

## Legacy Band Boosters 2014 Car Raffle Official Rules & Regulations

The Legacy Band Booster's 2014 Car Raffle ("Raffle") is a fundraising activity conducted by the Legacy Band Boosters ("Boosters") in support of the **Legacy High School Marching Band**. These Official Rules & Regulations ("Rules") govern the conduct of the Raffle and together with the decisions of the Legacy Band Boosters Board ("Board") are binding on everyone who purchases a Raffle ticket and/or who is named on a Raffle ticket. These Rules may not be waived, modified or supplemented except by the Board in writing. These Rules apply to any and all individuals selling Raffle tickets and anyone on the official Raffle sub-committee of the Boosters.

**TICKET COST AND ODDS OF WINNING:** The ticket price is \$25.00 per ticket or 5 tickets for \$100. A maximum of 5,000 tickets will be sold. Ticket sales will cease if 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 odds of winning the Grand Prize as well as either Early Bird Prize will depend on the number of eligible entries received and accepted by the stated cutoffs for each respective drawing. However, the odds of winning will never be greater than 5,000 to 1.

**GRAND PRIZE DRAWING:** The Grand Prize drawing for the Raffle will be held on Saturday, September 27, 2014, at approximately 9:00 PM during the Legacy Marching Festival ("Festival") at the Adams 12 Five Star Stadium (9351 Washington Street, Thornton, CO 80229). This date and all other dates stated in these Rules may be extended at the absolute discretion of the Boosters after notification and approval by the Colorado Secretary of State. 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.

**Grand Prize:** The Grand Prize is a 2014 Jeep Cherokee sport utility vehicle ("SUV") with an MSRP of \$28,285. SUV will be purchased from Pro Chrysler Jeep Dodge Ram of Thornton. Depictions of the car shown in informational materials, on the Legacy Band Boosters website, and elsewhere may only be representative of the Grand Prize; the actual car may be viewed at Pro Chrysler Jeep Dodge Ram, 1800 W. 104<sup>th</sup> Avenue, Thornton, CO 80234 as well as at various marching band events during the year and at the Festival. Winner of the SUV must take delivery within the State of Colorado. Any expense for travel to Colorado to accept delivery shall be the sole responsibility of the winner. The SUV will be transferred to the Grand Prize winner in "AS IS, WHERE IS" condition. SUV is a new vehicle; however, it may have a nominal amount of miles due to the Boosters driving it to various marching band events during the year for purposes of promoting the Raffle. The Boosters and Legacy High School Marching Band do not provide any guarantee or warranty, expressed or implied, in connection with the SUV. The Boosters accept no liability or responsibility regarding the manufacturing or condition of the SUV. No warranties express or implied, of any type or nature are made or offered by The Boosters or Legacy High School Marching Band.

Alternate prize: The Grand Prize winner may choose to receive a check for the cash sum of twenty thousand dollars (\$20,000) in lieu of accepting the SUV as the grand prize. This cash prize is also subject to all local, state and federal taxes.

**Cutoff for purchases:** Ticket requests by mail or e-mail must be received before 5:00 PM MDT on Thursday, September 25, 2014. Online ticket sales will close at 11:59 PM MDT on Thursday, September 25, 2014. Tickets may be purchased in person, including at the Festival until 8:00 PM MDT, Saturday, September 27, 2014. As noted above, a limited number of tickets will be sold for the Raffle. Therefore, all tickets may sell out before the day of the Grand Prize drawing.

**Substitute Grand Prize in event of non-sellout of tickets:** If fewer than 2,500 Raffle tickets are sold, the Boosters reserves the right, in its absolute discretion, to substitute 50% of the gross sales revenue from the tickets sold as of the time of the entry deadline as the Grand Prize in lieu of the SUV. In the event that the Boosters exercises its right to award 50% of gross sales revenue from tickets sold in lieu of the SUV, no additional cash or prizes will be provided to the Grand Prize winner.

