



Third Avenue Village Association
353 Third Avenue
Chula Vista, CA 91910

Decorate your booth in a Cinco de Mayo theme!
Individual booths will be judged on creativity, originality, and the use of the Cinco de Mayo theme.
First Prize: Booth fee refund
Second Prize: 50% booth fee discount for 2010
Third Prize: 25% booth fee discount for 2010

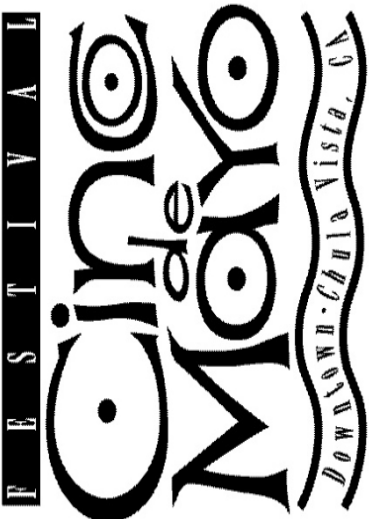


www.thirdavenuevillage.com



**Space is Limited!
Apply Today!**

PRSR:STD
U.S. POSTAGE
PAID
Permit # 278
Chula Vista CA



**Sunday, May 3, 2009
11 a.m. - 7 p.m.**

Expected attendance: 40,000
Over 300 Craft and Business booths
(see application form inside)
For more information, contact TAVA
phone: 619.422.1982, fax: 619.422.1452
email: info@thirdavenuevillage.com

WAIVER, RELEASE AND INDEMNITY AGREEMENT

The THIRD AVENUE VILLAGE ASSOCIATION ("TAVA") shall be conducting the Festival Cinco de Mayo ("EVENT") on May 3, 2009. In consideration of being allowed to participate in the Event, [insert name of participating business, organization or individual(s)], its directors, officers, individual members, employees, agents and other representatives (if any), and any and all successors, assigns, heirs and representatives thereof (collectively, "PARTICIPANT") hereby agrees as follows:

1. To the maximum extent allowed by law, PARTICIPANT hereby (a) WAIVES any and all claims against, (b) RELEASES and DISCHARGES, and (c) COVENANTS NOT TO SUE the TAVA, its directors, officers, agents, employees, volunteers, Event sponsors and representatives (collectively, the "Released Parties") in connection with any death, disability, personal injury, property damage, property theft or any other liability, loss, claim, cost or damage (including reasonable attorneys fees and court costs) (collectively, "LOSSES"), that may be incurred by PARTICIPANT as a direct or indirect result of its/his/her/their participation in the Event. LOSSES covered by this Section shall include any and all LOSSES alleged or actually arising from any negligent acts or omissions of the Released Parties, regardless of whether such act or omission is active or passive.
2. To the maximum extent allowed by law, PARTICIPANT hereby INDEMNIFIES, PROTECTS, DEFENDS AND HOLDS HARMLESS the TAVA, its directors, officers, agents, employees, volunteers, Event sponsors and representatives, and the City of Chula Vista and its representatives (collectively, the "Indemnified Parties") from and against any and all LOSSES incurred by the Indemnified Parties or third parties arising from PARTICIPANT'S conduct at the Event, excluding, however, those LOSSES arising from the sole negligence or sole willful conduct of the Indemnified Parties.
3. The undersigned hereby certifies that he/she has read this agreement, understands its contents, agrees to be bound by its terms, and is authorized to sign this agreement on behalf of PARTICIPANT, including each of the entities and/or individuals comprising PARTICIPANT. The undersigned also acknowledges and agrees that (a) the TAVA is reasonably relying on this agreement and his/her authority to sign it as a condition to PARTICIPANT'S participation in the Event, and (b) in the event LOSSES are incurred, this agreement will be used by the TAVA against PARTICIPANT, and each of the entities and/or individuals comprising PARTICIPANT. The undersigned agrees to provide all PARTICIPANT members participating in the Event a completed copy of this document prior to their participation.

DATE: _____
SIGNATURE _____
NAME: _____
ADDRESS: _____
TITLE: _____
(Please Print)

FESTIVAL CINCO DE MAYO APPLICATION

Contact Name:
Business Name:
Phone:
Email:
Address:
City/State/Zip:
Tax ID #:
Health Permit #
Number of spaces desired:
Electricity required?:
Products to be sold:
How will you incorporate the Cinco de Mayo theme into your booth?

Fax:

Address:
City/State/Zip:
Tax ID #:
Health Permit #
Number of spaces desired:
Electricity required?:
Products to be sold:
How will you incorporate the Cinco de Mayo theme into your booth?

