

DONATION AGREEMENT

This Agreement dated this ____ day of _____, 2019, sets forth the terms and conditions of the donation of a 1997 Pierce Saber Pumper with equipment "Unit" from the City of Casa Grande ("City") to Central Arizona Valley Institute of Technology Fire Science Program ("CAVIT").

1. CAVIT represents and warrants that the Unit donated to CAVIT hereunder shall be used only by CAVIT in its own operations as a Fire Science Program, and will not be resold or donated to a third party by CAVIT. CAVIT agrees to indemnify, defend, and hold harmless City from and against any and all claims, damages, expenses, and losses arising from any breach by CAVIT of these representations and warranties.
2. CAVIT understands that the Unit is being donated "As-Is" and City makes no warranties of any kind whatsoever, express or implied, including, without limitation, warranties of merchantability or fitness for a particular purpose, and that City expressly disclaims any representation or warranty regarding the results to be obtained from the use of this Unit.
3. CAVIT agrees to indemnify, defend, and hold harmless City from and against any and all damages, claims, costs, expenses and losses which may occur in connection with the use of this Unit.

By signing hereunder, the parties understand, and agree to, the provisions contained herein.

Central Arizona Valley Institute of Technology Fire Science Program

Signature: _____
 Printed Name: _____
 Title: _____

Acknowledged by:

City of Casa Grande

By: _____
 Title: _____

Attest:

Approved as to form:

 Gloria Leija, City Clerk MMC

 Brett Wallace, City Attorney