



344 Tully Road
San Jose, CA 95111
Enter at Gate D on Monterey Road
408.890.2990 / fax: 408.890.2991
www.brasherssanjose.com

Dear Dealer:

Welcome to Brasher's San Jose Auto Auction! We look forward to working with you and hope this is the start of a long relationship with the Auction. Please carefully review the registration steps below.

1. **Fill out the attached forms in full.** Because you're already registered with AuctionAccess, we need only these three additional documents:
 - Brasher's Guaranty, Agreement & Authorization
 - California Resale Certificate
 - Power of Attorney
2. Send the completed forms and documents to the Dealer Registration Department at Brasher's San Jose Auto Auction. You may submit them by mail or fax, or you can bring them in person to the auction.
3. Please note that ***all forms must be completed, signed and submitted*** to Brasher's San Jose Auto Auction before we can process your registration.
4. If you have questions, please call us at 408.890.2990. We look forward to seeing you at the auction!

California Resale Certificate

I HEREBY CERTIFY:

1. I hold valid seller's permit number: _____

2. I am engaged in the business of selling the following type of tangible personal property:

3. This certificate is for the purchase from Brasher's Sacramento Auto Auction, Inc., a California Corporation d/b/a Brasher's San Jose Auto Auction of the item(s) I have listed in paragraph 5 below. [Vendor's name]

4. I will resell the item(s) listed in paragraph 5, which I am purchasing under this resale certificate in the form of tangible personal property in the regular course of my business operations, and I will do so prior to making any use of the item(s) other than demonstration and display while holding the item(s) for sale in the regular course of my business. I understand that if I use the item(s) purchased under this certificate in any manner other than as just described, I will owe use tax based on each item's purchase price or as otherwise provided by law.

5. Description of property to be purchased for resale:

6. I have read and understand the following:

For Your Information: A person may be guilty of a misdemeanor under Revenue and Taxation Code section 6094.5 if the purchaser knows at the time of purchase that he or she will not resell the purchased item prior to any use (other than retention, demonstration, or display while holding it for resale) and he or she furnishes a resale certificate to avoid payment to the seller of an amount as tax. Additionally, a person misusing a resale certificate for personal gain or to evade the payment of tax is liable, for each purchase, for the tax that would have been due, plus a penalty of 10 percent of the tax or \$500, whichever is more.

NAME OF PURCHASER _____

SIGNATURE OF PURCHASER, PURCHASER'S EMPLOYEE OR AUTHORIZED REPRESENTATIVE _____

 PRINTED NAME OF PERSON SIGNING _____

TITLE _____

ADDRESS OF PURCHASER _____

TELEPHONE NUMBER _____

() DATE _____

Local # _____

AA# _____

POWER OF ATTORNEY

_____ (“Client”) hereby irrevocably appoints **Brasher’s Auctions** (Brasher’s Auto Auctions, a Utah Corporation d/b/a Brasher’s Salt Lake Auto Auction; Brasher’s Sacramento Auto Auction, Inc., a California Corporation, Brasher’s Northwest Auto Auction, Inc., an Oregon Corporation, Brasher’s Cascade Auto Auction, Inc., an Oregon Corporation d/b/a/ Brasher’s Portland Auto Auction; Brasher’s Reno Auto Auction, LLC, a Utah Limited Liability Company; Brasher’s Sacramento Auto Auction, Inc., a California Corporation d/b/a/ Brasher’s San Jose Auto Auction; and any other affiliate now in existence or later acquired) and its designees (“Auction”) to execute on behalf of Client,

(a) certificates of title and/or registration of such vehicles, odometer disclosure statements and such other documents deemed necessary to convey to purchasers at auction good title to vehicles consigned by the undersigned.

(b) the odometer disclosure statement and to enter the mileage of such vehicle, unless directed otherwise in writing. Client represents that such mileage readings are true and correct.

Client further agrees to indemnify and hold harmless, Auction and its designees acting pursuant to this power of attorney against any and all costs, claims, or actions whatsoever, including reasonable attorney’s fees based upon or resulting from inaccuracy of the odometer reading on any vehicles or odometer statement prepared in connection with the sale at auction of any vehicle, unless such inaccuracy is caused by Auction or its designees.

In addition “Client” hereby irrevocably appoints “Auction” to,

(a) sign Purchase Agreements on Client’s behalf for vehicles purchased at Auction “In Lane” or “On Line”.

(b) sign Purchase Agreements for Client for “Ifs” or “Offers” initiated by Client or its agents or designees and sold to Client.

Client agrees to pay for such vehicles and to indemnify and hold harmless, Auction and its designees acting pursuant to this power of attorney against any and all costs, claims or actions whatsoever including reasonable attorney’s fees.

By: _____
Authorized Officer (**Printed**) Office

By: _____
Authorized Officer (**Signature**) Dealership Name (**printed**)

State of _____ County of _____

On _____ before me _____ personally
Date Name and Title of notary officer

appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s), acted, executed the instrument.

I certify under PENALTY OF PERJURY UNDER THE LAWS OF THE State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____