



**APPLICATION FOR PERMIT TO USE
TAMARIND PARK AT BISHOP SQUARE**

The undersigned hereby applies for a permit to use Tamarind Park at Bishop Square, 1001/1003 Bishop Street, Honolulu, Hawaii, and submits the following information of this Application.

Name of Applicant _____

Address _____

Telephone No. _____

Nature and Purpose of Activity _____

Equipment, Materials, Structures and Signs to be Used _____

Maximum Number of Persons Engaging in Activity _____

Dates Requested From _____ to _____
Date Time Date Time

Name and Title of Authorized Representative _____
Name (must be 18 years or older) Title

This Application must be submitted no less than three days before the first day desired for Applicant's activity. If Douglas Emmett 2010 LLC, Douglas Emmett Management Inc, and Douglas Emmett Management Hawaii, LLC approves this Application, the Applicant agrees to a \$50.00 fee plus tax of \$2.36 and may be subject to additional fees. Applicant will:

1. Observe and comply with all the Rules and Regulations Relating to the Use of Tamarind Park at Bishop Square, a copy of which is attached hereto and incorporated by reference herein.
2. Indemnify and hold Douglas Emmett 2010 LLC, Douglas Emmett Management Inc, and Douglas Emmett Management Hawaii, LLC and its owners, affiliates, partners, officers, directors, agents and employees harmless from and against any and all claims, actions, demands, liabilities, losses and damages of whatever nature (including but not limited to attorneys' fees and costs) and by whomever asserted relating to, connected with, or arising out of any activity conducted by Applicant in Tamarind Park.
3. Assume all risk of injury to Applicant or any member, agent, employee, guest or invitee of Applicant or any person otherwise associated with Applicant during or in connection with any activity conducted by Applicant in Tamarind Park, and waives any and all claims against Douglas Emmett 2010 LLC, Douglas Emmett Management Inc, and Douglas Emmett Management Hawaii, LLC and its owners, affiliates, partners, officers, directors, agents and employees as a result of any defect, deficiency, hazard or unsafe condition, apparent or latent, which may now exist or which may subsequently arise in the Tamarind Park.

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4. Abide by any and all conditions and limitations which Douglas Emmett 2010 LLC, Douglas Emmett Management Inc, and Douglas Emmett Management Hawaii, LLC (hereinafter collectively referred to as "Douglas Emmett Management Hawaii") may impose in the event.

Applicant understands that Douglas Emmett Management Hawaii may, but is not obligated to, permit Tamarind Park to be used by groups and persons for activities which it deems to be of community interest. Douglas Emmett Management Hawaii may approve or deny this Application in its sole and absolute discretion, or may impose any conditions or limitations on its approval as it may deem appropriate. If Douglas Emmett Management Hawaii approves this Application, Applicant acknowledges that only a revocable, non-exclusive, non-assignable permit is granted to Applicant to use Tamarind Park, and Douglas Emmett Management Hawaii may revoke such permit at any time for any reason or no reason without liability to Applicant in the event Douglas Emmett Management Hawaii deems such revocation to be in the best interests of Bishop Square.

Signature of Authorized Officer of Applicant _____ Date _____

(This portion to be completed by Building Management / Douglas Emmett Management Hawaii, LLC.)

Approved by _____ Date _____

Location Assigned _____

Conditions and Limitations:

