

Effective: April 1st, 2022

OLAA BX LANE: Disclaimers, Representations, and Warranties

ALL VEHICLES SOLD RED LIGHT: "AS-IS, WHERE-IS!" NO ARBITRATION!

PLEASE READ CAREFULLY AS THE FOLLOWING PROVISIONS AFFECT A BUYER'S LEGAL RIGHTS AGAINST OLAA – BX LANE.

1) BY REGISTERING WITH OLAA-BX LANE AS A BUYER AND PRIOR TO PLACING A BID AT AUCTION, BUYER WARRANTS THAT BUYER HAS READ AND UNDERSTANDS THE FOLLOWING CONDITIONS OF SALE AND AGREES TO BE BOUND BY THEM AS A REGISTERED AUTHORIZED DEALER:

A. ALL VEHICLES SOLD THROUGH OLAA-BX LANE ARE SOLD "**AS IS, WHERE IS,**" WITH NO WARRANTY, EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY AS STANDARD IN THE DAMAGED AUCTION INDUSTRY.

B. OLAA BX LANE MAKES NO WARRANTY OR REPRESENTATION AS TO THE CONDITION OF ANY VEHICLE OR ANY OF ITS COMPONENT PARTS WHEN OLAA BX PROVIDES INFORMATION ABOUT A VEHICLE FOR SALE, AS STANDARD IN THE DAMAGED AUCTION INDUSTRY.

C. OLAA BX LANE WILL NOT ADHERE AND MAKES NO WARRANTY OR REPRESENTATION FOR AND UNDERTAKES NO DUTY TO CONFIRM THE ACCURACY OR COMPLETENESS OF, ANY PROVIDED INFORMATION PROVIDED IN ORAL, WRITTEN OR IMAGE FORM TO BUYER REPRESENTING OR REGARDING ANY VEHICLE OFFERED FOR SALE, INCLUDING INFORMATION PROVIDED BY A GOVERNMENT ENTITY, DEPARTMENT OF MOTOR VEHICLES, MOTOR VEHICLE DIVISION, OR DEPARTMENT OF REVENUE, **BUYERS MUST BE AWARE.**

D. AS A BUYER IS CONSIDERED THE EXPERT, IT IS THE SOLE RESPONSIBILITY OF BUYER TO ASCERTAIN, CONFIRM, RESEARCH, INSPECT, AND/OR INVESTIGATE ANY VEHICLE FOR SALE PRIOR TO PLACING A BID EITHER LIVE OR ONLINE. BUYER EXPRESSLY AGREES NOT TO BASE A BID OR OTHERWISE RELY ON ANY INFORMATION PROVIDED BY OLAA BX LANE, ALL INFORMATION PROVIDED IS STATED AS A COURTESY. THIS INFORMATION INCLUDES, BUT IS NOT LIMITED TO, THE YEAR, MAKE, MODEL, TRIM LEVEL, STYLE, PERFORMANCE PACKAGE, VIN, MILEAGE, ODOMETER DISCLOSURE, TITLE, AIRBAGS, VEHICLE'S CONDITION, ACTUAL CASH VALUE, ESTIMATED REPAIR COST, DAMAGE TYPE, IMAGES, SALE DOCUMENT, WHETHER THE VEHICLE HAS A CATALYTIC CONVERTER, KEYS, TIRE TREAD DEPTH, OR VIN PLATES, AND WHETHER OR NOT A CAR STARTS OR RUNS AND/OR ANY OTHER PROVIDED INFORMATION. BUYER MUST BE AWARE! BUYER UNDERSTANDS THAT OLAA BX LANE IS NOT RESPONSIBLE FOR MILEAGE OR ODOMETER DISCREPANCIES. IF MILEAGE OR ODOMETER READING ARE IMPORTANT TO BUYER, BUYER SHOULD OBTAIN A CARFAX (**CARFAX IS NOT ACKNOWLEDGED AS AUCTION POLICY AND WILL NOT REPRESENT DECISION FOR DISCREPANCY**) OR SIMILAR REPORT PRIOR TO MAKING A BID. BUYER MUST BE AWARE!

