

**MACKENZIE’S FOUNDATION**  
**HOME RAFFLE**

Mackenzie’s Foundation, a Michigan nonprofit corporation (the “Foundation”), is conducting the Mackenzie’s Foundation Home Raffle (the “Mackenzie’s Foundation Home Raffle”). The grand prize winner of the Mackenzie’s Foundation Home Raffle will receive a previously un-sold condominium at Boardwalk Condominiums. Set forth below are the official rules (“Official Rules”) for the Mackenzie’s Foundation Home Raffle. The Official Rules describe all of the qualifications, procedures, and prizes that will be awarded and are in keeping with the requirements set forth in Act 382 of the Public Acts of 1972, as amended, State of Michigan (Michigan Compiled Laws 432.101 et seq; the “Act”) and the rules of the Michigan Charitable Gaming Division (Rules 432.21101 et seq; the “Charitable Gaming Division Rules”).

**OFFICIAL RULES OF THE**  
**MACKENZIE’S FOUNDATION HOME RAFFLE**

The Official Rules of the Mackenzie’s Foundation Home Raffle (License No. C24909) are as follows.

**I. RAFFLE TICKETS**

A. How to Purchase Tickets. In order to participate in the Mackenzie’s Foundation Home Raffle, you must complete a Raffle Ticket Order Form and purchase one or more tickets (“Raffle Tickets”). Raffle Ticket Order Forms and payment may be delivered directly to the Foundation at 8935 Thompson Road, Lake Odessa, Michigan between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. You may also purchase one or more Raffle Tickets by mailing a completed and signed Raffle Ticket Order Form to the Foundation along with payment for the Raffle Ticket(s) or by faxing the completed and signed Raffle Ticket Order Form (including credit card payment authorization) to the Foundation. Raffle Ticket Order Forms may be obtained at the Foundation’s website: [www.mackenziesfoundation.org](http://www.mackenziesfoundation.org). The Foundation’s facsimile number is (616) 855-2285. You may also call the Foundation and purchase Raffle Tickets through a representative of the Mackenzie’s Foundation Home Raffle. The telephone number for the Foundation is (616) 693-2490. Raffle

Tickets may be paid for by cash, check, Visa, Master Card, or Discover Card.

All purchasers of Raffle Tickets must provide their full legal name, home phone number, and physical mailing address.

All sales of Raffle Tickets are final unless otherwise specified in these Official Rules. No Raffle Ticket refunds will be made, except as noted herein. The Foundation will reject all Raffle Ticket purchase requests if the purchaser's check is returned due to insufficient funds, credit card payment is not honored, or for any other payment deficiency that is not remedied by the purchaser before the deadline for the date of the drawing. Correction of any such payment deficiency is the sole responsibility of the Raffle Ticket purchaser.

B. Eligibility To Purchase Raffle Tickets. You must be age 18 years or older at the time of purchasing a Raffle Ticket. No employees or members of the board of directors of the Foundation are eligible to purchase Raffle Tickets in the Mackenzie's Foundation Home Raffle. Raffle Tickets may only be purchased by individuals, and each Raffle Ticket may only be in the name of one individual.

C. Cost of Raffle Tickets. The Foundation will sell Raffle Tickets for the price of One Hundred and 00/100 U.S. Dollars (\$100.00) per Raffle Ticket. The Foundation will discount the selling price if a purchaser purchases a group of three (3) Raffle Tickets or a group of ten (10) Raffle Tickets. The Foundation will sell a group of three (3) Raffle Tickets for Two Hundred Seventy Five and 00/100 U.S. Dollars (\$275.00) and will sell a group of ten (10) Raffle Tickets for Eight Hundred and 00/100 U.S. Dollars (\$800.00). A summary of the Raffle Ticket prices is as follows:

	<u>Selling Price (in U.S. Dollars)</u>
Single Raffle Tickets	\$100.00
Group of 3 Raffle Tickets	\$275.00
Group of 10 Raffle Tickets	\$800.00

D. Maximum Raffle Ticket Sales. The Foundation will not sell more than Ten Thousand (10,000) Raffle Tickets for the Mackenzie's Foundation Home Raffle.

## II. RAFFLE DRAWINGS.

A. Overview of Raffle Drawings. The Mackenzie's Foundation Home Raffle will consist of four (4) separate drawings: The First Early Bird Drawing, the Second Early Bird Drawing, the Multi-Ticket Drawing, and the Grand Prize Drawing. Prize winners (individually a "Prize Winner" and collectively "Prize Winners") need not be present at the drawings to win.

