

SALVAGE TENDER

2008 Charles A Hess Super ES, N826CH, S/N: 001

TENDER CONDITIONS

The salvage of the above aircraft is offered in a damaged condition for public tender, on an “as-is, where-is” with all faults basis subject to these Terms and Conditions and Salvage Tender Agreement. **In particular, please read the section “Important Terms and Conditions” at the back of the Agreement.**

Date of Loss: 7/23/2023

Aircraft Location: Stark's Twin Oak Airport, Hillsboro, OR

Occurrence: Aircraft over ran the end of the runway and came to rest in a blackberry thicket.

Bids shall be submitted no later than close of business on **January 3rd, 2024 12:00PM PST/3:00PM EST**

1. Bids are to be in United States Dollars.
2. The highest bid or tender will not necessarily be accepted.
3. Once the successful Tenderer is notified that their bid has been accepted, the full purchase price must be deposited into a nominated account within **fifteen (15) days** of that notification, at which point risk of all loss in the salvage shall pass to the Tenderer.
4. The completion of the sale of the salvage and the transfer of title to the successful Tenderer will be subject to the execution of the form of FAA Bill of Sale by the Owner(s).
5. Aircraft storage costs will be for the Tenderer's account accruing from **thirty (30) days** after the salvage award date.
6. McLarens Aviation, the Owner and/or Insurers make no representation whatsoever concerning the accuracy of information supplied, and the Tenderer acknowledges that regardless of whether they have inspected the salvage they are bidding on their own judgment of the condition of the salvage and records.

Circumstances of Loss: Aircraft over ran the end of the runway and came to rest in a blackberry thicket.

AIRCRAFT SALVAGE DATA

Year: 2008 **Make:** Charles A Hess **Model:** Super ES **N#:** 826CH **S/N:** 001

Airframe Total Time: 1,293 Hours

Engine(s):

#1 Make Continental Model IO-550-X S/N BPE-12535 TT Unknown SMOH 167.6 Hours

Propeller(s):

#1 Make Hartzell Model PHC-J3YF-1RF S/N FP8513B TT 639 Hours SMOH _____

Avionics Equipment:

<u>QTY</u>	<u>MAKE</u>	<u>MODEL</u>
<u>1</u>	<u>PS Engineering</u>	<u>PM8000 Audio Panel</u>
<u>1</u>	<u>Avidyne</u>	<u>IFD540 FMS/GPS/Nav/Com</u>
<u>1</u>	<u>Garmin</u>	<u>SL30 Nav/Com</u>
<u>1</u>	<u>Advanced Flight Systems</u>	<u>AF-6000 EFIS</u>
<u>1</u>	<u>Advanced Flight Systems</u>	<u>AF-5000 EFIS</u>
<u>1</u>	<u>E.I. Inc.</u>	<u>MVP50 Engine Monitor</u>
<u>1</u>	<u>Advanced Flight Systems</u>	<u>Autopilot</u>

AIRCRAFT DAMAGE DETAILS

General Description of Damage: A propeller strike occurred bending and abrading all three propeller blades. Two of the propeller blades twisted 180 degrees within the hub. The propeller strike also subjected the engine to propeller shock loads. The spinner is scratched. The spinner bulkhead was pushed aft into the front of the top engine cowling, cracking the front of the cowling. The top engine cowling also contains large cracks on the upper surface. The bottom engine cowling was pierced by one of the propeller blades and is also cracked and abraded. The engine exhaust pipe is abraded. The nose gear is folded aft with the nosewheel and fairing having pierced the bottom the fuselage entering the cockpit. The nose wheel fairing is destroyed. Both main landing gear legs and fairings appear to be bent. The left main landing gear cuff is cracked. Both main wheel fairings are destroyed. Both brake discs are abraded. A communications antenna on the bottom rear of the fuselage is bent and cracked. The tail tie down ring is twisted. The outboard leading edge of the right wing is crushed and the wing tip appears to have partially separated from the wing. The outboard edge of the wing tip is abraded on both the lens and the tip itself. The outboard edge of the right flap made contact with the wing crushing the composite structure of each component. The pitot tube is abraded and was pushed into the bottom of the left wing tearing the composite structure. The left wing tip is abraded.

Storage fee \$400.00 Per Month Storage Agreement Completed and Up To Date: No

Location of Avionics In Aircraft

Title Search Complete? Yes Date 10/18/2023

Additional Notes Regarding Logs, Items Missing, Etc.: The FAA registration is in the process of being cancelled due to the aircraft being scrapped.

Contact Person: Mike Littrell, 928-499-3131, michael.littrell@mclarens.com

















IMPORTANT TERMS AND CONDITIONS

EXCLUSIONS

1. *By placing a bid you accept and understand the following: that the salvage including wreckage and/or parts and/or documents and/or any other item sold pursuant to this Agreement are sold on an "as is, where is" with all faults basis and neither MYI Limited, trading as McLarens Aviation, nor the owner nor Insurers give any warranty, including any statutory warranties, or makes any express or implied or statutory representation as to the status or condition of the salvage or its suitability or fitness for any purpose or use whatsoever. For the avoidance of doubt, all terms implied under the Sale of Goods Act are excluded from this Agreement.*
2. *Neither MYI Limited, trading as McLarens Aviation, nor the owner nor Insurers shall have any liability or obligation whatsoever in respect of the salvage sold. In particular, any liability or obligation in tort, whether arising from negligence or otherwise, or in contract, express or implied pursuant to any statute or regulation for any losses whatsoever including but not limited to any direct or indirect or consequential losses, expressly arising from the purchase or subsequent use of the salvage.*
3. *The salvage is incident related and therefore MYI Limited, trading as McLarens Aviation, the owner and Insurers DO NOT warrant that the salvage is airworthy or serviceable.*
4. *In the event that your bid is accepted you warrant and undertake that the salvage shall be overhauled and recertified before it enters service (revenue or otherwise) in accordance with good aviation practice and any party undertaking such overhaul and recertification shall be made fully aware of the incident.*
5. *These exclusion provisions apply equally to purchases or users within the USA or outside of the USA.*

INDEMNITY / HOLD HARMLESS

In the event you are the successful bidder, you undertake on behalf of yourself and any other party you are bidding on their behalf to indemnify and hold harmless MYI Limited, trading as McLarens Aviation, the Owner, Insurers and their employees, agents, assignees and shareholders, directors, officers and subsidiaries from and against any and all future claims arising out of the use of or existence of the salvage for any purpose in any jurisdiction whatsoever.

SEVERABILITY

Any clause of this Agreement which is declared unlawful, void or unenforceable by any competent authority or court with jurisdiction over this Agreement shall, to that extent, be deemed severed. All other provisions of this Agreement shall continue unaffected and remain in full force and effect.

Further I/we agree that we will make the necessary arrangements to have the Salvage storage and /or removal complete within **thirty (30) days** after the salvage award date.

GOVERNING LAW AND JURISDICTION

This Agreement and its interpretation shall be subject to the law of the State of Oregon, U.S.A.