy, the Auctioneers make no guarantee or representation of any description, year of manufacture, serial number, specifications or data concerning lots being sold. It is the bidder's responsibility to assure themselves of description, year of manufacture, serial number, specifications or data to their own satisfaction. Bidder agrees to hold Auctioneer harmless for any error in description, year of manufacture, serial number, specifications or data of any lots sold.
- 17. There is a buyer's premium on all lots sold of 5% if you are present, 10% on all absentee bids.
- 18. AUCTION SITES ARE VERY DANGEROUS PLACES OF OPERATION. No one under the age of 18 allowed on Auction Property, unless accompanied by parent. By signing this Agreement, Buyer agrees to hold Berryhill Auctioneers and Property Owner harmless for accidental injury occurring while on auction premises. Buyer assumes full responsibility for all personal liability and retains applicable insurance coverage.

Signature	Printed Name	Date	

## **EVERYONE MUST READ!**

## IMPORTANT LOAD OUT INFORMATION! NO LOAD OUT DURING THE AUCTION!

Beginning Thursday, December 6, 2012

Load Out operations will be conducted during the hours of 8:00 AM to 4:00 PM, Monday through Friday.

We are closed Saturday & Sunday!

NO LOAD OUT on Saturday & Sunday!

All purchases must be removed by 4:00 PM on Friday, <u>December 14, 2012</u>
NO EXCEPTIONS!!!

Any items after <u>December 14, 2012</u> will be loaded with a fee charged. Anything on the yard after December 28, 2012 is considered abandoned and becomes the property of: LKQ

No items will be loaded or released without the Purchase <u>Invoice</u> stamped <u>"Paid – OK to Release"</u> by Berryhill Auctioneers.

No lots will be released to any one or trucking company without knowing your bidder number and name.

Neither Berryhill Auctioneers, nor *LKQ* will be responsible for any items you purchase at this auction. Everything "SOLD AS IS – WHERE IS", BUYER is responsible for all your bids and bidding activity.

Load Out is on a First Come – First Served Basis. Load Out of all items is the sole responsibility of the BUYER. *LKQ* will try to tail gate any item purchased, but is still the responsibility of the **BUYER**.

Neither Berryhill Auctioneers, nor *LKQ* will be in anyway responsible for Load Out and/or Shipping Arrangements of any type.

YOU MUST READ, UNDERSTAND and ACCEPT YOUR BIDDER'S AGREEMENT.

Auctioneer: Ray T.C. Berryhill LA# 1703



3901 Dendron Drive Flower Mound, TX 75028 (972) 874-1222 (972) 874-1444 FAX email: raytopcat@aol.com

#### RESERVED AUCTION

#### Sold Subject to Owner's Confirmation

#### LOUISIANA RESERVED AUCTION

# December 5, 2012 at 1 PM Wednesday

5% BUYER'S PREMIUM for those that attend in person and 10% BUYER'S PREMIUM On-Line or Proxy Bidders.

INFORMATION: www.BerryhillAuctioneers.com

INSPECTION DATES: Every day starting Monday, December 3 - 8:00 am - 5:00 pm.

AUCTION SITE LOCATION: Plunk's Truck Parts 208 Franklin Dr West Monroe, LA 71292

**ADDITIONAL INFORMATION:** PLUNKS TRUCK PARTS (Auction Site) 800-344-4460 or 318-323-3289 FAX or Doug Eiffler 817-401-7517 or BERRYHILL AUCTIONEERS at 972-874-1222 or Fax: 972-874-1444

AIRPORT and DIRECTIONS: Monroe Regional Airport served by American, Delta, Continental and Northwest Air Lines Airport is approximately 8 Miles to Auction Site. Exit Airport and follow signs to I-20 West. Take Exit#115 to merge onto LA-34/Stella St (South of I-20). Turn right at Old Natchitoches Rd. Turn right at Franklin Dr/Franklin Ln. Look for Auction Parking Signs at end of the Franklin Drive.

#### **HOTELS:**

Holiday Inn Express 318-807-6000 (Auctioneer Hotel); Hilton Garden Inn 318-398-0653; Jameson Inn 318-361-0750

AUCTIONEER: Ray T.C. Berryhill LA# 1; GA #2808; TX#12971

**TERMS & CONDITIONS:** Registration for this Auction is Free. **There will be a Cash/Cashiers Check Deposit of \$1000.00 required after you make your first purchase.** Complete payment in full on sale day by cash or cashier's check. All checks must be made payable to BERRYHILL AUCTIONEERS. Personal and/or company checks must be accompanied by a bank letter of introduction or guarantee.

