



# CUNNINGHAM & ASSOCIATES, INC.

Auctions

Liquidations

Asset Appraisals

## **Auction: Forced Sale of Roberts Roofing 3825 E. 38th St., Tucson, AZ**

**Wednesday, October 15, 2008 at 10 AM**

Thank you for attending our auction today. Please read the "Terms and Conditions" in your auction catalogue. Ask questions of the auctioneer if you are not sure of any details.

### **UPCOMING AUCTIONS**

Please visit our website at [AuctionAZ.com](http://AuctionAZ.com) for details of all our upcoming auctions.

- Auction: **Thursday, October 15, 10 AM** Forced auction of the business inventory and intangibles of Move 'N Store. This business will be auctioned at our real estate conference room located at 6502 N. 27<sup>th</sup> Ave., Phoenix, AZ.
- Real Estate Auction: **Wednesday, October 29 10 AM** AUCTION of Silverado Cleaners in Mesa, AZ. Preview: Tuesday, October 28, 1324 S. Country Club Dr., Mesa, AZ, then the auction will be held Wednesday in our real estate conference room at 10 AM. 6502 N. 27<sup>th</sup> Ave., Phoenix, AZ.
- Auction: **Wednesday, November 5, 10 AM** Cunningham & Associates warehouse auction. Preview: Tuesday, November 4, 10am-4pm. Bankruptcies, vehicles, ATV's, jewelry, fine art, and much, much more! 6502 N. 27<sup>th</sup> Ave., Phoenix, AZ.
- Real Estate Auction: **Wednesday, November 5, 2008, 10 AM**, Real Estate Auction to be held in the AuctionAZ.com real estate conference room. 6502 N. 27<sup>th</sup> Ave., Phoenix, AZ. Single family home on 20 +/- acres of horse property with 2 barns in Vernon, AZ, .56 acre of vacant land in Cochise County, a single family home in Show Low, AZ, a cul-de-sac lot in Flagstaff, AZ.
- Auction: **Thursday, November 6, 6 PM** Luxury condominium home auction. To be held at 7300 E. Gainey Suites Dr., Scottsdale, AZ, in the main ballroom. 18 luxury condos in Scottsdale, AZ to be sold at auction.  
Auction: **Wednesday, December 3, 10 AM** Cunningham & Associates warehouse auction. 6502 N. 27<sup>th</sup> Ave., Phoenix, AZ. Inspection: December 2, 10am-4pm.
- Real Estate Auction: **Wednesday, December 3, 10 AM** Court-Ordered RECEIVERSHIP AUCTION of approx. .43 acre beachfront property near Cabo San Lucas, Mexico. This property will be auctioned in the real estate conference room of our new facility located at 6502 N. 27<sup>th</sup> Ave., Phoenix, AZ.

We are busier than we have ever been. New auctions are literally being added on a daily basis, so check our websites often for news.

[AuctionAZ.com](http://AuctionAZ.com)

## TERMS AND CONDITIONS

PLEASE NOTE: All bidders and others attending this auction agree that they have read and fully understand these terms and conditions and agree to be bound thereby.

INSPECTION AND PRE-REGISTRATION: Inspection for warehouse auctions, Tuesday, from 10:00 AM to 4:00 PM. On-site auction inspection is usually the day before the auction from 10:00 AM to 4:00 PM. All buyers are encouraged to inspect all items prior to bidding.

REGISTRATION: All purchasers are required to register and give the necessary information requested. The bidder shall give his/her name, physical address and mailing address and his/her driver's license number. A major credit card will also be necessary for Internet bidders. A \$200 cash deposit will be required of all bidders. You are responsible for all purchases made with your number, whether by you or by anyone you might allow to use your number.

TERMS: All purchases require PAYMENT-IN-FULL prior to removal and before 12:00 Noon the first business day following the auction. CASH, CASHIER'S CHECK, WIRE TRANSFERS or CERTIFIED FUNDS accepted. Buyers must furnish a copy of Arizona resale license prior to bidder registration if buying for resale. Fax a copy of the resale license to 480-733-4748.

