

WEST END CELEBRATION 2021 Exhibition Agreement

Thank you for responding to Sand City’s (the “City”) request for proposal to exhibit art at the West End Celebration on Saturday, August 28 and Sunday August 29, 2021 (the “Event”). You (the “Exhibitor”) have been selected to exhibit art at the Event.

Your exhibition at the Event will be subject to the following terms conditions. Please read these terms and conditions carefully and indicate your agreement by signing in the space provided for your signature below.

1. **LOCATION & EXHIBIT TIME.** The Exhibitor agrees to set up its display in the specific area designated for its use (“Display Area”) by the City by 10 AM on August 28, 2021 and 11:00 AM on August 29 and to dismantle its display, and thoroughly clean its Display Area, no later than 7:00 PM on Sunday unless another arrangement is agreed upon between the City and Exhibitor. Exhibitor agrees to confine the exhibit to the Display Area so designated by the City.

2. **LIABILITY WAIVER/HOLD HARMLESS.** To the fullest extent provided by law, the Exhibitor shall hold harmless, indemnify and defend the City, the members of the Sand City Arts Committee and West End Celebration Committee, and their officers, representatives, agents, attorneys and employees (collectively, the “City Indemnities”) from and against any and all claims arising from or related to the Event. However, this indemnification shall not extend to damage arising from the sole negligence or willful misconduct of the City Indemnities.

3. **INSURANCE.** Exhibitor acknowledges that the City does not carry any insurance to cover any injury or loss, which may be incurred by Exhibitor. The City strongly urges Exhibitor to obtain a policy of public liability and property loss insurance sufficient to cover any loss, which Exhibitor may incur as a result of the Event.

4. **ATTORNEYS’ FEES AND VENUE.** In the event of any litigation to enforce the terms of this agreement, the prevailing party shall be entitled to recover reasonable attorneys’ fees in connection therewith. Any action concerning this agreement or the subject matter hereof shall be brought and maintained in Superior Court in Monterey County, California.

5. **ENTIRE AGREEMENT AND ACCEPTANCE OF TERMS.** This agreement, including the attached rules and regulations, represents the full understanding and agreement between the City and the Exhibitor concerning the Event, and there are no understandings or agreements relative to the Event, which are not contained herein.

Company _____

Name (please print) _____

Date: _____

Signature: _____

DocuSigned by:
Marina Pantchenko
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Marina Pantchenko Deputy County Counsel
7/15/2021 | 1:58 PM PDT

DocuSigned by:
Gary Giboney
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Gary Giboney Chief Deputy Auditor-Controller
7/15/2021 | 2:02 PM PDT