E. ANY STATEMENT THAT ANY VEHICLE HAS A PARTICULAR PART, CUSTOM OR STOCK, INCLUDING BUT NOT LIMITED TO A KEY "PRESENT" OR THAT VEHICLE HAS A CATALYTIC CONVERTER, MEANS THAT A PARTICULAR PART WAS NOTED UPON ARRIVAL AT OLAA BX LANE FACILITY, **BUT IS NOT A REPRESENTATION OR WARRANTY THAT SUCH PART WILL BE PRESENT AT ANY TIME THEREAFTER.** BUYER UNDERSTANDS THERE ARE NO GUARANTEES! OLAA BX LANE IS NOT RESPONSIBLE FOR MISSING PARTS. IT IS BUYER'S RESPONSIBILITY TO INSPECT AND CONFIRM THE NOTED PARTS ARE PRESENT PRIOR TO PLACING A BID. BUYERS PLEASE BE AWARE! ALL LISTED ITEMS ARE PRESENTED AS A COURTESY TO BUYER.

F. ANY STATEMENT THAT A VEHICLE STARTS (SUCH AS THROUGH A "Y" UNDER THE "STARTS"

2) COLUMN) MEANS THAT THE VEHICLE WAS STARTED (EITHER WITH OR WITHOUT A JUMP) UPON ARRIVAL AT OLAA BX LANE FACILITY. IT IS NOT A WARRANTY OR REPRESENTATION THAT THE VEHICLE WILL START OR RUN AT ANY TIME THEREAFTER OR THAT THE VEHICLE IS ROADWORTHY. **BUYER IS THE EXPERT, AUCTION IS NOT RESPONSIBLE FOR ANY REPRESENTATION.**

G. ANY STATEMENT THAT A VEHICLE RUNS OR DRIVES (SUCH AS THROUGH AN AUCTION NOTATION "RUN & DRIVE") MEANS THAT THE ENGINE STARTED (EITHER WITH OR WITHOUT A JUMP), NO REPRESENTATION OF BOTH THE FORWARD AND REVERSE GEARS ENGAGED AND FROM THE STARTING POSITION, OR THE STEERING WHEEL MADE ANY ROTATION TO THE RIGHT AND ANY ROTATION TO THE LEFT, ALL AT THE TIME OF ARRIVAL AT OLAA BX LANE FACILITY. IT IS NOT A REPRESENTATION OR WARRANTY THAT IT WILL DO SO ANY TIME THEREAFTER OR THAT THE VEHICLE IS ROADWORTHY. **BUYER IS THE EXPERT; AUCTION IS NOT RESPONSIBLE FOR ANY REPRESENTATION.**

H. ANY STATEMENT THAT AIR BAGS ARE INTACT (SUCH AS THROUGH AN AUCTION NOTATION "INTACT" AIRBAGS) MEANS THAT THE AIRBAGS APPEARED, IN OLAA BX LANE'S JUDGEMENT, NOT TO BE DEPLOYED UPON ARRIVAL AT OLAA BX LANE FACILITY. IT IS NOT A WARRANTY OR REPRESENTATION THAT THE AIRBAGS ARE IN FACT PRESENT OR OPERATIONAL. OLAA BX DOES NOT INSPECT OR CONDUCT TESTING ON THE AIRBAGS TO ENSURE THAT THE AIRBAGS ARE IN FACT PRESENT OR OPERATIONAL. BUYER ACKNOWLEDGES AND AGREES THAT VEHICLES OFFERED BY OLAA BX LANE MAY CONTAIN DEPLOYED AIRBAGS THAT HAVE NOT BEEN REPLACED. **BUYER IS THE EXPERT; AUCTION IS NOT RESPONSIBLE FOR ANY REPRESENTATION.**

I. A GENERAL STATEMENT REGARDING ANY LOCATION OF DAMAGE TO THE VEHICLE FROM ANY CONDITION REPORT SHOWING, SUCH AS "FRONT END DAMAGE" OR "REAR END DAMAGE," IS NOT INTENDED TO BE INCLUSIVE OR EXHAUSTIVE OF ALL OF THE DAMAGE THE VEHICLE HAS SUFFERED.