SALES TAX: Unless a tax resale license is provided prior to date of sale, the purchaser will be required to pay the combined Arizona State and local sales tax totaling 8.3%. Out of state bidders will not be charged sales tax if the items are shipped to the bidder, proof of out of state residency must be provided.

DEFAULT: In default the second highest bidder will be given the option to become the successful bidder at his/her last bid. The bidder in default will be responsible for the difference in the bids, or the entire amount of his/her bid should the second highest bidder not take the option to become the successful bidder. The default bidder will also forfeit his \$200.00 deposit. A service charge of 1 1/2% per month, 18% APR, will be added to all overdue accounts. The bidder in default is also liable for all legal and collection fees.

PAYMENT DEADLINE FOR IN STATE BIDDERS: An account becomes overdue at 12 Noon, Arizona Time, the first business day following the auction for all in state bidders.

PAYMENT DEADLINE FOR OUT OF STATE BIDDERS: Out of state and Internet bidders have until 12 Noon, Arizona Time, the third business day following the auction to pay with cashier's check or wire transfer. Wire transfer instruction will be available to all successful bidders.

NO WARRANTY: There is no warranty relating to title, possession, quiet enjoyment or the like in this disposition. Everything in this auction is being sold "AS IS - WHERE IS" to the highest bidder, without warranty or guarantee of any kind. ALL SALES ARE FINAL. Cunningham & Associates, Inc. is not responsible for missing or broken items after the auctioneer sells that item. ABSOLUTELY NO REFUNDS.

CONDITION OF ITEMS SOLD: The auctioneer shall not be responsible for the correct description, authenticity of, or defect in any lot, and makes no warranty in connection therewith. No allowance will be made or sale set aside on account of any incorrectness, error in cataloguing, or any imperfection not noted. No deduction will be allowed on damaged articles as all goods being exposed for public exhibition are sold as is and without recourse.

SALES LIST: The sales list is furnished by the auctioneer as a guide only. No guarantee as to the accuracy or description is made. Deletions and additions may take place.

SHIPPING: Bidders are responsible for the shipping of all items purchased.

REMOVAL: All items require PAYMENT-IN-FULL and an authorized receipt prior to removal. All items must be removed from the premises by 4:00 PM the second business day following the auction. Removal shall be at the expense, liability and risk of the purchaser. Failure to remove items constitutes forfeiture of the items and the bidder's deposit. The auctioneer reserves the right to resell non-removed items at the next scheduled auction. Internet bidders will have more time to allow for removal and shipping.

STORAGE FEES: A \$5.00 storage fee per lot will be charged per day if the items are not picked up by the second business day following the auction. Storage fees must be paid prior to removal of the items.

PERSONAL AND PROPERTY RISK: Persons attending the auction or preview, during exhibition, sale or removal goods assume all risks of damage of or loss to person or property and specifically release the auctioneer from liability therefore. Neither the auctioneer nor his principal(s) shall be liable by reason of any defect in, or condition of the premises on which the sale is held.

PERMANENT BIDDER NUMBERS: Cunningham and Associates Auctioneers, Inc. issues permanent bidder numbers to those preferred customers, at their request, who have bid at our auctions without default for over five years. There is no deposit required for these bidder numbers. Permanent bidder numbers may only be used by the person to whom they are registered.

DISPUTE BETWEEN BIDDERS: If any dispute between bidders occurs the auctioneer may decide to put the lot up for sale again. The auctioneer's decision is final and absolute.

SALE BY ESTIMATED WEIGHT, COUNT, OR MEASURE: When items are sold in this manner the purchaser will be billed accordingly. If upon delivery a shortage exists, the purchaser will receive a refund at the rate of purchase. However, if there is an excess the purchaser will be billed in the same manner and required to take the excess.

AUCTION TERMINOLOGY: It is the responsibility of the bidder to understand the manner in which items are being sold. When the auctioneer says "one times the money" or "all for one money" it means that the item(s) are being sold as a lot. If the auctioneer says "times the bid" or "times the money" it means that the bidder will pay the bid amount times the number of items in the lot. THE BIDDER MUST UNDERSTAND WHAT HE IS BIDDING ON AND HOW IT IS BEING SOLD. NO REFUNDS.