**EARLY BIRD DRAWINGS:** In addition to the Grand Prize Drawing, the Raffle will include two (2) Early Bird Drawings to be held one each on Saturday, May 17, 2014 at the Freshman Parent/Student Meeting in the Legacy High School Commons (2701 W. 136<sup>th</sup> Avenue, Broomfield, CO 80023) at approximately 11:00 AM MDT; and immediately before the Marching Band Rehearsal on Monday, July 14, 2014 in the Legacy High School Commons (2701 W. 136<sup>th</sup> Avenue, Broomfield, CO 80023) at approximately 3:30 PM MDT. The winning tickets will be drawn at random from a drum containing all eligible tickets purchased and accepted up to the following cutoffs. Ticket requests by mail or e-mail must be received by 5:00 PM MDT the day prior to each Early Bird Drawing to be eligible. Tickets purchased online must be purchased on 11:59 PM MDT the day prior to each Early Bird Drawing to be eligible. Tickets may be purchased in person the day of up to the time of each Early Bird Drawing. The winning tickets will be returned to the drum so that Early Bird Drawing winners will continue to be eligible for all subsequent drawings (Early Bird and Grand Prize). For each Early Bird Drawing, the winner will receive a check for the cash sum of five hundred dollars (\$500). The Early Bird Drawings will be open to the public; however, the winner need not be present to win.

**TAXES AND OTHER COST OF OWNERSHIP:** Legacy Band Boosters does not undertake to give advice on the legal or tax consequences of the Raffle to the winners. However, the Boosters understand the IRS' position is that amounts paid for chances in raffles, lotteries or similar drawings for valuable prizes are not donations, and consequently do not qualify as deductible charitable contributions.

The Raffle winners assume and must pay all applicable fees and charges (including, but not limited to, tags and license) and income taxes (local, state and federal taxes) when the car and/or cash prize is transferred to them. Raffle winners agree to remit payment to the Boosters for any required income tax withholding. In addition, all costs of ownership of the SUV, including, but not limited to, insurance, are the sole responsibility of the Grand Prize winner. The Boosters assumes no responsibility for a

prizewinner's tax obligations. **THE GRAND PRIZE WINNER IS STRONGLY ENCOURAGED TO SEEK PROFESSIONAL LEGAL AND/OR TAX ADVICE. ACCEPTANCE OF THE GRAND PRIZE COULD HAVE MATERIAL CONSEQUENCES ON THE GRAND PRIZE WINNER INCLUDING, BUT NOT LIMITED TO, GOVERNMENT ENTITLEMENTS OR OTHER BENEFITS, OR OTHER LEGAL, FINANCIAL OR OTHER MATTERS.**

Form W-2G will be filed with the Internal Revenue Service as required to report the value of the prize(s) won. All required forms will also be filed with the Colorado Department of Revenue and Secretary of State. The winner will receive a copy of all forms filed with the respective authorities. This offer is void where prohibited by law and all federal, state and local laws and regulations apply.

**OTHER PROVISIONS:** By participating, you agree that 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 herein, and (2) that their names and/or likenesses may be disclosed to and used by the news media and may otherwise be used by the 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. Winners agree to sign a publicity release without any further compensation. The Grand Prize winner will be published on the Boosters website ([www.legacybands.org](http://www.legacybands.org)). Names of the winners may be obtained by sending a written request plus a self-addressed, stamped envelope to Legacy Band Boosters, P.O. Box 956, Broomfield, CO 800380956. The Booster's interpretation and application of the rules and regulations shall be final. Additionally, all participants release Legacy 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. Each winner agrees to indemnify and hold Legacy Band Boosters and Legacy High School Marching 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 official Raffle sub-committee are not eligible to win any prize in the Raffle. Prizewinners may be required to sign an affidavit of eligibility. Offer void where prohibited by law.

**TICKETS:** Tickets may be purchased in person by cash, check, or at some venues by credit or debit card; by mail with a check; or online by credit or debit card.

You have not entered the Raffle until your entry submission, with full payment has been accepted by the Boosters. All entries must be fully completed in order to be eligible including the printed name, address, phone number, and email of the entrant. Acceptance of your entry submission will be communicated to you by delivery of a ticket stub or by written confirmation via e-mail from the 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 the Boosters regardless of the date that the Boosters notifies you of the acceptance of your submission. You may buy as many tickets as you wish, subject to availability, until all 5,000 tickets have been sold. Each Raffle ticket will be entered separately in the drawing. Each Raffle ticket is a separate and equal chance to win any of the prizes offered.