J. VEHICLES MAY CONTAIN HIDDEN DAMAGE TO THE UNDERCARRIAGE OR SUSPENSION, ELECTRICAL MALFUNCTIONS, FRAME DAMAGE, MISSING COMPONENTS, WATER DAMAGE, OR OTHER HIDDEN OR UNDISCLOSED DAMAGE. IN PLACING BIDS OR BUYING VEHICLES, BUYER ACKNOWLEDGES AND ACCEPTS THESE RISKS. **BUYER IS THE EXPERT, BE AWARE.**

K. THE IMAGES OF THE VEHICLE THAT OLAA BX LANE PROVIDES ARE NOT INTENDED TO EXCLUSIVELY DISPLAY THE CURRENT CONDITION OF THE VEHICLE. OLAA BX LANE MAKES NO WARRANTY OR REPRESENTATION ABOUT THE CONDITION OF THE VEHICLE BY PROVIDING THESE IMAGES. OLAA BX LANE MAY PROVIDE ENGINE RUN SOUND VIDEOS (TBD-ON SELECT VEHICLES) FOR THE CONVENIENCE OF BUYERS BUT IS NOT REQUIRED TO PROVIDE AN ENGINE RUN VIDEO FOR "RUN & DRIVE" VEHICLES. BY PROVIDING AN ENGINE RUN VIDEO, OLAA BX LANE MAKES NO REPRESENTATION OR WARRANTY ABOUT THE CURRENT CONDITION OF THE ENGINE. **BUYER IS THE EXPERT; AUCTION IS NOT RESPONSIBLE FOR ANY REPRESENTATION.**

L. IN ACCORDANCE WITH APPLICABLE STATE LAW, BUYER ACKNOWLEDGES AND AGREES THAT VEHICLES SOLD WITH A **CLEAR TITLE MAY HAVE A SALVAGE HISTORY.**

M. **OLAA BX LANE IS A "SOLD AS IS" AUCTION** AND LANE, IT DOES NOT WARRANT OR REPRESENT THAT VEHICLES CURRENTLY MEET OR CAN BE MODIFIED TO MEET LOCAL EMISSION AND/OR SAFETY REQUIREMENTS.

N. OLAA BX LANE DOES NOT WARRANT OR REPRESENT THAT VEHICLES SOLD CAN BE LEGALLY REGISTERED IN ANY STATE OR COUNTRY OR EXPORTED TO ANOTHER COUNTRY. **BUYER BEWARE** AND ACCEPTS ANY AND ALL RISKS ASSOCIATED WITH VARIATIONS ANY STATE OR COUNTRY SALE DOCUMENT AND REGISTRATION LAWS AND ANY POSSIBILITY THAT THOSE MAY SOMEWHAT HAVE A NEGATIVELY IMPACT THE MARKETABILITY OF ANY SUCH VEHICLES PURCHASED AT OUR OLAA BX LANE. BUYER FURTHER ACKNOWLEDGES AND AGREES THAT A STATE OR COUNTRY MAY CHANGE A VEHICLE'S TITLE OR BRAND CLASSIFICATION AFTER IT IS PURCHASED BY BUYER AND THAT OLAA BX LANE ASSUMES NO RESPONSIBILITY FOR THAT CHANGE IN CLASSIFICATION OR ANY CONSEQUENCES FLOWING THEREFROM.

3) BUYER MAY PURCHASE A VEHICLE IN ONE STATE UNDER A CLEAR SALE DOCUMENT BUT MAY BE REQUIRED TO SELL THE SAME VEHICLE UNDER A SALVAGE SALE DOCUMENT IN A DIFFERENT STATE. ANOTHER EXAMPLE IS THAT CUSTOMS MAY NOT APPROVE THE EXPORTATION OF A VEHICLE. IT IS THE BUYER'S SOLE RESPONSIBILITY TO ASCERTAIN, CONFIRM, RESEARCH, INSPECT AND/OR INVESTIGATE ANY VEHICLE FOR SALE PRIOR TO PLACING A BID TO CONFIRM SALE DOCUMENT, STATE REGISTRATION, OR EXPORT REQUIREMENTS.