ADDITION TO OR WITHDRAWAL FROM SALE: The auctioneer reserves the right to withdraw from the sale any property listed and also to add property not listed to the sale. Also, the auctioneer may group lots or subdivide lots in order to benefit the seller. The auctioneer reserves the right to sell the property listed in bulk.

RECORD: The record of sale that is kept by the auctioneer or his clerk will be taken as final word in the event of a dispute.

AGENCY: The auctioneer is only an agent and is not responsible for the actions of his consignor(s).

ANNOUNCEMENTS: Any announcements on the day of the auctions shall take precedence over any previously distributed information or advertising. Listen to opening announcements, as they are important. The auctioneer may announce additional information or terms during the course of the auction.

AUCTIONEER'S LIABILITY: If for any reason whatsoever the auctioneer fails to deliver an awarded lot, the auctioneer's sole liability shall be the return of any deposit or moneys paid on such non-delivered lot.

VEHICLES: Vehicles and equipment will be sold at 12:00 Noon, Arizona Time.

TITLE: When the item is announced "SOLD" by the auctioneer it immediately becomes the buyer's responsibility. Title to the item transfers to the buyer at that time. The seller(s), however, maintain a first security interest in all items until payment is received, including the collection of all funds. Cunningham and Associates, Inc. and its personnel assume no responsibility for any missing or damaged items and are not acting as the buyer's security agent. CUNNINGHAM & ASSOCIATES, INC. WILL NOT REFUND ANY BUYER FOR MISSING, STOLEN OR BROKEN ITEMS.

BUYBACKS: Cunningham & Associates, Inc. does not permit consignors to repurchase or bid on their consigned items. If you suspect that this is occurring, please bring it to the attention of the auctioneer.

REWARD: A \$500 reward will be paid to anyone who leads to the arrest and prosecution of any person caught stealing, renumbering, or shuffling items from lot to lot; before, during or after the auction. A reward of \$500 will also be paid for information leading to the prosecution of anyone tampering with vehicles.

**BIDDERS ARE RESPONSIBLE FOR REPAIR OF ANY DAMAGE CAUSED BY REMOVAL OF ASSETS**

**ALL ACCOUNTS MUST BE PAID BY 12 NOON THE DAY FOLLOWING THE AUCTION WITH CASH, CASHIER'S CHECK OR WIRE TRANSFER**

I, \_\_\_\_\_, agree with the terms and conditions of this auction.

Printed Name

\_\_\_\_\_

Signature

Date

Bidder#

<b>LOT#</b>	<b>QTY</b>	<b>DESCRIPTION</b>	<b>LOT#</b>	<b>QTY</b>	<b>DESCRIPTION</b>
1001	1	Alltel and Kyocera cell phones	1033	1	HP Pavilion 542x Celeron CPU, HP Pavilion mx 70 monitor, keyboard, mouse
1002	3	Samsung and Alltel flip phones	1034	1	HP Pavilion 542x Celeron CPU, HP Pavilion mx 70 monitor, keyboard, mouse, speakers
1003	5	Alltel LG cell phones	1035	1	Surge protector power supplies
1004	5	Alltel LG cell phones	1036	1	5 drawer wooden desk
1005	1	Verison wireless LG camera phone	1037	1	6 drawer metal desk
1006	9	Kyocera cell phones	1038	1	6 drawer metal desk
1007	7	Office phones	1039	1	5 shelf wooden bookcase
1008	1	Robert's Roof caps	1040	1	5 shelf wooden bookcase
1008	1	Blue print reading table	1041	1	Contents of cabinet, office supplies
1009	1	5 shelf bookcase	1042	1	2 door cabinet
1010	1	5 shelf bookcase	1043	1	2 wall shelves
1011	1	Fellows paper shreder	1044	1	5 metal work order ticket boxes
1012	1	2 wooden wall shelves	1045	1	Clipboards
1013	1	Wooden credenza	1046	1	Radios
1014	1	Wooden office desk	1047	1	Computer components
1015	1	Metal cash boxes and decorative tins	1048	2	Electric adding machines
1016	1	Metal 4 drawer file cabinet	1049	3	Electric adding machines
1017	1	Metal 4 drawer file cabinet	1050	3	Electric adding machines
1018	1	Metal 4 drawer file cabinet	1051	1	Blue print table with pigeon hole base
1019	1	Metal 4 drawer file cabinet	1052	1	Office supplies and organizers
1020	1	Cork boards and white boards	1053	9	Office chairs
1021	4	Waste cans	1054	1	Desk set
1022	1	Carpet protectors	1055	1	5 drawer metal file cabinet
1023	1	HP Deskjet 3650 printer	1056	1	4 drawer metal file cabinet
1024	1	HP Laserjet 1020 printer	1057	1	4 drawer metal file cabinet
1025	1	HP Fax 1250	1058	1	4 drawer metal file cabinet
1026	1	HP Laserjet 1012 printer	1059	1	4 drawer metal file cabinet
1027	1	HP Laserjet 1012 printer	1060	1	4 drawer metal file cabinet
1028	1	HP Laserjet 1012 printer	1061	1	Ke-master key control system lock box
1029	1	Dell Dimension 4300 pentium 4 CPU, Dell HP Pavilion mx 70 monitor, keyboard, mouse, speakers	1062	1	Electric space heater
1030	1	Dell Optiplex 320 Core 2 Duo CPU, Dell flat screen monitor, keyboard, mouse	1063	1	Contents of restroom
1031	1	Dell Dimension 4300 pentium 4 CPU, Dell monitor, keyboard, mouse, speakers	1064	1	Gestetner copy machine
1032	1	Dell Optiplex 320 Core 2 Duo CPU, Dell monitor	1065	1	6 shelf bookcase

