

ATTACHMENT J42

# Example Bill of Sale

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THIS ATTACHMENT CONTAINS AN EXAMPLE BILL-OF-SALE THAT WILL BE USED TO CONVEY THE UTILITY SYSTEM ASSETS.

## UTILITY SYSTEM BILL OF SALE

(EQUIPMENT, FIXTURES, STRUCTURES, AND OTHER IMPROVEMENTS)

AT

(*INSTALLATION NAME*)

**THIS BILL OF SALE** (“Bill of Sale”) is made from the UNITED STATES OF AMERICA, acting by and through the Secretary of the Air Force, under and pursuant to the powers and authority contained in 10 U.S.C. §2688, and orders promulgated thereunder (the “Government”), to the (*insert purchaser’s name, type of business, address, and other relevant information*) (the “Purchaser”). This Bill of Sale is made to be effective as of \_\_\_\_\_, 20\_\_ (the “Effective Date”). The Government and Purchaser may sometimes be referred to herein as the “Parties.”

### WITNESSTH:

WHEREAS, the Government has elected to privatize that certain government-owned utility infrastructure for (*insert type of system*) (the “(*insert type of system*) System”) at (*insert installation name*) (the “Installation”); and

WHEREAS, the Government and Purchaser have entered into that certain Utility Service Contract, contract number (*insert contract number*), dated (*insert date of contract*), for the ownership, operation and maintenance of the (*insert type of system*) System (the “Contract”); and

WHEREAS, pursuant to the Contract the Parties have agreed that upon the completion of a joint inventory of the (*insert type of system*) System the Government will transfer all of its right, title, and interest to the (*insert type of system*) System to the Purchaser by Bill of Sale; and

WHEREAS, the Parties have completed a joint inventory of the (*insert type of system*) System.

**NOW, THEREFORE**, [*use in the alternative*: “for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged” **or** “for the sum of \$ \_\_\_\_\_ in United States currency”]:

1. The Government hereby sells, transfers, sets over, and delivers to the Purchaser, its successors and assigns, all the right, title, and interest of the Government in and to the *(insert type of system)* System, as and where such *(insert type of system)* System presently exists on the Installation, comprised of all equipment, fixtures, structures, and other improvements as more specifically described on **EXHIBIT A, INVENTORY**, attached hereto and made a part hereof, wholly excluding, however, any real property underlying, overlying, or surrounding such equipment, fixtures, structures, and other improvements.

2. The Government, for itself and for its assigns, hereby covenants to and with the Purchaser and its successors and assigns, that the Government is the lawful owner of the *(insert type of system)* System and has the good right to sell and transfer the same.

3. The Government specifically disclaims and excludes any implied warranties of condition, of fitness for a particular purpose, of merchantability, or of any other kind under the laws of the United States and of the state in which the *(insert type of system)* System is located. The *(insert type of system)* System is sold “as is, where is.”

4. This Bill of Sale does not grant any right of access, right-of-way, or easement of any kind whatsoever over, across, or to the real property underlying, overlying, or surrounding the System. Any rights of access to the System are contained, if at all, in the Contract.

**[SIGNATURE PAGES FOLLOW]**

GOVERNMENT SIGNATURE PAGE TO BILL OF SALE:

**IN WITNESS WHEREOF**, I have hereunto set my hand by authority of the Secretary of the Air Force this \_\_\_ day of \_\_\_\_\_, 20\_\_ to be effective upon the Effective Date.

THE UNITED STATES OF AMERICA,  
acting by and through the Secretary of the Air  
Force

By: \_\_\_\_\_  
KATHLEEN I. FERGUSON, P.E.  
Deputy Assistant Secretary of the Air Force  
(Installations)

Witness: \_\_\_\_\_

PURCHASER SIGNATURE PAGE TO BILL OF SALE:

AGREED TO AND ACCEPTED BY PURCHASER:

THIS BILL OF SALE is hereby accepted by the Purchaser this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_ to be effective on the Effective Date.

***(Insert Purchaser's Name)***

By:

\_\_\_\_\_  
***(Printed Name of Signatory)***  
***(Insert title of Signatory)***

Witness: \_\_\_\_\_

**EXHIBIT A—INVENTORY OF PROPERTY**  
**(INSERT DATE THIS DOCUMENT WAS DEVELOPED)**

**Joint Inventory of *(insert type of system)* System**

The following inventory of the *(insert type of system)* System is based on on-site investigation and location performed by Purchaser and information provided by the Installation. The existing system consists of approximately ***(Insert several lines of text which describe the system in length of pipe, wire, etc. and/or number of transformers, lift stages, etc.)***

[Insert the inventory of the system here.]

**TABLE A-1**

System Inventory

\_\_\_\_\_ System \_\_\_\_\_ AFB

**TABLE A-2**

Spare Parts

\_\_\_\_\_ System \_\_\_\_\_ AFB

**TABLE A-3**

Specialized Vehicles and Tools

\_\_\_\_\_ System \_\_\_\_\_ AFB

**TABLE A-4**

Manuals, Drawings, and Records

\_\_\_\_\_ System \_\_\_\_\_ AFB