1. First Early Bird Drawing. Each Raffle Ticket Order Form for Raffle Tickets purchased prior to 5:00 p.m. (EST), Friday, July 2, 2010, will entitle the purchaser to receive First Early Bird Drawing Raffle Tickets ("1EB Raffle Tickets") in number equal to the number of Raffle Tickets purchased prior to such date and time. The First Early Bird Drawing will occur on Thursday, July 8, 2010, and will consist of four (4) separate drawings for the following prizes, which may be cash or a prize of equivalent value at the discretion of the Foundation:

- (1) \$250
- (2) \$500
- (3) \$1,000
- (4) \$2,500

1EB Raffle Tickets are not eligible to win more than one (1) First Early Bird Drawing and, accordingly, once drawn as a winning ticket, a 1EB Raffle Ticket will not be redeposited in the pool of 1EB Raffle Tickets.

2. Second Early Bird Drawing. Each Raffle Ticket Order Form for Raffle Tickets purchased after 5:00 p.m. (EST), Friday, July 2, 2010, but before 5:00 p.m. on Friday, August 20, 2010, will entitle the purchaser to receive Second Early Bird Drawing Raffle Tickets ("2EB Raffle Tickets") in number equal to the number of Raffle Tickets purchased during such time period. The Second Early Bird Drawing will occur on Saturday, August 28, 2010, and will consist of

four (4) separate drawings for the following prizes, which may be cash or a prize of equivalent value at the discretion of the Foundation:

- (1) \$250
- (2) \$500
- (3) \$1,000
- (4) \$2,500

2EB Raffle Tickets are not eligible to win more than one (1) Second Early Bird Drawing and, accordingly, once drawn as a winning ticket, a 2EB Raffle Ticket will not be redeposited in the pool of 2EB Raffle Tickets.

3. Multi-Ticket Drawing. Each Raffle Ticket Order Form for two (2) or more Raffle Tickets purchased before 5:00 p.m. (EST), Thursday, September 30, 2010, will entitle the purchaser to receive Multi-Ticket Drawing Raffle Tickets (“MTD Raffle Tickets”) in number equal to the number of Raffle Tickets purchased less one (1). For example, if someone purchases four (4) Raffle Tickets on a single Raffle Ticket Order Form, then the purchaser would receive three (3) MTD Raffle Tickets for the Multi-Ticket Drawing. The Multi-Ticket Drawing will occur on Thursday, October 7, 2010, and will consist of four (4) separate drawings for the following prizes, which may be cash or a prize of equivalent value at the discretion of the Foundation:

- (1) \$250
- (2) \$500
- (3) \$1,000
- (4) \$2,500

MTD Raffle Tickets are not eligible to win more than one (1) Multi-Ticket Drawing and, accordingly, once drawn as a winning ticket, a MTD Raffle Ticket will not be redeposited in the pool of MTD Raffle Tickets.

4. Grand Prize Drawing. Each Raffle Ticket Order Form for Raffle Tickets purchased prior to 5:00 p.m. (EST), Thursday, September 30, 2010, will entitle the purchaser to receive the Raffle Tickets purchased. The Grand Prize Drawing will occur on Thursday,

October 7, 2010, and will consist of one (1) single drawing. Subject to Section III of these Official Rules, the Prize Winner of the Grand Prize Drawing of the Mackenzie's Foundation Home Raffle (the "Grand Prize Winner") will receive their choice of either:

- (i) Boardwalk Condominium Unit 89, of Boardwalk Condominiums (the "Condominium"), located at 940 Monroe Avenue NW, Grand Rapids, Michigan 49504; or
- (ii) One Hundred Thousand and 00/100 U.S. Dollars (\$100,000.00) (the "Alternative Payment").

B. Location and Time of Raffle Ticket Drawings. All Raffle Ticket drawings will be held at the B.O.B., 20 Monroe Avenue NW, Grand Rapids Michigan, 49503, between the hours of 6 p.m. and 10 p.m. (EST). All Raffle Ticket drawings will be conducted by a representative of the Foundation.

