



## Hold Harmless Agreement

**Orchard Park Festival of the Arts 2021**



The undersigned, \_\_\_\_\_ (herein referred to as “User”), in consideration of the use of the facilities of the SUNY Erie Community College, Buffalo Bills, Orchard Park Central School District, Orchard Park Chamber of Commerce, Orchard Park Festival of the Arts, Town of Hamburg and Town of Orchard Park, located at SUNY Erie Community College South Campus/Buffalo Bills Lots, Orchard Park, New York, for the purpose of the Orchard Park Festival of the Arts, hereby

**AGREES** to release and forever discharge SUNY Erie Community College, Buffalo Bills, Orchard Park Central School District, Orchard Park Chamber of Commerce, Orchard Park Festival of the Arts, Town of Hamburg and Town of Orchard Park of and from all, and all manner of actions, cause and causes of action, suits, controversies, damages, claims and demands whatsoever, in law or in equity, which the User now has or which the User or (his/her) (their) (its) heirs, successors and assigns may have, resulting from the foregoing use of the SUNY Erie Community College South Campus facilities and surrounding areas of the Town of Hamburg and Town of Orchard Park; and the User further hereby

**AGREES** to defend; indemnify and hold harmless SUNY Erie Community College, Buffalo Bills, Orchard Park Central School District, Orchard Park Chamber of Commerce, Orchard Park Festival of the Arts, Town of Hamburg and Town of Orchard Park its members, officers, Directors, employees and agents from any and all claims, suits, liabilities, causes of action, judgments, costs (including, but not limited to, all reasonable expenses of defense and related investigation), expenses, and damages (including damages for care and loss of services because of bodily injury, sickness or disease, including death resulting there from) sustained by User or any person or persons, and because of injury to, or destruction of, property (including the loss of use thereof), caused by, arising out of, or resulting from, in whole or in part, any act or omission of User, its agents, servants, employees or individuals participating in User’s use of the facilities and surrounding areas; and the User further hereby

**AGREES**, On User’s behalf and on behalf of User’s insurance carrier, to waive any rights of subrogation against SUNY Erie Community College, Buffalo Bills, Orchard Park Central School District, Orchard Park Chamber of Commerce, Orchard Park Festival of the Arts, Town of Hamburg and Town of Orchard Park that may otherwise attach to or derive from any policy of insurance the User may obtain to insure against User’s liability in connection with use of the facilities and surrounding areas, and the User further hereby

**AGREES**, to name SUNY Erie Community College, Buffalo Bills, Orchard Park Central School District, Orchard Park Chamber of Commerce, Orchard Park Festival of the Arts, Town of Hamburg and Town of Orchard Park as an additional insured on any and all insurance policies User may obtain in connection with use of the facilities and surrounding areas