<b>LOT#</b>	<b>QTY</b>	<b>DESCRIPTION</b>	<b>LOT#</b>	<b>QTY</b>	<b>DESCRIPTION</b>
1066	1	Reception desk	1095	1	Pallet of misc. gas motor, bucket dolly and drum dolly
1067	1	TV stand with microwave oven and coffee maker	1096	1	Pallet of misc. pedestal grinder, hydraulic jack and electric motors
1068	1	Reception desk	1097	1	Pallet of misc.
1069	1	Printer stand	1098	1	Pallet of misc. parts
1070	1	Lockers	1099	1	Pallet of misc.
1071	1	Fasteners and misc. items	1100	1	Pallet of parts cabinets
1072	1	Contents of shelves	1101	1	Misc. lumber and trim
1073	1	Contents of shelves	1102	1	Pallet of misc.
1074	1	Contents of shelves	1103	1	Pallet of misc. nuts, bolts, hoses and straps
1075	1	Werner 8' step ladder	1104	1	Pallet of misc.
1076	1	Werner 8' step ladder	1105	1	Pallet of misc.
1077	1	Werner 28' fiberglass extension ladder	1106	1	Pallet of misc. tow straps, load straps, boomers
1078	1	Werner 32' aluminum extension ladder	1107	1	Pallet of misc.
1079	1	Werner 32' aluminum extension ladder	1108	1	Hydraulic pump, tank and winch
1080	1	Werner 32' aluminum extension ladder	1109	1	Pallet of misc.
1081	1	Werner 32' aluminum extension ladder	1110	1	Powered Sheet metal roll machine
1082	1	Werner 32' aluminum extension ladder	1111	1	Sheet metal brake
1083	1	Werner 16' aluminum extension ladder	1112	1	Handyman jack
1084	1	Werner 16' fiberglass extension ladder	1113	1	Handyman jack
1085	1	Werner 16' aluminum extension ladder	1114	1	Work bench
1086	1	Werner 24' aluminum extension ladder	1115	1	Hot pot with 8 HP motor
1087	1	Werner 32' aluminum extension ladder	1116	1	Hydraulic floor jack
1088	1	Werner 32' aluminum extension ladder	1117	1	Hydraulic floor jack
1089	1	Werner 40' aluminum extension ladder	1118	1	Drum dolly
1090	1	Werner 40' aluminum extension ladder	1119	9	Fire extinguishers
1091	1	Werner 40' aluminum extension ladder	1120	1	Shop vac
1092	1	1/4 BB 3/4 to 1 1/4 perlite taper panels	1121	1	Quick drive with cartridge
1093	1	Pallet of fasteners	1122	1	Rail cart
1094	1	Pallet of belts and hoses	1123	2	Quick drives with attachments

