

## 2015 Wheaton Wine and Cultural Arts Festival

Wheaton Park District and Downtown Wheaton Association

Memorial Park Bandshell, 208 W. Union St.

Wheaton, IL 60187

### PERFORMANCE AGREEMENT

The below mentioned entertainment agrees to perform at 2015 Wheaton Wine and Cultural Arts Festival, Memorial Park, 208 W. Union Street, Wheaton, IL 60187 on the following dates and times.

**MaryMonicaMusic/4TheBeatBand**

Saturday, September 19, 2015

4:30p.m. – 6 p.m.

No breaks will be taken during this 90 min. performance.

Sound system will be provided.

Please list band members by name:

MARYMONICA THOMAS  
JULIAN LUGO  
JUAN RODRIGUEZ  
CARLOS

This performance will be marketed in performer's Facebook page and website, any/all social media marketing and in any email blasts of upcoming performances.

In the event that this performance is cancelled by officials of 2015 Wheaton Wine and Cultural Arts Festival due to dangerously inclement weather or conditions, MaryMonicaMusic/4TheBeatBand will forfeit the agreed performance price below and accept 50% of agreed performance price below in lieu of a performance.

Music shall not be offensive, vulgar, obscene, or inappropriate for the ambiance and atmosphere of the 2015 Wheaton Wine and Cultural Arts Festival. 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 2015 Wheaton Wine and Cultural Arts Festival 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, MaryMonicaMusic/4TheBeatBand and/or their representative shall indemnify and hold harmless the 2015 Wheaton Wine and Cultural Arts Festival 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.

MaryMonicaMusic/4TheBeatBand and/or their representative shall similarly protect, indemnify and hold and save harmless the 2015 Wheaton Wine and Cultural Arts Festival 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, MaryMonicaMusic/4TheBeatBand's breach of any of its obligations under, or MaryMonicaMusic/4TheBeatBand's default of, any provision of the agreement.

The Wheaton Park District 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 entertainers.

Today's date: 7/12/15 Agreed payment for such performance(s): \$600.00

Entertainment's name: 4TheBeatBand

Authorized signature for Entertainment: [Signature]

2015 Wheaton Wine and Cultural Arts Festival, Wheaton Park District and Wheaton Chamber of Commerce,

Authorized signature: [Signature]

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