Amps required?:
(include a \$50 electricity payment for each 10'x15' space)

(if handcrafted items, please include photo)

PAYMENT
Applications received after April 17th will incur a 20% late fee.
Form of payment: Check Credit Card Cashier's
Check Money Order

CREDIT CARD
Name on card:
Type of card: Visa MasterCard
Card number:
Expiration date:
Billing address:
Authorized signature:

CHECK OR MONEY ORDER
Make payable to the Third Avenue Village Association.
Note: personal and company checks not accepted after April 20, 2009.

Space Rental

Prices are based on space rental only. You must provide your own equipment.
Food.....\$250.00
Non-Food.....\$150.00
Hand Crafted Items...\$ 75.00
(Pictures of the product must be included.)
Electricity.....\$ 50.00
Spaces are:
10' x 15'
Anything larger requires additional fees.
NO EXCEPTIONS

APPLICATION DEADLINE: APRIL 17, 2009. Spaces will be assigned in the order applications are received. Food vendors must include a copy of current health permit with completed application.

Mail application and payment to:
Third Avenue Village Association
353 Third Avenue
Chula Vista, CA 91910

12th Annual Festival Cinco de Mayo

Sunday, May 3, 2009, 11 am to 7 pm – expected attendance: 40,000

Third Avenue Village's Festival Cinco de Mayo is a premier event that celebrates the culture and history of Mexico, and attracts approximately 40,000 attendees and over 300 vendors each year. The event features live entertainment, cultural activities, a kids' fun zone, a beer garden, and much more.

Space is limited, so submit your application today!

Event Rules and Regulations

APPLICATION DEADLINE:
Downtown merchants must apply by **April 10** to secure space in front of their storefronts. Vendors must apply by **April 17**. All applications must be accompanied with a check or money order. Applications may be accepted after April 17, space permitting and payment will be cash, cashier's check or money order. Call 619.422.1982 to apply after the deadline. A 20% late fee will be charged to all applications submitted after the April 17 deadline.

APPLICATION PRIORITY:
Downtown merchants have first priority for one space as close to the front of their business for the sale of their product(s). Space assignments and priority will be determined when application is received and best formation for the festival is determined.

APPROVAL/REJECTION:
All vendors must incorporate the Cinco de Mayo theme into their entry in some way (decor, product, etc.). All applications are subject to approval by the TAVA designated Event Committee. The Event Committee shall approve or disapprove event applications in its sole discretion. Space is limited; therefore, submittal of an application does not guarantee participation. Proposals for participation in an event that are determined by the Event Committee to be inconsistent with the theme of the event, that are offensive, distasteful or confrontational in their displays, materials or conduct, or that promote illegal acts, will be rejected. The Event Committee will evaluate applications based on their overall "entertainment value". A proposed entrant's artistic beauty, use of color and sound, animation, special effects, originality and visual appeal will all be considered.

SPACE SIZE: 10' wide (across front) and 15' deep, anything larger will require payment for additional space. No exceptions!

ELECTRICITY: Must request electricity on application (availability is limited). A \$50 charge for electricity must be included with application. Personal "whisper" type generators are allowed if approved prior to the event by the Festival Manager. Extension cords must be commercial type and taped down. You must supply your own 50' minimum extensions.

HOURS/SCHEDULES: Festival hours will be 11 am to 7 pm. Space forfeited if not occupied by 10:30 am. All spaces must be cleared and streets open by 8:30 pm. All

vendors must operate for the entire period of the festival.

PARKING: All vehicles must be removed from the Festival area by 10:30 am. Parking is available in the streets and lots outside of the Festival area.

TAXES: Tax ID number must be on application. Vendors are responsible for collecting and reporting sales tax.

PERMITS/CERTIFICATE S: Food vendors are responsible for having current health permits posted in booths. Certified fire extinguishers are also required in food vendor booths. For more information, contact County Environmental Health at 619.338.2222.

INSURANCE: Each vendor must present a copy of their insurance with your application.

CONFIRMATIONS/REFUNDS: Confirmations will be mailed approximately 15 days before the Festival. No refunds will be made after April 17. No refund in case of inclement weather, acts of nature or restrictions by

governmental agencies to cancel the event, over which the Third Avenue Village Association has no control. Any vendor who cancels before April 17 will be charged a \$50 handling fee. No exceptions.

OTHER: The Third Avenue Village Association reserves the right to limit the number of applications for any one particular type of goods or service, thereby protecting all vendors and maintaining diversity for Third Avenue Village's Festival Cinco De Mayo. The personnel of the Festival reserves the right to change or substitute vendor spaces for the good of the Festival and its participants. No stolen merchandise, firearms, ammunition, alcoholic beverages or drugs on Festival grounds. Merchandise should be displayed as colorfully and tastefully as possible.