To order tickets by mail, use a ticket request form, which can be downloaded from [www.legacybands.org](http://www.legacybands.org). Send completed forms with payment by check made out to "Legacy Band Boosters" to Legacy Band Boosters, c/o Car Raffle, P.O. Box 956, Broomfield, CO 80038-0956.

To order tickets online, access the online Raffle ticket order form at [www.legacybands.org](http://www.legacybands.org). Online Raffle Ticket purchases must be completed by making payment on PayPal using a debit or credit card only. The online Raffle Ticket order form must be completed in its entirety including name, address, phone number and email address. Individuals ordering Raffle tickets online must check the box acquiescing to all rules of the Raffle and must also check the box indicating their agreement to complete their purchase using a debit card or bank check card. Checking this box and completing the purchase constitutes the purchasers agreement to comply with these Raffle Rules.

When a Raffle ticket order is placed by mail or online and funds have cleared, the Boosters will complete the raffle ticket for the purchaser by filling in the name, address, email address and phone number. The Boosters will then place each completed raffle ticket stub in the secured raffle barrel and mail the ticket(s) to the purchaser. The purchaser may choose to receive an email from the Boosters confirming the ticket purchase and providing the ticket number(s) in lieu of receiving the physical ticket.

If for any reason a check or PayPal payment does not clear the purchaser's bank, the ticket purchase is null and void. Additionally, all defective or physically altered request forms are subject to disqualification at the discretion of the Boosters. Prior to the prize drawings, the Boosters will make a reasonable effort to notify any individual who submits such an entry form, or one which has been rejected because the funds did not clear, that the entry has been rejected. Any cure to the problem shall be considered a new order and processed in the order received. All requests for tickets for the drawing must be received and/or purchased by the indicated deadline(s).

**REFUNDS:** All Raffle ticket sales are final. No refunds will be made except that any ticket request with verified payment received after 5,000 tickets have been sold or after the Grand Prize Drawing deadlines set forth herein will be returned or destroyed with notice to the purchaser. No other refunds are available. The Boosters assumes no responsibility for lost, late, misdirected or non-delivered mail or any other failure to receive orders or deliver receipts prior to the drawing deadlines. A Raffle participant's sole and exclusive remedy for a breach by the Boosters shall be limited to the return of the purchase price paid for his or her Raffle ticket(s). In no event shall the 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.

**NOTIFICATION AND CLAIMING OF PRIZES:** If the winner is not present at any of the drawings, the Boosters shall notify the winner by telephone and certified mail within thirty (30) days of the drawing. Grand Prize winner will also be posted on the band website. The winner must claim the prize within sixty (60) days of the drawing. The winner will need to provide proper identification to the satisfaction of the Games Manager.

If a winner does not wish to claim the prize but wishes to donate it to the Boosters, the winner shall provide a written and notarized statement within the sixty (60) day period stating that the winner wishes to donate the prize to the Legacy Band Boosters. A prize winner shall not donate the prize back to the Boosters if doing so would violate Colorado state law.

If a Raffle winner does not claim the prize or donate it to the organization within sixty (60) days of the original drawing, the organization shall notify the Secretary of State's office and may retain the prize or offer it in another raffle.

The Boosters reserves the right to cancel this Raffle contest at any time after notification and approval from Colorado Secretary of State, in which event liability is limited to the refund of the ticket price to all participants.

This Raffle is conducted for the benefit of the Legacy High School Marching Band by the Legacy Band Boosters, licensed by the Colorado Secretary of State, Bingo License No. 2014-07512.

The Tournament of **Roses**<sup>®</sup> is not a sponsor of or affiliated with this raffle. The raffle's sponsor is solely responsible for the awarding and providing of any prizes.

Any questions regarding the Raffle or the purchase of Raffle tickets can be directed to (303) 522-6451 or [winajeep@legacybands.org](mailto:winajeep@legacybands.org).