

2016 Fall Photo Contest Give-Away

Official Rules

These are the rules for the 2016 Fall Photo Contest Give-Away (the "Give-Away"). If you have a question regarding this promotion, please contact the Boulder Parks and Recreation Department at (303) 413-7200.

NO PURCHASE NECESSARY. YOU MUST BE AT LEAST 18 YEARS OF AGE OR OLDER ON DATE OF ENTRY AND A LEGAL RESIDENT OF THE UNITED STATES RESIDING IN COLORADO THROUGHOUT THE GIVE-AWAY PERIOD TO BE ELIGIBLE TO WIN. WINNERS NEED NOT BE PRESENT TO WIN. VOID WHERE PROHIBITED BY LAW.

1. HOW TO ENTER: No purchase is necessary. There is no entry fee, payment or proof-of-purchase necessary to participate in the Give-Away. The Give-Away entry period starts on September 27, 2016 at 8 a.m. (Colorado time) and ends at 10 p.m. on October 14 Colorado time) (the " Give-Away Period"). To enter, post your photo or video fall foliage colors from trees located in the City of Boulder, Colorado (or on city-owned property, such as open space) on the Boulder Parks and Recreation Facebook page for the chance to win. You may enter the giveaway up to one time per day. Any other attempt at entry is void. Incomplete entries, or failure to follow the instructions, procedures or these Official Rules shall render the entry invalid. All entries become the property of Sponsor.

2. PRIZES: The following prizes will be awarded:

> Two – \$50 value packets of assorted gift cards good at several of the following local businesses: Gateway Fun Center, Hapa Sushi, Flatirons Running Co., Boulder Cycle Sport, Boulder County Famers Markets, and Ozo Coffee. Winners may select assortment of cards equally \$50 value (maximum value of cards from any one business listed above not to exceed \$20).

All prizes are subject to change; prize values are approximate and prizes have no cash redemption value. No transfer, substitution or cash equivalent for prizes allowed except at Sponsor's sole discretion. Winner is solely responsible for all applicable taxes. Sponsor makes no representations or warranties of any kind concerning the appearance, condition or performance of any prize.

3. RANDOM DRAWING (ONE PRIZE): Winner will be selected at random from all eligible entries received by the Sponsor whose decisions are final and binding. The drawing will be held at or about 10 a.m. (Colorado time) Monday, October 17, 2016. All entries must be received by 10 p.m.(Colorado time) Friday, October 14, 2016 to be eligible. Odds of winning depend upon the total number of eligible entries received. **WINNERS NEED NOT BE PRESENT TO WIN.**

4. PHOTO SELECTION (ONE PRIZE): Winner will be selected based upon artistic/aesthetic impact, composition, uniqueness, and color from all eligible entries received and determined by the Sponsor whose decisions are final and binding The selection will be determined at or about 10 a.m. (Colorado time) Monday, October 17, 2016. All entries must be received by 10 p.m.(Colorado time) Friday, October 14, 2016 to be eligible. **WINNERS NEED NOT BE PRESENT TO WIN.**

5. GENERAL: This Give-Away is subject to the laws of Colorado and the United States. Prizes will be awarded and/or delivered only to addresses within Boulder County, Colorado and its immediately adjoining counties. No substitution of prizes is offered, no transfer of a prize to a third party is permitted, and non-cash prizes may not be redeemed for cash value. Prize winners will be solely responsible for all applicable federal, state and local taxes on prizes; winners may receive an IRS Form 1099 for the retail value of the prize. All other expenses on the receipt and use of the prize not specifically mentioned herein are the sole responsibility of the winner. Any prize or portion of a prize not accepted by a winner will be forfeited and may be awarded to another entrant at the Sponsor's option.

6. CONDUCT: By entering this Give-Away, entrants agree to be bound by these Official Rules and the decisions of the Sponsor shall be final and binding in all respects. The Official Rules will be posted on the Parks and Recreation Forestry website at <http://www.BoulderForestry.org>. Failure to comply with these Official Rules may result in disqualification. Sponsor reserves the right at its sole discretion to disqualify any individual found to be tampering with or disrupting the entry process or the operation of the Give-Away; or to be acting in any manner deemed by Sponsor to be in violation of the Official Rules.

7. LIMITATIONS OF LIABILITY: Sponsor and all other Give-Away partners, prize providers, and persons or entities related to the Give-Away, including Facebook, assume no responsibility or liability for (a) any incorrect or inaccurate entry information; (b) any unauthorized access to, or theft, destruction or alteration of entries at any point in the operation of this Give-Away; (c) any technical malfunction, failure, error, omission, defect, or delay in operation or communications line failure, regardless of cause, with regard to any equipment, systems, or networks utilized in any aspect of the operation of the Give-Away; (d) inaccessibility or unavailability of the Internet or the website or any combination thereof, or; (e) any injury or damage to participants or to any other person's computer which may be related to or resulting from any attempt to participate in the Give-Away or download of any materials related to the Give-Away. This promotion is in no way sponsored, endorsed or administered by, or associated with, Facebook.

