

# 2018 RULES OF SALE

## Live Auction Sale



### BUYER'S PREMIUM

The purchase price will be the hammer price plus a PREMIUM OF FIFTEEN PERCENT (15%) on any individual lot. The buyer's premium is calculated separately for each lot. Checks are preferred and shall be made payable to the Briscoe Western Art Museum. Visa, MasterCard, American Express, and Discover are also accepted and subject to a 3% service charge. When applicable, state and local sales tax will be added to the purchase price. Tax exemptions will be verified, and buyers must present proof of exemption at the time of purchase.

### GENERAL INFORMATION

The inaugural *Night of Artists* Live Auction Sale will feature up to 30 select works submitted by premier Western artists. It will commence at 7:00pm on Friday, March 23, 2018.

- All artwork is sold "as is."
- The Briscoe Museum is an agent for the owner of the artwork. The Museum assumes no risk, liability, or responsibility for the authenticity or the authorship of any art piece identified in the catalog.
- The Museum reserves the right to withdraw any art piece at any time before the sale and shall have no liability whatsoever for such withdrawal.
- Some items may be offered with a "reserve," which is the minimum price below which the lot will not be sold. In no event shall the reserve exceed the low estimate listed in the catalog.
- The Museum reserves the right to reject a bid. In the event of any dispute between bidders, or in the event of doubt as to the validity of any bid, the auctioneer shall have the final discretion to determine the successful bidder, cancel the sale, or reopen and resell the art piece in dispute. If any dispute arises after the sale, the Museum's sale record shall be the final and conclusive record of the sale.
- Unless announced otherwise by the auctioneer, all bids are per lot and numbered in the catalog. Successful bidders shall pay for their purchases during or immediately following the auction. Payment may be made by cash, check, cashier's check, or credit card.
- Upon acknowledgement of the winning bidder by the auctioneer, title to the art piece shall pass to the bidder. The sale is complete when the auctioneer announces the sale by the fall of the hammer or other customary manner. The auctioneer retains all authority and discretion allowed by law. All sales are final and there will be no exchanges or refunds on art pieces. The buyer assumes full risk and responsibility for the lot and shall immediately pay the full purchase price, unless prior arrangements are approved by Staff. In addition, the buyer will be required to sign a Sales Agreement.
- Neither Briscoe Western Art Museum, nor Auctioneer, nor artist make any representations whatsoever that the Purchaser of a work of art will acquire any reproduction rights thereto.
- These Conditions of Sale and any other applicable conditions, as well as the Purchaser's and Briscoe Western Art Museum's rights and obligations herein, shall be governed by, construed, and enforced in accordance with the laws of the State of Texas.
- Bidding on any item indicates the bidder's acceptance of these terms and all other terms announced at the time of sale, whether bidding in person, by absentee bid, or through a representative.

### BIDDING INCREMENTS

Under \$2,000	\$100
\$2,000-\$5,000	\$250
\$5,000-\$10,000	\$500
\$10,000-\$20,000	\$1,000
\$20,000-\$50,000	\$2,500
\$50,000-\$100,000	\$5,000
Over \$100,000	\$10,000

### DELIVERY

ALL ARTWORK WILL REMAIN ON DISPLAY THROUGH MAY 6, 2018. The Museum will contact the buyer within two weeks of the purchase date to outline pick-up and shipping options. All shipping costs and arrangements are the responsibility of the buyer.

### ABSENTEE SERVICES

Confidential absentee bid orders for auction items may also be completed and will be executed by Briscoe Western Art Museum on behalf of the Purchaser during the auction. The Museum shall not be responsible for any errors or omissions or failure to execute such intent to purchase orders or auction bids. This service is offered free to registered ticketholders; all others must pay a service fee of \$50. Please contact Larry Fischer, Head of Finance, for more information ([lfischer@briscoemuseum.org](mailto:lfischer@briscoemuseum.org); 210.507.4854).

Updated on 2.16.18