C. Method of Conducting Raffle Ticket Drawings. For all drawings of Raffle Tickets under the Mackenzie's Foundation Home Raffle, the Foundation will select a person to draw, at random and in a manner that provides an equal chance for each Raffle Ticket to be drawn, one winning Raffle Ticket from the pool of all eligible Raffle Tickets. Prior to each drawing, the person drawing the Raffle Tickets shall announce the prize being raffled. The purchaser of the winning Raffle Ticket, as identified on the Raffle Ticket Order Form, will be the winner of the drawing.

D. Announcement of Prize Winners. Prize Winners will be announced by name at the drawing and verified by matching the Raffle Ticket number with the Raffle Ticket information as provided in the Raffle Ticket Order Form. All Prize Winners will be notified by telephone or certified mail, return receipt requested, based on the information provided by the purchasers of the Raffle Tickets. Telephone notifications will be attempted within 24 hours of the drawing. Mailed notifications will be made within 72 hours of the drawing.

If the Prize Winner does not respond to the Foundation within ten (10) days from the date of notification, the Foundation will make two (2) additional attempts to notify the Prize Winner via certified mail. Failure of the Prize Winner to respond within sixty (60) days of the Mackenzie's Foundation

Home Raffle drawing date will constitute forfeiture by the Prize Winner of the prize. The Foundation is not responsible for any delays or obstacles in notification due to (a) erroneous contact information; (b) any outage or delay in internet service or access; or (c) any other circumstances outside the control of the Foundation which may delay or prevent a Prize Winner from receiving the prize notifications. If a Prize Winner forfeits their prize by failing to claim their prize within such sixty (60) day period, then the Foundation will conduct another drawing using the original pool of Raffle Tickets.

### **III. Grand Prize Details.**

A. Grand Prize Winner Election. Within 21 days after the date that the Foundation notifies the Grand Prize Winner of the results of the Grand Prize Drawing, the Grand Prize Winner shall notify the Foundation of the Grand Prize Winner's decision to receive either the Condominium or the Alternative Payment. If the Grand Prize Winner fails to provide the Foundation of its affirmative election within such 21 days, the Grand Prize Winner shall be deemed to have elected to receive the Alternative Payment.

B. Condominium Details. The Foundation acquired the Condominium from Boardwalk Condos, L.L.C., a Michigan limited liability company. The Condominium was previously un-sold and so the Grand Prize Winner will be the first owner-occupant of the Condominium. The Condominium has 1,045 square feet of finished space, has two (2) bedrooms and one (1) bathroom. The Condominium includes assigned parking in the limited common element parking space located in the south parking garage (parking space #P211). The Grand Prize Winner will also receive the existing appliances installed in the Condominium, but in all respects, the Condominium will be awarded to the Grand Prize Winner in its "as-is" condition.

The legal description of the Condominium is as follows: Unit 89, Boardwalk Condominiums, a Condominium according to the Master Deed recorded in Instrument No. 20060428-0048899, as amended, in the Office of the Kent County Register of Deeds, and designated as Kent County Condominium Subdivision Plan No. 823, together with rights in general common elements and limited common elements as set forth in said Master

Deed, and amendments thereto, and as described in Act 59 of the Public Acts of 1978, as amended.

The Foundation will convey the Condominium to the Grand Prize Winner by warranty deed subject to easements, restrictions and encumbrances of record. The Foundation will pay for title insurance through Transnation Title Agency of Michigan, the State of Michigan and County of Kent transfer taxes relating to the transfer and conveyance of the Condominium to the Grand Prize Winner and the recording fees for the warranty deed.

The Grand Prize Winner will be responsible for all real property taxes, condominium association dues, and assessments due after the date of transfer to the Grand Prize Winner, and all federal, state and local income taxes associated with winning the Condominium.

Pursuant to Internal Revenue Service (“IRS”) regulations and IRS Notice 1340 (March 2005), prior to or contemporaneously with the transfer of the Condominium to the Grand Prize Winner, the Grand Prize Winner shall pay to the Foundation, and the Foundation shall remit to the IRS, an amount equal to 25% of the difference between the fair market value of the Condominium and the Grand Prize Winner’s cost of the Raffle Tickets (or more, if required by law).

The Grand Prize Winner will be responsible for all expense in owning the Condominium, after the date of transfer to the Grand Prize Winner, including, without limitation, property taxes, insurance, homeowners association fees, and utilities.

