

# Bill of Sale

BE IT KNOWN, that for payment in the sum of \$ 11,000.00 the full receipt of which is hereby acknowledged, the undersigned City of Noblesville, Indiana, by and through its Parks Department (Seller) hereby sells and transfers to JNS2, Inc (Buyer), pursuant to the Bill of Sale and Railroad Equipment Sales and Removal Contract dated August 21<sup>st</sup> 2019 by and between the parties (“Contract”), the Goods listed on Exhibit A attached hereto.

Seller acknowledges receipt of \$ 11,000.00 in full for the Goods explicitly listed in Exhibit A. Buyer acknowledges that only the Goods explicitly named on Exhibit A is included in the transfer.

All **Goods** are sold “AS IS” and “WHERE IS” and “WITH ALL FAULTS” and Seller make no warranties of any kind, express or implied, regarding the Goods, their quality and/or condition, title, marketability, or otherwise, except for the following limited representations:

- a. The Goods were abandoned to the Seller by Court Order in Hamilton County, Indiana, Circuit Court, Cause No. 29C01-1805-PL-004434, and, to Seller’s knowledge, the Goods are free and clear of all debts, liens, security interests and encumbrances;
- b. Seller has to its knowledge complied with all laws, rules and regulations relating to the Goods.

Buyer hereby acknowledges the personal responsibility for the payment of storage fees, transportation (if applicable), and any other costs associated with the purchase of the Goods, if any.

In the event of litigation to interpret or enforce the provisions contained in this Bill of Sale, the prevailing party shall be entitled to reimbursement for reasonable attorney’s fees and costs incurred herein.

In the event of any inconsistency between this Bill of Sale and the Contract, the Contract will control. This Bill of Sale will inure to the benefit of and be binding upon Seller and Buyer and their respective successors and assigns.

IN WITNESS WHEREOF, the Parties have executed this Bill of Sale on August 28, 2019

Buyer: JNS2, Inc

Seller: City of Noblesville, Indiana

DocuSigned by:

DocuSigned by:

*Steve Wadley*

8/28/2019 | 7:03

PM CDT

8/28/2019 | 11:31 AM C

Printed Name:

Printed Name: Steve Cooke

**EXHIBIT A**

<u>Item Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Atlantic Coast Line Dining Car "Naples	1	\$11,000.00	\$11,000.00

<sup>DS</sup>  
SW

<sup>DS</sup>  
AC