

Nashua Rotary Car Raffle
Official Raffle Rules and Conditions
Updated October 1, 2021

The Rotary Club of Nashua, New Hampshire (“Nashua Rotary”) is a 501(c)(3) nonprofit service club (EIN 02-0267909) engaged in service activities and charitable giving in the Nashua area and internationally through its partnership with Rotary International.

Tulley Automotive Group d/b/a Tulley BMW (“Tulley BMW”) is a New Hampshire Domestic Profit Corporation engaged in the business of selling and servicing automobiles in the Nashua area.

The Nashua Rotary Car Raffle (“Raffle”) is conducted for the purpose of generating operating funds to support the charitable activities of the Nashua Rotary, including but not limited to local community service projects, grants to local nonprofit organizations, scholarships, international projects, and worldwide polio eradication efforts.

City of Nashua Raffle Permit: #21-0164

1. ELIGIBILITY.

The Raffle is open to any eligible U.S. Resident residing in any state where the Raffle is not prohibited by state, local or other laws. Members of Nashua Rotary and their families are eligible to enter. All entrants must be 18 years of age or older.

Each entrant, by entering the Raffle, agrees to abide by all of the rules and conditions contained herein, as well as all applicable local, state and federal laws and regulations.

Waiver/Limitations of Liability. Ticket purchasers, by participating, and winners, by accepting a prize, release, and hold harmless Nashua Rotary, Tulley BMW, and their respective board, staff members, members, volunteers, partners, vendors, agents, representatives, sponsors, service agencies, and independent contractors, and each of their respective directors, officers, partners, employees and agents, including advertising, public relations, direct marketing and promotion agencies, from any and all liability with respect to participation in the promotion and possession or use of the prize(s) awarded and also acknowledge that they did not receive any representations, warranty or guarantee, express or implied, in fact or in law, relative to any prize, including but not limited to its quality, mechanical condition or fitness.

2. TICKET PURCHASE.

The cost to purchase a single entry ("Ticket") for the Raffle is \$100.00 (U.S. Funds only) and is not tax deductible. Any entrant may purchase more than one Ticket. Any entrant may purchase 11 tickets for \$1000. An entrant can enter the Raffle by purchasing a Ticket from any member of Nashua Rotary or online.

Ticket payment may be made by VISA, Mastercard, Discover Card, American Express, cash, or check. Nashua Rotary and its agents, Board, vendors, volunteers, and members assume no liability for lost, late, misdirected, mutilated, incomplete, illegible, misprinted, undelivered entries or entries without proper payment received, which entries shall be deemed invalid and shall be immediately disqualified.

If an entrant's payment is dishonored by a bank for any reason, such entrant's Ticket will be declared invalid unless full and satisfactory payment is made prior to the respective Raffle drawing or Early Bird Drawing. Any dishonored credit card will be considered an invalid entry,

and Nashua Rotary will endeavor to notify the entrant by email. Completed entry ticket forms must be in the possession of Nashua Rotary by 11:59 p.m. (Eastern) on Monday, March 7, 2022, or before 1,000 valid Tickets are sold, whichever comes first, to be eligible for the Grand Prize drawing.

All ticket forms will be handled and recorded on a first come, first served basis. Any ticket forms and payments (including payments previously dishonored) received after closure of the Raffle will be returned to the entrant. Upon receipt of a completed registration form and valid payment, a Ticket with assigned drawing number will be issued. The Ticket shall be delivered to the entrant at the time of sale. All purchases of Raffle Tickets are non-refundable after an entry has been included in any prize draw, unless the Raffle has been cancelled under the terms listed in Section 6 below.

Privacy Policy

- All user data, including credit card information, will be encrypted on a secure page.
- No credit card information will be stored.
- Information collected during a purchase will only be used to contact a winner of the raffle and internally for future raffles.
- No information will be sold or shared with any third-party websites or companies.

3. PRIZES.

If the Car/Cash Raffle is not modified or canceled under the terms of Section 6 of the rules, Nashua Rotary will award one (1) grand prize to the lucky winner.

In the event that a winning Ticket has more than one (1) name listed, Nashua Rotary will award the prize to the first name listed on the entry. The records of Nashua Rotary shall be deemed correct if there is a discrepancy or dispute. Nashua Rotary is not responsible for resolving any disputes that may arise from different individuals listed on a valid Ticket. Prizes are not transferable and must be claimed by the person whose name is on the Ticket.

GRAND PRIZE. The Grand Prize Winner ("Winner") shall have the choice between a credit, redeemable at Tulley BMW, equal to the purchase price of a 2022 BMW X3 (\$49,535), which is more fully described at Tulley BMW's website, OR a \$35,000 cash prize. Both prizes are subject to applicable income tax withholding requirements.

THE BMW CREDIT OPTION: The Winner may choose a \$49,535 credit at Tulley BMW, equivalent to the MSRP of a 2022 BMW X3. Tulley BMW has agreed to sell the Grand Prize winner the vehicle for a price negotiated between Tulley BMW and Nashua Rotary, exclusive of costs associated with titling, licensing, registration, transportation, delivery and other fees, and local, state, and federal taxes, including income taxes. The winner may, if agreed between the winner and Tulley BMW, use the credit towards another vehicle of the same or greater price. Any part of the credit not spent at Tulley BMW will be forfeit.

