

SITE ACCESS AGREEMENT

THIS SITE ACCESS AGREEMENT (“Agreement”) is made and entered into this ____ day of _____, 202_, by and between ERIE COUNTY LAND BANK (“Owner”) and _____ (“Licensee”).

Background:

A. Owner owns certain property located in the [NAME OF MUNICIPALITY], Erie County, Pennsylvania, with an address of _____ (the “Property”).

B. Licensee desire to have access to Owner's Property for the purpose of conducting certain activities (as further described on Exhibit A attached hereto, the “Activities”) at the Property.

C. The parties desire to enter into this Agreement to permit Licensee to conduct the Activities on the Property in accordance with the terms and conditions set forth below.

Terms of Agreement

NOW, THEREFORE, for good and valuable consideration, and intending to be legally bound hereby, the parties agree as follows:

1. Grant of License. Owner hereby grants to Licensee, and its agents and employees, the license and right to enter onto the Property and to conduct the Activities on the Property.

2. Terms of Access. The access license granted hereunder is for [a period of ____ days after the date of execution and delivery of this Agreement, and it shall automatically terminate at the end of such period][the following date(s) only: _____].

3. Compliance with Law. All of the Activities at the Property will be conducted in compliance with all applicable environmental, health, safety, and other applicable laws, regulations, ordinances and legal requirements.

4. Insurance and Indemnification. Licensee will at all times maintain insurance relating to the Activities, including commercial general liability insurance (naming Owner as an additional insured), professional liability insurance, workers' compensation insurance, and automobile insurance, and upon request Licensee will provide certificates of such insurance to Owner. Licensee will indemnify Owner from all claims, losses, damages, and/or liability incurred or sustained by Owner which are caused or occasioned by Licensee’s conducting the Activities on the Property, including any personal injury or property damage resulting therefrom.

5. No Required Activities. Nothing herein requires, or shall be interpreted or construed to require, Licensee to conduct any of the Activities at the Property. Licensee shall have the right but not the obligation to do so under this Agreement.

6. Property Information. Owner will promptly provide Licensee with any documents and information known to or readily accessible by Owner regarding the Property conditions which may be relevant to conducting of any Activities hereunder including, without limitation, the location of any utility lines and subsurface structures at the Property.

7. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

8. Applicable Law. This Agreement shall be construed, enforced and interpreted in accordance with the laws of the Commonwealth of Pennsylvania.

9. Headings. The headings used in this Agreement are for convenience only, and do not control the intent of the provisions of the Agreement.

10. Counterparts. This Agreement may be executed in multiple counterparts, in original or by fax image or .pdf image, each of which shall be deemed an original, and taken together constitute one and the same instrument and shall be considered an original. The parties hereto agree that the electronic transmission delivery (such as by fax image or an e-mail of a .pdf image) of any actual signatures to this Agreement shall be valid and enforceable as if such original signatures to this Agreement were actually provided and delivered.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

[SIGNATURE PAGE TO SITE ACCESS AGREEMENT]

WITNESS the due execution of this Site Access Agreement by the parties' duly authorized representatives as of the date set forth above.

OWNER:

LICENSEE:

ERIE COUNTY LAND BANK

[NAME OF LICENSEE]

By _____

By _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

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EXHIBIT A

DESCRIPTION OF ACTIVITIES