

STATE OF TEXAS

§

COUNTY OF ORANGE

§

AUTOMARK LEASE AGREEMENT

Orange County Elections Administrator

PREAMBLE

- 1.01. Parties.** The Parties to this Agreement are the Orange County Elections Administrator ('Administrator') and the West Orange-Cove CTSD ('Entity'), a political subdivision of the State of Texas.
- 1.02. Purpose.** The Entity has requested to lease 5 Automark unit(s), at a rental rate of \$ 200.00 per unit, for the conduct of its election to be held on the 8 day of May, 20 10.

TERMS OF LEASE

- 2.01. Lease Period.** The lease period shall commence on the 26 day of April, 20 10 and continue through the 8 day of May, 20 10. In no event shall the lease period be extended to a date which will prevent the lease of the equipment to another entity for the conduct of the entity's election for which the Administrator may be providing elections services.
- 2.02. Consideration.** The consideration supporting the lease shall be the rental rates set forth in Article 1.02 above.
- 2.03. Provision of Equipment.** The Administrator will use her best efforts to provide to the Entity only Automark units which the Administrator believes to be in good and safe operating condition. However, the Automark equipment provided under this lease is provided "as is" and without warranty as to its working condition or its fitness for the Entity's particular purpose. Further, the Entity agrees to hold the Administrator, her department and employees, harmless for any damages arising out of the Entity's use of the leased Automark unit(s) in the conduct of its election.
- 2.04. Damages to Rented Units.** In the event that the leased Automark unit(s) become damaged during the term of the lease and while in the possession of the Entity, the Entity shall pay to the Administrator the costs of repair for any and all actual, incidental and consequential damages to the leased unit(s).

2.05. Designated Sites. The Administrator shall deliver the leased unit(s) to the locations set forth in Exhibit 'A' attached hereto and incorporated herein by reference. The Administrator shall, likewise, retrieve the leased unit(s) on, or reasonable after the date in which this lease agreement expires.

AGREED upon on the date in which the last Party signed the Lease Agreement.

ORANGE COUNTY ELECTIONS ADMINISTRATOR

Tina Leverett or her duly authorized Representative

Date

West Orange-Cove C.I.S.D.

Name and title of entity's official

Date