



CLUB SEAT LICENSE AGREEMENT

2022-2023

WHEREAS, LICENSEE desires to license one or more Club Seats in a Club Lounge (“Club Lounge”) at the Ralph Engelstad Arena, and whereas REA and LICENSEE desire to set forth their agreement in writing and the parties agree as follows:

1. Grant of License

The price of this license is \$1,975.00 per Club Seat, due by **May 31, 2022**. REA confirms that \$330 of LICENSEE’S annual Club Seat license fee per seat will be forwarded on, in the form of a charitable donation, to the Champions Club in the LICENSEE’S name. The University of North Dakota Foundation will provide the LICENSEE with a receipt for the LICENSEE’S contribution each year. LICENSEE should consult LICENSEE’S tax advisor for appropriate tax deductibility of the charitable donation.

2. Term of Agreement

This agreement shall begin on **June 1, 2022, and expire on May 31, 2023**. By submitting payment to REA, LICENSEE agrees to the terms and conditions of this License Agreement.

3. First Right of Refusal

If REA, after the term of this license, desires to license the Club Seats defined in Section 1 above, LICENSEE will be given the first chance to license seats in the Club Lounge under the terms of the new license. REA expects that these seats will be available in subsequent years; however, no guarantees are given as to future prices, terms, or availability of the Club Seats defined in Section 1.

4. Transfer

This license is fully transferable by LICENSEE assuming the terms of this agreement have been complied with, the license has been paid in full, and the transferee has signed a Club Seat License Agreement provided by REA. This transfer may not be with consideration. This transfer is accomplished by submitting the name of the new LICENSEE to REA at the address below with written confirmation of the transfer by LICENSEE. This agreement is fully transferable by REA.

5. Use of Club Seats

The Club Seats defined in Section 1 can be used by the LICENSEE for:

- A. UND Men's Hockey Games (Preseason, Regular Season and NCHC Playoffs – NCAA Championship events will require additional ticket purchase).
- B. UND Men's and/or Women's Basketball games played in the Ralph Engelstad Arena (Main Arena), if any.
- C. Other events as applicable.

If in REA's sole discretion, it is determined that the Club Lounge where the Club Seats are located is not available for an event, tickets will be made available to LICENSEE elsewhere in the Arena, EXCLUDING NCAA sponsored events and other events designated as "excluded events" by REA. Tickets are not provided for excluded events.

Use of the Club Seat will be governed by a Ticket ("Ticket") issued by REA at the time of full payment of the fee in Section 1. LICENSEE or guest must have a valid Ticket to use the Club Seat. LICENSEE is responsible for safekeeping of tickets issued for each Club Seat. If tickets are lost or stolen, REA must be notified immediately. REA has no responsibility for lost or stolen tickets.

Minors are not allowed in the Club Lounge private access area unless they are accompanied by an adult 21 years or older and have a valid Club Seat ticket. Minors not accompanied by an adult will be denied access. Minors are not allowed access to the public Club Lounge area under any circumstances.

6. Additional Amenities

In addition to the Use of Club Seats in Section 5, LICENSEE shall receive:

- A. REA will allow LICENSEE one (1) guest per Club Seat.
- B. REA will allow LICENSEE to purchase one Club Lounge Standing Room Only (SRO) Ticket at the general admission price, per Club Seat. Club Lounge SRO tickets are sold at an amount equal to the face value of a general admission ticket for each game, plus \$15.
- C. One preferred on-site parking pass at the Arena for every two Club Seats.
- D. Membership in the Champions Club.
- E. Additional tickets may be purchased for all events sponsored by REA at the Arena, subject to availability. (These tickets may not be in the Club Lounges as defined in Section 1).
- F. "Premium Seat" entrance with concierge service.
- G. Two complimentary cocktail drink vouchers per Club Seat owned; valid at each men's home hockey game.

H. Complimentary soda and snacks.

I. In-seat beverage service.

J. Full bar service.

K. 10% discount in the Sioux Shop.

L. Use of the club lounge rent free for one gathering per year based on availability and subject to a \$1000.00 minimum food and beverage order.

M. Personal account service representative.

N. Use of the house suite during regular business hours for business meetings, based on availability and subject to a \$100.00 minimum food & beverage order.

8. Release and Indemnity

LICENSEE hereby releases, discharges, indemnifies, agrees to defend, and hold free and harmless REA, University of North Dakota, their assigns, officers, directors, shareholders, representatives, agents and employees ("REA Group") from any and all claims, losses, liabilities, demands, damages, injuries, expenses, suits and proceedings (including appeal or arbitration) for injuries to property or persons (including death) suffered, or claimed to have been suffered, by LICENSEE or any guest, agent, employee, or invitee of LICENSEE arising out of or in connection with LICENSEE's exercise of rights under this Agreement. This section includes indemnity against any and all costs of litigation, including, without limitation, reasonable attorney's fees incurred by REA Group with respect to any such claims, suits or proceedings (including any appeal or arbitration) and this section shall survive any termination of this Agreement.

9. Governing Law

This Agreement shall be governed and interpreted in accordance with the laws of the State of North Dakota, without regard to principles of conflict of laws.

Ralph Engelstad Arena Contact Information:

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