By participating, entrants and participants, on behalf of themselves and their heirs, executors, administrators, successors and assigns hereby knowingly and voluntarily release, discharge, waive and relinquish, and agree that they will not assert or maintain against Sponsor or Facebook, and those involved in the development, production (including prize suppliers, contractors, service providers), implementation and distribution of this Give-Away, all participating merchants and their designated agents and any other person or entity associated with such entities and/or this Give-

Away, and any of their respective officers, directors, employees, representatives, attorneys, or agents (collectively, "Sponsors' Companies"), any claim, action, suit or demand of any kind or nature whatsoever, whether known or unknown now or in the future, directly or indirectly, in whole or in part, arising out of or in connection with their participation in this Give-Away or any Give-Away-related activity, or their acceptance, possession, use or misuse of any prize in any way (including any tax liabilities). Entrants and participants hereby further agree that Sponsors' Companies are not responsible or liable for, and that entrants and participants will indemnify, defend, release, and hold Sponsors' Companies harmless from and against, any and all claims, liabilities, losses, damages, injuries, costs and expenses (including, without limitation, reasonable attorney's fees) of any nature whatsoever whether known or unknown now or in the future, directly or indirectly, in whole or in part, arising out of or in connection with their participation in this Give-Away or any Give-Away-related activity, or their acceptance, possession, use or misuse of any prize in any way (including any tax liabilities). Entrants and participants hereby acknowledge that they may hereafter discover facts different from or in addition to those which they now know or believe to be true and agree that this release will remain effective notwithstanding.

If by reason of any error, more prizes are claimed than the number set forth in these Official Rules, all persons making purportedly valid claims will be included in a random drawing to award the advertised prizes. No more than the advertised number of prizes will be awarded.

If, for any reason, the Give-Away is not capable of running as planned for reasons which may include without limitation, infection by computer virus, tampering, unauthorized intervention, fraud, technical failures, or any other causes which may corrupt or affect the administration, security, fairness, integrity or proper conduct of this Give-Away, then Sponsor reserves the right at its sole discretion to cancel, terminate, or modify the Give-Away in whole or in part.

8. WINNER NOTIFICATION: Potential winners will be notified on the Boulder Parks and Recreation Facebook page: <https://www.facebook.com/boulderparksrec>. Potential winners may be required to execute an Affidavit of Eligibility, a Liability Release and a Publicity Release ("Affidavit/Release") within ten (10) days of first notification to claim prize. If any of the required documents are not returned within the allotted time period, or if a winner does not respond to a Facebook message, the prize may be forfeited and an alternate winner may be selected at Sponsor's sole discretion. Any prize not accepted by a winner will be forfeited. It is the responsibility of the winner to claim the prize within the specified timeframe. All unclaimed prizes after ten days will automatically be forfeited and may be awarded to another entrant.

9. RELEASES: All entrants, as a condition of entry into the Give-Away, agree to release the City of Boulder, the Parks and Recreation Department, Facebook and their respective employees, subsidiaries, divisions, affiliates, suppliers, and promotional partners, from and against any and all liability, claims or actions of any kind whatsoever for injuries, damages, death or losses to persons or property which may be sustained in connection with submitting an entry, or otherwise participating in any aspect of the Give-Away, the receipt, ownership or use of any prize awarded, or while preparing for, participating in or traveling to or from any entry or prize-related activity, or for any typographical or other error in these Official Rules or the announcement of offering of any prize.

Except where prohibited by law, winners grant to Sponsor the right to print, publish, broadcast and use in any media now known or hereinafter known (including without limitation use online at the website) the winner's name, voice, statement, picture or other likeness, without additional compensation, for public relations, advertising and promotional purposes as may be determined by Sponsor.

10. WINNERS' LIST/OFFICIAL RULES: For the names of all prize winners, visit <https://www.facebook.com/boulderparksrec> on or after October 14, 2016 and prior to November 14, 2016. These Official Rules will be available at <http://www.BoulderForestry.org>.

11. PRIVACY (City of Boulder Parks and Recreation): We value your privacy and will not knowingly release, transfer, sell or trade the personal contact information required to enter this Give-Away to any third party without your permission (unless required to by law or to preserve community interests, property, rights or lives).

12. RULE CHANGES: Additions, deletions and modifications to these rules may be made at the discretion of the City of Boulder Parks and Recreation Department and may be enacted at any time.

13. SPONSOR: City of Boulder Parks and Recreation Department.

14. Last updated and effective date: September 26, 2016.