

Sunseeker Boat

By Order of U.S. Bankruptcy Court, Southern District of FL – Ft. Lauderdale Division
Marika Tolz, Chapter 11 Trustee, Case No. 09-32179-BKC-RBR
Re: The Hideaway Marina Limited Partnership
599 South Federal Highway, Pompano Beach, Florida 33062
Thursday, April 1, 2010 @ 11:00 A.M. E.D.T.

GENERAL AUCTION PROCEDURES, TERMS & CONDITIONS OF SALE:

1. REGISTRATION:

To be eligible to bid in this Auction, you must first register and receive an assigned bidder number. To qualify for registration, you must tender a **\$10,000.00** refundable deposit in the form of Cashier's Check payable to "**MARIKA TOLZ, TRUSTEE**" and have a valid driver's license providing full name and current address.

2. MERCHANDISE:

The boat is to be sold for cash at the fall of the hammer, subject only to the U.S. Bankruptcy Court / Trustee's approval. All such sales are final. The boat will be sold "AS IS" "WHERE IS" and with all faults with no guarantees or warranties express or implied. Inspection as to condition of the boat sold is to be the sole responsibility of the buyer. FISHER AUCTION CO., INC., the Trustee, the Debtor, U.S. Bankruptcy Court, nor its agents will be responsible for the correct description, genuineness, authenticity, or defect in the boat, and makes no warranty in connection therewith. The sale will not be set aside or allowance made on account of any imperfection not noted, and there will be no deductions for damages. The description is subject to error, omissions, deletions, and changes.

3. BUYER'S PREMIUM:

There will be a ten percent (10%) Buyer's Premium charged and included in the total purchase price.

4. TAX:

Sales tax (6%) will be charged in accordance with state laws. Dealers must provide a copy of their 2010 certificate of resale.

5. DEPOSITS:

A ten percent (10%) total deposit must be paid by the highest bidder immediately following the Auction. The deposit is to be made payable to Marika Tolz Trustee, in a personal or business check form from a U.S. Bank.

6. SETTLEMENT:

Final payment must be made in full no later than 12:00 P.M., Friday, April 2, 2010. The final payment to be made in cashier's check or wire transfer made payable to "**MARIKA TOLZ, TRUSTEE**". All forms of payment to be in U.S. Dollars. **Removal to be made by 5:00 P.M. on April 2, 2010.**

7. BILL OF SALE:

Upon final payment, a Trustee Bill of Sale will be provided for the boat purchased by the bidder.

8. ANNOUNCEMENTS:

All announcements made Auction Day take precedence over any previous material or statements, written or oral. All information was derived from sources believed to be correct but are not guaranteed. **The U.S. Bankruptcy Court / Trustee reserves the right to withdraw the boat from the auction prior to sale and retains the right to alter, change, amend or modify the General Auction Procedures, Terms and Conditions of Sale at anytime.** In case of a disputed bid, the decision of the Auctioneer shall be final. The U.S. Bankruptcy Court / Trustee reserves the right to accept or reject any bid in its sole and absolute discretion.

THE AUCTION IS SUBJECT TO ADDITIONAL TERMS OF SALE AND COURT APPROVAL AS NECESSARY.

IN ACCEPTANCE OF THESE ABOVE GENERAL AUCTION PROCEDURES, TERMS AND CONDITIONS OF SALE, PURCHASER HERETO AFFIXES HIS/HER SIGNATURE:

Bidder's No.: _____ Bidder's Signature: _____ Date: _____