**THE CONDOMINIUM IS PROVIDED “AS IS” WITH NO GUARANTEES OR WARRANTIES FROM THE FOUNDATION OR ANY OTHER INDIVIDUALS OR ENTITIES ASSOCIATED WITH THE MACKENZIE’S FOUNDATION HOME RAFFLE.**

In the event that the Grand Prize Winner fails to comply with these requirements or is otherwise unable to close on the delivery of the Condominium within 60 days after the date that the Foundation notifies the Grand Prize Winner of the results of the Grand Prize Drawing, the Grand Prize Winner will be deemed to have: (i) rejected the Condominium as a prize, (ii) elected the Alternative Payment, and (iii) directed the Foundation

to withhold 25% of the Alternative Payment (or more, if required by law) pursuant to IRS rules and regulations.

C. Alternative Payment Details. The Alternative Payment will be paid to the Grand Prize Winner in a one-time lump sum payment. The Alternative Payment shall be reduced by all withholdings required by IRS regulations and IRS Notice 1340 (March 2005), which withholdings shall be remitted to the IRS by the Foundation.

D. 50/50 Raffle of Net Proceeds. **Notwithstanding any provision of these Official Rules to the contrary, if a minimum of Four Thousand Five Hundred (4,500) Raffle Tickets have not been sold by 5:00 p.m., Eastern Standard Time (EST), Thursday, September 30, 2010, then the Grand Prize Winner will not receive the Condominium or the Alternative Payment, but instead will receive a cash prize in an amount equal to fifty percent (50%) of the net proceeds of the Mackenzie's Foundation Home Raffle (the "Cash Prize"). The Foundation will be the recipient of the remaining fifty percent (50%) of the net proceeds.** The Grand Prize Winner consents to the Foundation withholding a portion of the Cash Prize pursuant to IRS regulations and IRS Notice 1340 (March 2005); all withholdings will be remitted to the IRS by the Foundation. The Cash Prize, net of all required withholdings, will be made to the Grand Prize Winner in the form of a check, payable to the name of the Grand Prize Winner as identified on the winning Raffle Ticket Order Form.

For purposes of these Official Rules, the term "net proceeds" shall mean all proceeds from the sale of Raffle Tickets less the Foundation's expenses directly related to conducting the Mackenzie's Foundation Home Raffle. "Expenses directly related to conducting the Mackenzie's Foundation Home Raffle" include, but are not limited to the following: (i) promotional and advertising expenses; (ii) the Foundation's cost of securing and awarding prizes for the First Early Bird Drawing, the Second Early Bird Drawing and the Multi-Ticket Drawing; (iii) all real estate transfer taxes and title insurance expenses incurred by the Foundation relating to the Condominium; and (iv) all other direct expenses in conducting the Mackenzie's Foundation Home Raffle.

#### IV. GENERAL TERMS AND CONDITIONS.

Acceptance of a prize by a Prize Winner will entitle the Foundation to use the Prize Winner's name, photograph, testimonial, likeness and prize information (or any edited portion thereof) for promotional, advertising and publicity purposes in any media, now or hereafter known through the world in perpetuity, without compensation, notice to, or further consent of, the Prize Winner. All personal information collected by the Foundation will be used for administration of the Mackenzie's Foundation Home Raffle.

All prizes are subject to, and Prize Winners are fully responsible for, payment of all federal, state and local income taxes. The Foundation has no responsibility for the payment of any income taxes associated with the prizes. Prize Winners will be required to furnish the Foundation with completed IRS Form 5754 (Statement by Persons Receiving Gambling Winnings) prior to receiving their prize from the Foundation. The Foundation will prepare IRS Form W2-G and will file IRS Form W2-G with the IRS and will furnish the Prize Winner with a copy.

Donations beyond the Raffle Ticket price will not increase the chances of winning. Amounts paid for chances in drawings for valuable prizes are not gifts and consequently do not qualify as charitable contributions.

By participating in the Mackenzie's Foundation Home Raffle, the purchaser agrees to release and hold the Foundation and its directors, officers, employees and agents, harmless from any and all losses, damages, rights, claims, and actions of any kind in connection with the Mackenzie's Foundation Home Raffle, including losses and damages relating to the use or enjoyment of the prizes. Each Prize Winner further agrees to deliver to the Foundation a signed Release (the "Release") in the form attached to these Official Rules as **Exhibit A**. The Foundation makes no representations or warranties, expressed or implied, about the Mackenzie's Foundation Home Raffle prizes to be awarded in the Mackenzie's Foundation Home Raffle.