In the event the Grand Prize winner chooses the vehicle, they shall be solely responsible for any and all dealership fees, license and documentation fees, vehicle delivery charges as well as the costs of any additional vehicle options in excess of the vehicle manufacturer's suggested retail price ("MSRP") published for the selected vehicle base package. For the base model 2022 BMW X3, the MSRP as published on the BMW.com website is \$49,535. A credit redeemable at Tulley BMW for the latter exact amount (minus any income tax withholdings) shall be provided by Nashua Rotary to the winner for the sole purpose of completing the purchase. Any difference

between the value of the voucher and the total cost of the final vehicle purchase price is the sole responsibility of the winner.

In the event that the winner is unable to satisfy the responsibility for any of the above-listed fees or obligations, or the winner is unable to otherwise satisfy the requirements for purchasing a vehicle, in the sole discretion of Tulley BMW, the Grand Prize Winner will be awarded a \$35,000.00 cash prize.

Nashua Rotary will not act as agent on behalf of the Winner in arranging final delivery. Timing of the delivery of the vehicle to the dealership is at the discretion of Tulley BMW.

The awarding of the 2022 BMW X3 is subject to availability at Tulley BMW. Given that this model may be in high demand, delivery may take time. If the 2022 BMW X3 is unavailable, Nashua Rotary and/or Tulley BMW may, at their sole discretion, substitute another vehicle of similar value.

THE CASH PRIZE OPTION: The Winner may choose a \$35,000 cash prize. Prize money is subject to income tax and may be subject to withholding.

EARLY BIRD PRIZES. Nashua Rotary will conduct three Early Bird Drawings, each for a \$500 cash prize. All entrants who have purchased tickets as of the time of the Early Bird Drawing will be entered to win. Winning an Early Bird Prize shall not disqualify an entrant from winning the Grand Prize.

4. DRAWINGS.

Winners of the Grand Prize and the Early Bird Prizes will be determined by random drawings of all the eligible Tickets received by the entry deadlines.

The Grand Prize Drawing will be announced at Tulley BMW at a drawing event held on Wednesday, March 9, 2022 at 5:45p.m. for all valid tickets received by 11:59 pm on Monday, March 7, 2022. The Grand Prize Drawing announcement will be posted to NashuaRotary.org immediately following the drawing.

The three Early Bird Drawings will be announced at Nashua Rotary's regular lunch meetings on November 15, 2021; December 13, 2021; and January 24, 2022. Entry deadlines for each Early Bird Drawing is 11:59 pm on the Sunday prior to the drawing: 11:59 pm on November 14, 2021; 11:59 pm on December 12, 2021, and 11:59 pm on January 23, 2022.

All drawings will be video recorded. Winners need not be present to win.

5. WINNING CHANCES.

A maximum of 1,000 Tickets will be sold. Each Ticket represents one chance to win. You may enter as many times as you like. Chances of winning a prize depend on the number of eligible Tickets sold. For the Grand Prize, if 1,000 tickets are sold, your chance of winning the grand prize is 1 in 1,000 with one ticket purchased. The actual odds of winning a prize in any drawing are dependent on the number of eligible Tickets sold and available for the drawing.

6. MODIFICATION OR CANCELLATION OF DRAWING; CONVERSION TO 50/50 RAFFLE.

Nashua Rotary reserves the sole discretion to cancel or modify the Raffle. If fewer than 725 tickets are sold by 11:59 p.m. on Monday, March 7, 2022, Nashua Rotary, at its sole option,

may modify the Raffle by converting it to a 50/50 raffle where 50% of the funds collected, minus expenses, will be paid to the winner as a cash prize.

7. WINNER.

Winner will be notified by phone, e-mail and/or by mail at the contact information (phone, email, and mailing address) listed on the Ticket. Winner shall confirm in writing their choice of prize to Nashua Rotary within thirty (30) days from the date that Winner is notified of the results of the drawing.

Winners' first and last name, city and state will be available to all media and will be available on Nashua Rotary's Website. Winning entrants agree to allow Nashua Rotary and /or Tulley BMW to use their first and last name, likeness, and any statements made by them regarding the prize for advertising or publicity purposes, in perpetuity, without review, permission, or compensation. No information will be sold or shared with any third-party websites or companies.

Winner may be required to complete and return an affidavit of eligibility and/or liability release and required tax forms, and must submit their social security number to Nashua Rotary/Tulley BMW for that purpose. Winner's failure to do so if requested or if Winner otherwise fails to comply with these rules and/or to make arrangements to claim their prize within sixty (60) days of a drawing notification will void that entry. If Winner cannot be contacted or located by reasonable means after a period of thirty (30) days from the date of any Raffle drawing, the prize will be deemed forfeit and shall be considered to have been donated to Nashua Rotary for its charitable purposes.

8. AUTHORITY AND CONTROL.

The decision of Nashua Rotary shall be final in all matters concerning the Raffle. The Raffle is subject to the laws, ordinances, and regulations of the State of New Hampshire and City of Nashua. The Raffle is void where prohibited by law. Nashua Rotary and Tulley BMW are not responsible for any errors or omissions in the Raffle's advertising and/or any printed, broadcast, or Internet-provided materials or information. Nashua Rotary reserves the right to modify and/or amend the official Raffle rules without notice at any time. To view rules online, go to www.nashuarotary.org. To receive a copy of the rules via mail send a self-addressed stamped envelope to Rotary Club of Nashua, P.O. Box 401, Nashua, NH 03061.