LOT#	QTY	DESCRIPTION	LOT#	QTY	DESCRIPTION
1124	1	Safety reflective triangles	1161	1	Measure wheel
1125	1	Ramset	1162	1	Work bench
1126	1	Ramset	1163	1	Work bench
1127	1	Dewalt angle grinder	1164	1	Work table
1128	1	Makita 12 volt cordless drill	1165	1	Work table
1129	1	Trakfast ramset	1166	1	2 mini vacs
1130	1	Dewalt 12 volt cordless drill	1167	1	Justrite oily rag can
1131	1	Bosch bulldog hammer drill	1168	1	Cart
1132	1	Chicago Electric angle grinder	1169	1	Schumacher battery charger
1133	1	Gas powered pump	1170	1	Inteck pressure washer
1134	1	Proto tool box	1171	1	Power-Quip Enduro XL/C 357 CC 7500 watt generator
1135	1	Tool box	1172	1	Power-Quip self priming gas powered pump
1136	1	5 electric screw guns	1173	1	Power-Quip 5 HP air compressor
1137	1	Craftsman circular saw	1174	1	Power-Quip self priming gas powered pump
1138	1	Skilsaw circular saw	1175	1	Power-Quip 3800 watt generator
1139	1	Skilsaw circular saw	1176	1	Gas powered generator
1140	1	Skilsaw circular saw	1177	1	Coleman Powermate 3000 watt generator
1141	1	Skilsaw circular saw	1178	1	Pallet of misc.
1142	1	Partner gas powered concrete tile saw	1179	1	Pallet of misc.
1143	1	Partner gas powered concrete tile saw	1180	1	Pallet of misc.
1144	1	Partner gas powered concrete tile saw	1181	1	Pallet of misc. fasteners
1145	1	Makita cutoff saw	1182	1	Pallet of misc. fasteners
1146	1	Makita reciprocating saw	1183	1	Job box with contents
1147	1	Bosch bulldog hammer drill	1184	1	Campbell Hausfeld 230 volt, 7 1/2 HP 60 gallon 125 PSI air compressor
1148	1	Bosch nibbler	1185	1	Lister Varimat membrane material welder
1149	1	5 Electric screw guns	1186	1	Shovels, brooms and misc.
1150	1	Chicago Electric angle grinder	1187	1	Metal 4 drawer file cabinet
1151	1	Ramset dyna drill	1188	1	Metal 4 drawer file cabinet
1152	1	3/4" impact wrench	1189	1	Metal 4 drawer file cabinet
1153	1	Senco pneumatic stapler	1190	1	Metal 4 drawer file cabinet
1154	1	Bostitch pneumatic stapler	1191	1	The Little Giant aluminum ladder
1155	1	Senco pneumatic nailer	1192	1	The Little Giant aluminum ladder
1156	1	Senco pneumatic nailer	1193	1	Propane forge
1157	1	Paint spray gun and tips	1194	1	Idealarc Lincoln arc welder with leads
1158	1	Ripack master 920 propane iron	1195	1	5/32 7018 welding rod
1159	1	Ryobi 19.6 volt cordless drill with charger	1196	1	1/8 7018 welding rod
1160	2	Bolt cutters	1197	1	GE refrigerator