**NO WARRANTY**: Everything in the Auction is being sold **AS IS, WHERE IS**, without warranty or guarantee of any kind, as to age, year of manufacture, model, condition, make or any statement by seller or auctioneer. Buyer is to inspect and purchase base on his/hers own knowledge of any item offered at this auction.

NOTE: Auction will be conducted RAIN OR SHINE.

#### **Louisiana Reserve Auction**

**Buyers Catalog** 

	buyers Catalog					
Lot	Description	Bid	Lot	Description	Bid	
2000	TRUCKS USED - RUNS & DRIVES 2007 FREIGHTLINER CLASSIC XL S/N:1FUJAPAV17DX39815 SLEEPER T/A (CLEAR TITLE) ENGINE: C15 475HP MXS65136 TRANSMISSION: RTLO18913A REARS: 20145 3.21 MILES: 290688 SER. #: 1FUJAPAV17DX39815 OSN: 590266		2006	TRUCKS USED - RUNS & DRIVES 2007 FREIGHTLINER COLUMBIA S/N:1FUJF0CV87DW52712 DAY CAB T/A (CLEAR TITLE) ENGINE: MBE4000 450HP TRANSMISSION: FRO15210C REARS: DS404 3.36 MILES: 959387 SER. #: 1FUJF0CV87DW52712 OSN: 667687 SKU: 522829 O/C: 100		
2001	SKU: 522825 O/C: 100  TRUCKS USED - RUNS & DRIVES 2007 FREIGHTLINER CLASSIC XL S/N:1FUJAPAV67DX39793 SLEEPER T/A (CLEAR TITLE) ENGINE: C15 475HP MXS80212 TRANSMISSION: RTLO18913A REARS: 20145 3.21 MILES: 892584 SER. #: 1FUJAPAV67DX39793 OSN: 590254		2007	TRUCKS USED - RUNS & DRIVES 2007 FREIGHTLINER COLUMBIA S/N:1FUJF0CV67DW52708 DAY CAB T/A ENGINE: MBE4000 450HP TRANSMISSION: FRO15210C REARS: DS404 3.36 MILES: 687610 SER. #: 1FUJF0CV67DW52708 OSN: 667690 SKU: 522831 O/C: 100 TRUCKS USED - RUNS & DRIVES 2006		
2002	SKU: 522823 O/C: 100  TRUCKS USED - RUNS & DRIVES 2007 FREIGHTLINER CLASSIC XL S/N:1FUJAPAV57DX39820 SLEEPER T/A (CLEAR TITLE) ENGINE: C15 475HP MXS88190 TRANSMISSION: RTLO18913A REARS: 20145 3.21		2008	FREIGHTLINER COLUMBIA S/N:1FUJF0CV96DW88911 DAY CAB T/A (CLEAR TITLE) ENGINE: MBE4000 450HP TRANSMISSION: FRO15210C REARS: DS404 3.36 MILES: 616944 SER. #: 1FUJF0CV96DW88911 OSN: 667678 SKU: 522832 O/C: 100		
2003	MILES: 1035476 SER. #: 1FUJAPAV57DX39820 OSN: 590250 SKU: 522822 O/C: 100  TRUCKS USED - RUNS & DRIVES 1996 PETERBILT 379 S/N:1XP5DR9X7TN390776 SLEEPER T/A (CLEAR TITLE) ENGINE: 12.7		2009	TRUCKS USED - RUNS & DRIVES 2006 FREIGHTLINER COLUMBIA S/N:1FUJF0CV46DW88914 DAY CAB T/A (CLEAR TITLE) ENGINE: MBE4000 450HP TRANSMISSION: FRO15210C REARS: DS404 3.36 MILES: 835682 SER. #: 1FUJF0CV46DW88914 OSN: 667683 SKU: 522833 O/C: 100		
	470HP DDEC III TRANSMISSION: RTLO16718B REARS: DSP40 4.33 MILES: 1023471 SER. #: 1XP5DR9X7TN390776 OSN: 543406 SKU: 522819 O/C: 100	2010	TRUCKS USED - RUNS & DRIVES 2006 FREIGHTLINER COLUMBIA S/N:1FUJF0CV66DW88915 DAY CAB T/A FRONT 275/80R22.5 REAR			
2004	TRUCKS USED - RUNS & DRIVES 2002 PETERBILT 378 S/N:1XPFDU9X82D581022 SLEEPER T/A (CLEAR TITLE) ENGINE: C12 380HP TRANSMISSION: FRO16210C REARS: DSP40 3.55 MILES: 937787 SER. #:			445/50R22.5 SUPER SINGLE (CLEAR TITLE) ENGINE: MBE4000 450HP TRANSMISSION: FRO15210C REARS: DS404 3.36 MILES: 939600 SER. #: 1FUJF0CV66DW88915 OSN: 667689 SKU: 522830 O/C: 100		
2005	1XPFDU9X82D581022 OSN: 533445 SKU: 522817 O/C: 100 TRUCKS REBUILT TITLE 2006 PETERBILT 379 S/N:1XP5DB9XX6N656917 SLEEPER T/A, MXS68765 261-5245 LOW AIR LEAF (REBUILT TITLE) ENGINE: C15 475HP TRANSMISSION: RTLO18913A REARS: DSP40 3.36 MILES: 975001		2011	TRUCKS USED - RUNS & DRIVES 2004 GMC C8500 S/N:1GDM8C1304F506527 DAY CAB S/A LEDWELL ROLLBACK BED ENGINE: DURAMAX TRANSMISSION: FS6406A REARS: 23090S 3.90 MILES: 439292 SER. #: 1GDM8C1304F506527 OSN: 543428 SKU: 522820 O/C: 100 TRAILER USED 1991		
	SER. #: 1XP5DB9XX6N656917 OSN: 452012 SKU: 522814 O/C: 100			S/N:1C9BB2689MM110254 CLEMENT STEEL DUMP (CLEAR TITLE) SER. #: 1C9BB2689MM110254 OSN: 537884 SKU: 522836 O/C: 100 TRAILER USED 1994		
			2013	S/N:1C9BB26B8RM110270 CLEMENT		

