

## **2016 Fun Run In Color**

**Memorial Park  
102 E. Union Street  
Wheaton, IL 60187**

### **PERFORMANCE AGREEMENT**

The below mentioned entertainment agrees to perform at 2016 Fun Run, In Color on the following dates and times.

**Gabe Ortiz (disc jockey) and Go 4 It Entertainment**  
Saturday, April 16, 2016

**Please list all members performing:**

Gabe Ortiz  
Cheryl Mallhi  
Steven Ortiz

One DJ at Start Line: 7:15 a.m.-8:30 a.m.  
Move to Karlskoga- "After Party" location  
Second DJ at North Side Park: 8:15 a.m. - 10:30 a.m.

This performance will be marketed in performer's website and/or email blasts of upcoming performances.

In the event that this performance is cancelled by officials of 2016 Fun Run In Color due to dangerous weather or any other unsafe condition, Gabe Ortiz and Go 4 It Entertainment will be rescheduled, at no additional cost, for a performance within Wheaton Park District's facilities date to be determined and agreed upon by performer and Wheaton Park District.

Music shall not be offensive, vulgar, obscene, or inappropriate for the ambiance and atmosphere of the 2016 Fun Run In Color. Entertainers shall at all times conduct themselves professionally, courteously and appropriately for this family-friendly facility.

Entertainers are solely responsible for properly setting up their equipment and removing equipment. The 2016 Fun Run In Color is not responsible for the entertainers' personal property and shall not be liable for any damages, lost, or stolen property. All cords, cables, equipment etc. must be properly and safely positioned so as not to create a trip hazard for patrons and staff.

To the fullest extent permitted by law, Gabe Ortiz and Go 4 It Entertainment shall indemnify and hold harmless the 2016 Fun Run, In Color committee its officers, officials, employees, volunteers and agents from and against all claims, damages, losses and expenses, including but not limited to legal fees (attorney's and paralegals' fees and court costs), arising out of or resulting from the entertainers' activities; except to the extent caused in whole or in part by any negligent or wrongful act or omission of a party indemnified hereunder. Gabe Ortiz and/or Go 4 It Entertainment shall similarly protect, indemnify and hold and save harmless the 2016 Fun Run, In Color committee, its officers, officials, employees, volunteers and agents against and from any and all claims, costs, causes, actions and expenses including but not limited to legal fees, incurred by reason of Gabe Ortiz and Go 4 It Entertainment's breach of any of its obligations under, or Gabe Ortiz and Go 4 It Entertainment's default of, any provision of the agreement.

The 2016 Fun Run In Color Committee reserves the right to cancel this agreement at any time for breach of this agreement, or for any reason other than breach of contract upon 7 days notice provided to the entertainer.

Today's date: 3/11/16 Agreed payment for such performance(s): \$950.00

Entertainment's name: Gabe Ortiz  
Authorized signature for Entertainment: [Signature]

2016 Fun Run In Color, Wheaton Park District and Rotary Club of Central DuPage A.M.,  
Authorized signature: [Signature] 3/10/16

\*\*This agreement will be considered final upon the signature of Wheaton Park District's Director, Michael Benard.