

Revised

\* "Hold Harmless Clause"

Oro Valley Chief of Police  
Oro Valley Police Department  
11000 North LaCanada Drive  
Oro Valley, AZ 85737

Sahuarita Chief of Police  
Sahuarita Town Police Department  
315 W. Sahuarita Center Way  
Sahuarita, AZ 85629

XVI. REMEDIES

Either party may to be exclusive of any other right or remedy and each shall be cumulative and in addition to any remedies provided by law for the breach of this Agreement. No right or remedy is intended other right or remedy existing at law or in equity or by virtue of this Agreement.

\*

XVII. HOLD HARMLESS CLAUSE

Each party shall be responsible for liabilities from all claims, damages, or suits arising from the negligence or willful misconduct of its officers, agents, and employees of any kind of nature arising out of CNA or its participating member agencies. Each party, (individually, an "Indemnitor") agrees to indemnify, defend, and hold harmless each other party (individually, an "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the applicable Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers."

Original

\* "Hold Harmless Clause"

Oro Valley Chief of Police  
Oro Valley Police Department  
11000 North LaCanada Drive  
Oro Valley, AZ 85737

Sahuarita Chief of Police  
Sahuarita Town Police Department  
315 W. Sahuarita Center Way  
Sahuarita, AZ 85629

XVI. REMEDIES

Either party may to be exclusive of any other right or remedy and each shall be cumulative and in addition to any remedies provided by law for the breach of this Agreement. No right or remedy is intended other right or remedy existing at law or in equity or by virtue of this Agreement.

XVII. HOLD HARMLESS CLAUSE

\*

Each party shall be responsible for liabilities from all claims, damages, or suits arising from the negligence or willful misconduct of its officers, agents, and employees of any kind of nature arising out of CNA or its participating member agencies. Each party, with the exception of the University of Arizona, an agency of the State (A.R.S. § Section 35-154, Arizona Attorney General Opinion 67363) agrees to indemnify, defend and hold harmless all parties, its officers, employees and participating agencies from and against any and all suits, actions, legal or administrative proceedings, claims demands or damages of any kind under nature arising out of the their negligence, except for any such liability out of the sole negligence of CNA.