STEEL DUMP (CLEAR TITLE) SER. #: 1C9BB26B8RM110270 OSN: 530709

SKU: 522835 O/C: 100

#### **Louisiana Reserve Auction**

**Buyers Catalog** 

Buyers Catalog					
Lot	Description	Bid	Lot	Description	Bid
2014	TRAILER USED 1994 S/N:1C9BB26B7RM110468 CLEMENT (CLEAR TITLE) SER. #: 1C9BB26B7RM110468 OSN: 586238 SKU: 522837 O/C: 100		2022	TRUCKS REBUILDABLE WRECK 2000 KENWORTH W900B S/N:1XKWD69X6YR846906 SLEEPER T/A (SALVAGE TITLE) ENGINE: N14+435HP TRANSMISSION:	
2015	TRAILER USED 2005 FOREST RIVER TRAILER S/N:5NHUELZ225N051757 FOREST RIVER TRAILER, (CLEAR TITLE) SER. #: 5NHUELZ225N051757 OSN: 373372 SKU: 522834 O/C: 100			FROF16210C REARS: DS404 3.90 MILES: 195012 SER. #: 1XKWD69X6YR846906 OSN: 519274 SKU: 522816 O/C: 100 TRUCKS REBUILDABLE WRECK 2000	
2016	TRUCKS USED - RUNS & DRIVES 1999 MACK MR688S S/N:1M2K195C9XM015317 GARBAGE TRUCK ENGINE: E7 300 ETECH		2023	STERLING A9500 S/N:2FWYHWEB6YAF57085 (SALVAGE TITLE) SER. #: 2FWYHWEB6YAF57085 OSN: 531087 SKU: 522839 O/C: 100	
	TRANSMISSION: HT740RS REARS: CRD92/93 4.42 MILES: 385203 SER. #: 1M2K195C9XM015317 OSN: 657178 SKU: 522827 O/C: 100		2024	TRUCKS REBUILDABLE WRECK 2010 INTERNATIONAL S/N:3HSCUAPR0AN184075 PRO STAR PREMIUM DAY CAB T/A CPL 2732 SERIAL # 79409077	
2017	TRUCKS USED - RUNS & DRIVES 1996 MACK MR688S S/N:1M2K195CXTM007107 GARBAGE TRUCK ENGINE: E7 300 MECH TRANSMISSION: HT750DR REARS: CRD92/93 4.17 MILES: 112479 SER. #:			(RECONSTRUCTED TITLE) ENGINE: ISX 450HP TRANSMISSION: RMX9115B REARS: DS404 3.55 MILES: 105011 SER. #: 3HSCUAPR0AN184075 OSN: 448882 SKU: 522812 O/C: 100	
2018	1M2K195CXTM007107 OSN: 657180 SKU: 522826 O/C: 100 TRUCKS SALVAGE 2005 ISUZU NPR S/N:4KLB4B1U45J801056 DAY CAB S/A		2025	TRUCKS REBUILDABLE WRECK 2007 MACK CXN613 S/N:1M1AK06Y67N015854 (SALVAGE TITLE) SER. #: 1M1AK06Y67N015854	
	(CLEAR TITLE) SER. #: 4KLB4B1U45J801056 OSN: 575812 SKU: 522840 O/C: 100		2026	OSN: 430636 SKU: 522838 O/C: 100 TRUCKS REBUILDABLE WRECK 2006 PETERBILT 387	
2019	TRUCKS REBUILDABLE WRECK 2007 KENWORTH T800 S/N:1XKDD49X67J181529 SLEEPER			S/N:1XP7DB9X46D887522 (SALVAGE TITLE) SER. #: 1XP7DB9X46D887522 OSN: 581267 SKU: 522842 O/C: 100 TRUCKS REBUILDABLE WRECK 2006	