O. OLAA BX LANE DOES NOT GUARANTEE OR WARRANT THAT SHRINK WRAP WILL COMPLETELY PROTECT A VEHICLE AND ITS INTERIOR OR COMPONENT PARTS AGAINST THE ELEMENTS. OLAA BX LANE DOES NOT GUARANTEE OR WARRANT THAT A SHRINK-WRAPPED VEHICLE WILL REMAIN SO UNTIL THE TIME THE VEHICLE IS PICKED UP BY BUYER. ALL VEHICLES ARE SOLD "AS IS WHERE IS"!

P. NMVTIS REPORTING: VEHICLES LISTED FOR SALE AND SOLD AT OLAA BX LANE MAY HAVE BEEN REPORTED TO THE NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM (NMVTIS) AS REQUIRED BY APPLICABLE LAW. BUYER ACCEPTS ALL RISKS ASSOCIATED WITH PURCHASING VEHICLES AT OLAA BX LANE ARISING OUT OF OR RELATED TO ANY NMVTIS REPORTING BY OLAA BX LANE OR VEHICLE PROVIDERS, INCLUDING THAT VEHICLES SOLD WITH A CLEAR TITLE MAY APPEAR AS "JUNK/SALVAGE" IN SUBSEQUENT REPORTS DUE TO NMVTIS REPORTING. BUYERS MAY BE SUBJECT TO NMVTIS REPORTING REQUIREMENTS WHEN PURCHASING CERTAIN VEHICLES. FOR MORE INFORMATION ON REPORTING REQUIREMENTS, EXEMPTIONS, AND HOW TO OBTAIN A NMVTIS REPORTING ID VISIT www.vehiclehistory.gov.

Q. **SAFETY RECALL WARNING** – BUYERS ARE RESPONSIBLE FOR ACKNOWLEDGING VEHICLES WITH OPEN RECALLS, WE MAY ANNOUNCE IF KNOWN BUT THIS IS ONLY A COURTESY. ALL VEHICLES ARE SOLD "AS-IS WHERE-IS"! BUYERS SHALL MUST FOLLOW FEDERAL LAWS FOR HANDLING OPEN RECALLS.

4) PHOTO AND/OR CONDITION REPORTS FOR ALL VEHICLES TO BE BROADCAST ON SIMULCAST. THERE WILL BE A MANDATORY PHOTO FEE ADHERED IN THE EVENT OF AN OPP-OUT FOR NOT UTILIZING A CONDITON REPORT.

This charge will be \$25 per vehicle to include a minimum of 6 outdoor images. This policy has been established as an enhancement for our sellers, and buyers. We believe the consistency of adding photos for our on-line attendance will enhance their purchasing power. This is a mandatory charge for each vehicle registered in our OLAA BX-Lane.

SECURING PURCHASED OR NON-SOLD VEHICLES: THEIR WILL BE A MANDATORY ENTRY AND OR DELIVERY TO AND/OR FROM SECURITY GATE OF \$25 PER VEHICLE! NO EXCEPTIONS!

ALL VEHICLES WILL BE REMOVED AND OR POSITION PLACED BY AUCTION PERSONNEL. NO TRANSPORT TYPE VEHICLES WILL BE ALLOWED TO ENTER SALE GROUNDS; ROLLBACKS, WRECKERS, TOW DOLLYS, ETC. ALL UNITS WILL BE DELIVERED TO OUTSIDE AUCTION SECURITY GATE. IT IS THE BUYER'S RESPONSIBILITY TO LOAD ONTO DEALERS TRANSPORT VEHICLE.

AUCTION STAFF IS NON-AUTHORIZED TO HELP LOAD.