



## Indemnity Agreement

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WHEREAS, \_\_\_\_\_, a vendor, charitable organization or other type of entity (User) desires to participate in the Waxahachie Downtown Farmers Market; and

WHEREAS, such organization meets the criteria for participation in the Waxahachie Downtown Farmers Market and agrees to obey the rules of the market and understands the nature of operating within the Waxahachie Downtown Farmers Market and their responsibilities as a Market Vendor or Participant in the market, including assuming responsibility for safe operation and conduct of their business within the market; the User agrees to indemnify, hold harmless and defend the Waxahachie Downtown Farmers Market, its officers, agents and employees from and against all liability for and all claims, suits, demands, and/or actions for damages, injuries to person (including death), property damage (including loss of use) and expenses including court costs and attorney's fees and other reasonable costs occasioned by or arising out of User's presence within the market area permitted by the City of Waxahachie conducted in connection with or incidental to participation and arising out of or resulting from the intentional acts or negligence of User, its officers, agents, employees, or person participating in the event sponsored by the User.

User further agrees that it shall, at all times, exercise reasonable precautions on behalf of, and be solely responsible for the safety of its officers, agents, employees, participants, visitors, and other persons as well as their property, while in or on the market and surrounding areas. It is expressly understood and agreed that the Waxahachie Downtown Farmers Market shall not be liable or responsible for the negligence of User, its agents, servants, employees, customers, visitors, and participants.

It is further agreed with respect to the above indemnity, that the Waxahachie Downtown Farmers Market and User will provide the other with prompt and timely notice of any event covered in any way directly or indirectly, contingently or otherwise affected or which might affect the User of Waxahachie Downtown Farmers Market.

User further agrees that this indemnity provision shall be considered as an additional remedy for the Waxahachie Downtown Farmers Market and not as an exclusive remedy.

User Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_