**RULES AND REGULATIONS RELATING TO THE USE
OF TAMARIND PARK AT BISHOP SQUARE**

1. The use of Tamarind Park (the "Park") may be authorized only by written permit of Douglas Emmett 2010 LLC, Douglas Emmett Management Inc, and Douglas Emmett Management Hawaii, LLC (hereinafter collectively referred to as "Douglas Emmett Management Hawaii"). Applicants for permits to use the Park are available at the office of Douglas Emmett Management Hawaii, 1003 Bishop Street, Pauahi Tower, Suite 440, Honolulu, Hawaii 96813, during the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday.
2. Applicants who are granted permits to use the Park ("Permit Holders") must confine their activities exclusively within the areas designated by Douglas Emmett Management Hawaii, and may conduct their activities only on the days and times permitted by Douglas Emmett Management Hawaii.
3. A permit to use a designated area of the Park does not constitute a permit to use any other areas of the Park nor a permit to use the common areas of facilities within any building in Bishop Square. The Permit Holder shall not use any utilities or facilities of Bishop Square, unless such use has been authorized in writing by Douglas Emmett Management Hawaii.
4. The Permit Holder shall conduct its activities in a manner consistent with the permit granted, and the conditions and limitations of that permit, and in a manner which does not constitute and is not likely to constitute a nuisance or disturbance to tenants, invitees and licensees of Bishop Square or the public.
5. The permit Holder may not conduct or permit any activity to be conducted in the Park which threatens or may be deemed to threaten the safety or welfare of any property in Bishop Square or threatens the safety or welfare of any tenant, invitee or licensee of Bishop Square or any member of the public.
6. No activity shall be permitted in the Park which constitutes a violation of any law or ordinance or a violation of any rule or regulation of any governmental agency.
7. The Permit Holder shall not alter, deface, mark, or damage the Park or any property in Bishop Square. The Permit Holder shall be liable for any damage to the Park or to any property in Bishop Square caused by any of its activities.
8. The sale or attempted sale of merchandise or services in the Park is prohibited.
9. The posting or installation of any signs, pictures, or advertising materials in the Park is subject to the prior approval of Douglas Emmett Management Hawaii, which approval may be granted or withheld in its sole and absolute discretion.
10. The use of flashing lights, noise makers and other attention-getting devices in the Park is prohibited.
11. Douglas Emmett Management Hawaii reserves the right to restrict the use of the Park to charitable or nonprofit organizations, or organizations representing specific non-partisan community interests, and may deny use of the park to political organizations or for political activities.

Rules and Regulations Relating to the Use
of Tamarind Park at Bishop Square

12. Soliciting, canvassing, peddling or distribution of handbills or similar written materials is prohibited in the Park, provided that contributions, distribution of written materials, signatures or participation in surveys are permitted so long as the same are not actively solicited by the Permit Holder and are voluntarily made or requested by the contributor or recipient.
13. All areas of the Park used by the Permit Holder shall be kept clean, safe and orderly at all times and shall be restored to substantially the same condition as they existed when the Permit Holder entered the Park. The Permit Holder shall store all trash and waste materials in suitable containers within the area it is permitted to use, and shall be responsible for removing and disposing all trash and waste materials generated by its activities in the Park as soon as its activities are over.
14. The Park is not public property and is ordinarily reserved for the exclusive use of tenants, invitees and licensees of Bishop Square. Douglas Emmett Management Hawaii reserves the right to remove or cause the removal at any time of the Permit Holder or any person associated with the Permit Holder whose presence in the Park in the sole judgment of Douglas Emmett Management Hawaii is or may be detrimental to the safety, character, reputation or interest of Bishop Square. If the Permit Holder or any person associated with the Permit Holder fails to vacate the park upon request by Douglas Emmett Management Hawaii, such person shall be deemed a trespasser and Douglas Emmett Management Hawaii may take such steps as may be permitted by Section 706-306 of the Hawaii Revised Statutes in order to remove or cause the removal of such person from the Park.
15. No animals, bicycles, motorcycles, motor scooters, mopeds or motor vehicles shall be permitted in the Park.
16. No hazardous materials or substances, firearms or explosives shall be permitted in the Park.
17. No flammable, corrosive, combustible or explosive fluid, chemical or substance shall be permitted in the park.
18. The Permit Holder shall obtain all permits required by any government agency before engaging in its activities in the Park.
19. All activities of the Permit Holder in the Park shall at all times be subject to the control, regulation and supervision of Douglas Emmett Management Hawaii.
20. Notwithstanding anything to the contrary contained in these Rules and Regulations, the Permit Holder shall be solely responsible for providing security for any person or property it may bring into the Park, and Douglas Emmett Management Hawaii shall not be liable under any circumstances for any injury, damage or loss to any person or property that the Permit Holder may bring into the Park.
21. Upon request by Building Management, the Permit Holder shall provide Douglas Emmett Management Hawaii with a written list containing the names and addresses of all persons associated with the Permit Holder who shall or may be present in the Park during the Permit Holder's activities.
22. Douglas Emmett Management Hawaii reserves the right to amend, modify or supplement these Rules and Regulation at any time, and upon notice to the Permit Holder of any amendment of or modification or supplement to these Rules and Regulations, the Permit Holder shall abide by such amendment, modification or supplement just as if they were part of the original Rules and Regulations.