LOT#	QTY	DESCRIPTION	LOT#	QTY	DESCRIPTION
1198	1	Oasis water cooler	1231	2	Overhang hoist frames
1198	1	Tires and wheels	1232	1	Misc. metal and curtain material
1199	1	Rolling work bench	1233	1	Safety rail posts
1200	1	Metal job box	1234	10	Pallets roofing tar sheet rolls
1201	1	Lockers	1234	1	Lead rolls
1202	1	Entire contents of metal shed	1235	3	Pallets ducting and sheet metal rolls
1203	1	Metal shed	1236	1	Misc. cable and guy wires
1204	1	Aluminum plank	1237	1	Conveyor frame
1205	1	Aluminum plank	1238	1	Conveyor frame
1206	1	Aluminum plank	1239	1	4" pipe
1207	1	Aluminum plank	1240	1	Conveyor frame
1208	1	Perlite taper panels	1241	1	3 work tables and materials rack
1209	1	Barricade posts and fencing	1242	1	Sheet metal brake
1210	4	Wheel barrows	1243	1	Work bench with contents
1211	13	Tar kettles	1244	1	Job box with contents
1212	1	Hot pot	1245	1	Pallet of misc.
1213	1	Hot pot	1246	1	Reimann Georger hoist winch
1214	1	Hot pot	1247	1	Concrete roofing tiles
1215	1	Hot pot	1248	1	Insulation panels
1216	1	Drum cart	1249	1	Tilt dumpster
1217	1	Drum cart	1250	1	Tilt dumpster
1218	1	Pump and hose	1251	1	Tilt dumpster
1219	1	Sheet metal, trim metal, roof metal, scrap metal	1252	1	Tilt dumpster
1220	1	Metal material rack	1253	1	Tilt dumpster
1221	1	Metal material rack	1254	1	Job box with contents
1222	1	Metal cart	1255	1	Stairs
1223	1	Metal cart	1256	1	Contents of trailer, fasteners
1224	1	Trencher/edger	2001	1	Skytrak extenda lift diesel fork lift truck 1914 hours
1225	1	Hoist rack	2002	1	1990 Dodge Ram LE 350 4X4 pickup odometer states 236,912 VIN 1B7ME3682LS753247
1226	2	Metal carts	2003	1	1993 Dodge Ram 250 pickup odometer states 303,203 VIN 1B7KE26CXPS104064
1227	2	Metal carts	2004	1	1989 Dodge 350 pickup odometer states 59,293 VIN 1B6ME3682KS137941
1228	3	Tar carts	2005	1	1990 Isuzu flatbed truck odometer states 25,420 VIN JALB4B1H0L7001883
1229	1	Scaffolding	2006	1	Mobile home office trailer no title storage or office trailer only
1230	1	Metal hoist tubs	2007	1	Fruehauf semi box trailer no title storage only.

LOT#	QTY	DESCRIPTION	LOT#	QTY	DESCRIPTION
2008	1	1987 Isuzu flatbed truck odometer states 263,514 VIN JAMJP7489H9401976	2020	1	1990 Dodge Ram 250 pickup odometer states 256,459 VIN 1B7KM2687LS650068
2009	1	1994 Dodge Dakota sport pickup odometer states 301,485 VIN 1B7FL26XXRW138950	2021	1	1993 Dodge Ram 250 pickup odometer states 309,494 VIN 1B7KM26C6PS257608
2010	1	1989 International S 1700 scissor lift hoist bed truck odometer states 40,936 VIN 1HTLCCFPXKH637561	2022	1	1992 Isuzu NPR flatbed fuel truck odometer states 238,211 VIN JALB4B1K4N7010231
2011	1	Hyster 4,000 lbs forklift no runner 7576 hours	2023	1	Hot pot trailer
2012	1	Nissan 4,000 lbs forklift 9558 hours	2024	1	Leroi air compressor
2013	1	Hydraulic extension man lift	2025	1	24' gooseneck triple axle dovetail trailer with winch and ramps
2014	1	1994 Toyota pickup odometer states 232,353 VIN 4TARN81A1RZ219844	2026	1	Hot pot trailer
2015	1	1993 Dodge Ram 350 LE 1 ton dually flatbed truck odometer states 168,987 VIN 1B6ME36C6PS102718	2027	1	Hot pot trailer
2016	1	1981 International S 1700 conveyor truck odometer states 14,986 VIN AA185BCA10176	2028	1	Hot pot trailer
2017	1	1987 International S 1900 scissor lift bed truck odometer states 299,527 VIN 1HTLDTV0HHA24729	2029	1	Hot pot trailer
2018	1	1981 International S scissor lift bed truck odometer states 188,839 VIN 1HTAA18E3BHA24424			
2019	1	1989 International S 1700 scissor lift bed truck odometer states 21,181 VIN 1HTLCCFPXKH637564			