

## **You agree to the following contest rules by participating in the 2019 Duckfest Raffle**

Duckfest Inc., a non-profit formed under the Missouri Nonprofit Corporation act and qualified with the Internal Revenue Service as a charitable organization under section 501©(3) of the Internal Revenue Code.

The 2019 Duckfest Raffle is made possible by the generous donations of both Flynn Drilling Company (Troy, MO) and Sievers Equipment Company (Jerseyville, IL).

These **OFFICIAL CONTEST RULES** govern the conduct of the raffle, hereinafter referred to as the 2019 Duckfest Raffle, and are binding on everyone who purchases a raffle ticket and/or who is named on a raffle ticket. The 2019 Duckfest Raffle is a fundraising activity in support of the services and programs provided by Emmaus Homes, Inc. (St. Charles, MO).

By participating in this raffle, all ticket purchasers and everyone named on a raffle ticket accept and agree (1) to be bound by all rules, limitations and restrictions set forth here, and (2) that their names and/or likenesses may be disclosed to and used by the news media and may otherwise be used by Emmaus Homes, Inc. and/or Duckfest, Inc. for publicity purposes in media including, but not limited to the event website, pages and other social media channels.

Each participant in the raffle, releases Duckfest Inc. and Emmaus Homes, Inc. each of its directors, officers, employees, volunteers 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, and the winner agrees to indemnify Duckfest Inc. and Emmaus Homes, Inc. each of its respective directors, officers, employees, 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 the prize. Duckfest Inc. and Emmaus Homes, Inc. will not be responsible for typographical, printing or other inadvertent errors in these Official Rules or in any announcements or other materials related to the 2019 Duckfest Raffle.

**Grand Prize:** The winner drawn will have the choice of **EITHER** a Water Well to be designed, drilled, and installed by Flynn Drilling Company with a value up to \$18,500; or \$10,000 cash, or a Polaris Ranger 570 Mid Size provided by Sievers Equipment Company. **DUCKFEST INC. AND EMMAUS HOMES, INC. DOES NOT PROVIDE ANY GUARANTEE OR WARRANTY IN CONNECTION WITH THE WATER WELL OR THE POLARIS UNIT. DUCKFEST INC. AND EMMAUS HOMES, INC. ACCEPTS NO LIABILITY OR RESPONSIBILITY REGARDING THE MANUFACTURING, DRILLING OR BUILDING OF THE WATER WELL AND NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE OR OFFERED BY DUCKFEST INC. AND EMMAUS HOMES, INC.**

**Second Prize:** The second winner drawn will win \$1,000.

**Tickets:** Only 350 raffle tickets will be sold for the 2019 Duckfest Raffle. Tickets will be sold until all 350 tickets have been purchased or until 7:30 PM on September 14<sup>th</sup>, 2019. Tickets can

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be purchased for a price of \$100 each. Tickets may be purchased from the Emmaus Homes, Inc. corporate office located at 3731 Mueller Rd., St. Charles, MO 63301, via [www.DuckfestMO.org](http://www.DuckfestMO.org), or from any designated Duckfest Committee book holder. Each raffle ticket will have an equal chance to win as each ticket will be entered into the drawing separately. Any raffle ticket that is deemed in Duckfest Inc. and Emmaus Homes, Inc.'s discretion to be defective or illegible will be deemed void and will not be honored. The IRS determined that the amounts paid for the chances in raffles, lotteries, or similar drawings for valuable prizes are not gifts and therefore do not qualify as deductible charitable contributions. The prize drawing is open to the public and the winner does not need to be present to win. Raffle tickets, including the winning ticket, have no cash value.

**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. A raffle ticket can be purchased in one name only. **Raffle tickets may be purchased in the name of a member of the Board of Directors of both Emmaus Homes, Inc. & Duckfest Inc., a person residing in the same household as a Board of Director, Duckfest committee members or employees of Emmaus Homes, Inc. if they choose.** The prizewinner will be required to sign an affidavit of eligibility.

**Refunds:** All raffle ticket sales are final. No refunds or exchanges will be made. Duckfest Inc. and Emmaus Homes, Inc. assume no responsibility for lost, stolen, damaged tickets, or for late misdirected or non-delivered mail, fax messages, or any other failure to receive ticket purchase receipts prior to the drawing deadline. In no event shall Duckfest Inc. and Emmaus Homes, Inc. or their respective directors, officers, employees, members, committee members, volunteers, agents or representatives be liable to any party for any loss of injuries to earnings, profits or good will or for any incidental, special, punitive or consequential damages or any person or entity under any circumstances.

**Drawing:** The drawing for the **Grand Prize** is scheduled to be held on September 14<sup>th</sup>, 2019 at the Duckfest 2019 event by a third party vendor to ensure independence and integrity. Duckfest Inc. and Emmaus Homes, Inc. will make reasonable efforts to contact the person named on the winning raffle ticket using only the information on the winning raffle ticket submission that has been properly submitted and accepted. If, despite these efforts, the person named on the winning raffle ticket cannot be located within 30 days of the drawing or if any such person is ineligible under these rules or applicable law, then that person will not be awarded the prize, and the 2nd winner will be contacted. The person named on the winning ticket does not have to be present at Duckfest 2019 to win.

**Claiming the Prize:** The winner must provide a valid proof of ID to claim the prize. The holder of the winning raffle ticket, once verified, will be responsible for contacting Duckfest Inc. or Emmaus Homes, Inc to complete the transaction under the following guidelines. The winning ticket holder is eligible for EITHER a water well to be designed, drilled and installed by Flynn Drilling Company with a value up to \$18,500; or \$10,000 cash, or

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the Polaris Unit provided by Sievers Equipment Company.

In the event the winning ticket holder chooses the well as their **Grand Prize**, the property where the well is to be dug must be located within the state of Missouri. The well does NOT include a pump. The winning ticket holder must sign an affidavit of eligibility, selection of prize and a release of liability within 30 days of the drawing. There is no cash back or rebates for the winning ticket holder.

Because the well must be designed & drilled, (IRS) constructive receipt of the in-kind prize may not occur until the well design has been completed and agreed upon by the winning ticket holder and Flynn Drilling Company. Because the well project will be unique, it would be difficult if not impossible to determine the fair market value of the well until the well design is completed. At that point, the vendor will submit the project pricing (fair market value) for the well, and withholding taxes could be calculated and collected/withheld by Emmaus Homes, Inc. to the IRS on behalf of the winner prior to the start of construction by the vendor.

In the event the winning ticket holder chooses the cash as their **Grand Prize**, the gross cash prize of \$10,000 will be paid to the winner.

Prize value must be properly claimed on the winner's income tax statement. Award of the prize may have material adverse consequences on the winner with respect to taxes, income, governmental entitlements or other benefits, as well as other legal or financial matters.

**Governing Law:** This raffle and the Official Rules are governed by the laws of the State of Missouri. Void where prohibited.