The Foundation reserves the right to disqualify a purchaser of a Raffle Ticket(s) from participating in the Mackenzie's Foundation Home Raffle if the purchaser: (a) entered the Mackenzie's Foundation Home Raffle through any means other than as described in these Official Rules; (b) attempts to disrupt the Mackenzie's Foundation Home Raffle, (c) circumvents the terms

and conditions of these Official Rules, or (d) in any way tampers with the Mackenzie's Foundation Home Raffle.

Subject to the prior approval of the Michigan Gaming Commission, the Foundation may modify or supplement these Official Rules. All modifications and supplements to these Official Rules will be communicated to holders of Raffle Tickets.

The Foundation reserves the right to cancel the Mackenzie's Foundation Home Raffle for any reason, including if, in the sole judgment of the Foundation, the Mackenzie's Foundation Home Raffle becomes corrupted. Upon cancellation, all Raffle Ticket sales will be refunded.

All Prize Winners must claim their prize within sixty (60) days from date of drawing or the Prize Winner who fails to claim their prize will forfeit their prize. Prizes will be forfeited if Prize Winners of the Mackenzie's Foundation Home Raffle: (1) cannot be reached; (2) fail to provide signatures on the Release in a timely manner as required pursuant to these Official Rules; (3) cannot accept or receive their prize for any reason; or (4) fail to furnish the Foundation with completed IRS Form 5754. If a Prize Winner forfeits their prize, then the Foundation will conduct another drawing using the original pool of Raffle Tickets.

The Mackenzie's Foundation Home Raffle is subject to all applicable local, state, and federal laws. Should these Official Rules be in conflict with the Act or the Charitable Gaming Division Rules, the provisions of the Act or the Charitable Gaming Division Rules shall govern. Questions regarding the Mackenzie's Foundation Home Raffle can be directed to the Chairperson, Amanda Parrish, at:

Mackenzie's Foundation  
Attention: Amanda Parrish  
8935 Thompson Road  
Lake Odessa, Michigan 48849

The Foundation is not responsible for lost, late, misdirected or non-delivered mail, or any other failure to receive orders or deliver receipts prior to the Mackenzie's Foundation Home Raffle drawing deadlines. All funds submitted to the Foundation become the property of the Foundation and will

not be returned, except as otherwise provided in these Official Rules or required by law.

This Mackenzie's Foundation Home Raffle is void where prohibited or restricted by law and is subject to all applicable federal, state and local laws and regulations. This Mackenzie's Foundation Home Raffle shall be governed by the laws of the State of Michigan. The Foundation shall make all decisions related to the Mackenzie's Foundation Home Raffle in its sole discretion. By purchasing a Raffle Ticket from the Mackenzie's Foundation Home Raffle, you agree to be bound by these Official Rules and the decisions of the Foundation.

All notices given by the Foundation to a purchaser of a Raffle Ticket shall be deemed to be duly given if and when delivered personally, or two days after the notice is mailed, with postage prepaid, to the purchaser's address listed on the purchaser's Raffle Ticket Order Form. All notices given by a purchaser of a Raffle Ticket to the Foundation shall be deemed to be duly given if and when delivered personally, or two days after the notice is mailed, with postage prepaid, to the Foundation's address listed above.

Proceeds benefit the Foundation, a non-profit 501(c)(3) organization, for the Foundation's local programming, outreach, and community initiatives.

Mackenzie's Foundation's mission is:

to find loving homes for abused, abandoned and neglected dogs; to spay/neuter our rescued dogs of age and to stop the cycle of unwanted litters; to assist in public education for the betterment of our local animal community; to keep a high standard of excellence and professionalism; and to maintain the highest standards of care for the animals, including veterinary care, housing, love, tenderness and compassion.

Effective Date of these Official Rules: June 2, 2010

**MACKENZIE'S FOUNDATION**  
**HOME RAFFLE**

Amendment to House Rules for Raffle No. C24909  
Effective: Wednesday September 29, 2010

Mackenzie's Foundation has changed the official raffle ticket sales deadline of 5:00 PM EST on September 30, 2010 to 5:00 PM EST on Tuesday October 5, 2010.

This change of date also applies to the qualifications of the Multi-ticket Drawing.

The Grand Prize drawing date will remain the same, Thursday October 7, 2010.

Any questions and or concerns can be directed to the Event Chairperson Amanda Parrish at [aparrish@mackpack.info](mailto:aparrish@mackpack.info)