	T/A 79159457 CPL 8519 (SALVAGE TITLE) ENGINE: ISX 475HP TRANSMISSION: FRO16210C REARS: DSP40 3.55 SER. #: 1XKDD49X67J181529 OSN: 660556 SKU: 522828 O/C: 100		2027	KENWORTH T2000 S/N:1XKTD49X76J136562 SLEEPER T/A (SALVAGE TITLE) SER. #: 1XKTD49X76J136562 OSN: 660052 SKU: 522843 O/C: 100	,
2020	TRUCKS SALVAGE 1998 GMC C7500 S/N:1GDM7H1J2WJ508570 DAY CAB T/A (CLEAR TITLE) ENGINE: 3116 215HP TRANSMISSION: ES066-7B REARS: 22060S 5.57 MILES: 186038 OD SER. #: 1GDM7H1J2WJ508570 OSN: 543021 SKU: 522818 O/C: 100		2028	TRUCKS REBUILDABLE WRECK 2005 PETERBILT 387 S/N:1XP7DB9X45D873165 SLEEPER T/A (SALVAGE TITLE) SER. #: 1XP7DB9X45D873165 OSN: 577209 SKU: 522841 O/C: 100 TRUCKS REBUILDABLE WRECK 2009	
2021	TRUCKS REBUILDABLE WRECK 2006 MACK S/N:1M2AG11C96M054294 DAY CAB T/A GRANITE DUMP TRUCK WITH PUSHER AXLE ENGINE: AI 375HP TRANSMISSION: 4500RDS REARS: CRD92/93 5.02 MILES: 100629 SER. #: 1M2AG11C96M054294 OSN: 473575 SKU: 522815 O/C: 100		2029	PETERBILT S/N:1XPXDB9X69D769377 389 SLEEPER T/A (SALVAGE TITLE) ENGINE: C15 475HP TRANSMISSION: RTOC16909A REARS: DSP40 3.36 MILES: 417696 SER. #: 1XPXDB9X69D769377 OSN: 452164 SKU: 522813 O/C: 100	

#### **UPCOMING ABSOLUTE AUCTIONS**

Geiger Winter Auction Watseka, Illinois February 6, 2013

Richard Kerns Truck Parts Ellenwood (Atlanta), Georgia <u>March 6, 2013</u> LKQ: Plunks Jackson Jackson, Mississippi April 17, 2013

Geiger Truck Parts 2013 Watseka, Illinois August 14, 2013

Thomas Hribar Truck and Equipment Sturtevant, Wisconsin Coming in May or June 2013

More details at: www.BerryhillAuctioneers.com



Auctioneer: Wallace Ray T.C. Berryhill, Louisiana License #1703

#### **UPCOMING ABSOLUTE AUCTIONS**

Geiger Winter Auction Watseka, Illinois February 6, 2013

Richard Kerns Truck Parts Ellenwood (Atlanta), Georgia March 6, 2013 LKQ: Plunks Jackson Jackson, Mississippi April 17, 2013

Geiger Truck Parts 2013 Watseka, Illinois August 14, 2013

Thomas Hribar Truck and Equipment Sturtevant, Wisconsin Coming in May or June 2013

More details at: www.BerryhillAuctioneers.com



Auctioneer: Wallace Ray T.C. Berryhill, Louisiana License #1703