RESOLUTION AUTHORIZING THE OMAHA STORM CHASERS TO CONDUCT A 50/50 LOTTERY FOR THE BENEFIT OF THE CHASERS CHARITIES FOUNDATION

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104(6), the County has the power to do all acts in relation to the concerns of the county necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the Omaha Storm Chasers have expressed a desire to conduct a 50/50 lottery at the game scheduled at Werner Park on July 3, 2016 in order to benefit Chasers Charities Foundation; and,

WHEREAS, pursuant to Neb. Rev. Stat. §9-433(2), Class 6 Counties have the authority to authorize such lotteries by resolution; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-1114.01, Sarpy County is a Class 6 County.

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that this Board does hereby adopt the resolution to authorize the Omaha Storm Chasers to conduct a 50/50 lottery to benefit the Chasers Charities Foundation at Werner Park on July 3, 2016.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with the applicable law on the 21st day of June, 2016.

Sarpy County Board Chairperson

Attest:

Sarpy County Clerk
Chasers Charities 50/50 lottery on July 3, 2016

When are tickets sold?
Lottery tickets will be sold from the time gates open on Sunday, July 3, 2016 until the first pitch of the 9th inning.

What if there's a rain delay?
If a game does not start on time or is delayed during the first two innings, lottery tickets will be sold for at least three hours from the time gates open on Sunday, July 3, 2016.

Where are tickets sold?
Tickets will be available for purchase at Nebraska Methodist College Fan Services which is located behind section 115 and from representatives walking throughout the concourse.

How much are tickets?
Tickets will be sold at 1 for $3, 5 for $10, 10 for $15, and 20 for $20.

How much money can I win?
The winner will receive 50% of the gross proceeds collected through the sale of lottery tickets on Sunday, July 3, 2016.

Who do the remaining proceeds benefit?
The remaining proceeds from the lottery will be directed by the Chasers Charities and will be used to further the Chasers Charities mission of impacting sports and recreational activities with a focus on youth in the Omaha metro area.

When will the winning number be announced?
The winning ticket will be announced after the game on the field before fireworks on Sunday, July 3, 2016.

Where should I present my winning ticket?
On game days, winning tickets should be presented to the Nebraska Methodist College Fan Services booth which is located behind section 115. On non-game days, winning tickets should reach out to the Omaha Storm Chasers by calling 402-734-2550 or emailing cc@omahastormchasers.com.

How long do I have to claim my prize?
You will have thirty calendar days to present your winning ticket. Prizes not claimed within thirty days will result in 100% of the gross proceeds benefiting the Chasers Charities.

Are there any qualifications to participate?
Participants must be 18 years or older to purchase.

BACK of ticket
The Chasers Charities 50/50 lottery winning number will be announced after the game and before the fireworks on Sunday, July 3, 2016. Prize is 50% of gross proceeds from Sunday, July 3, 2016 lottery ticket sales. Remaining 50% benefits Chasers Charities. Must be 18 or older and citizen of the US to play. Official rules available online at winner need not be present to win.

Check for the winning number online at www.chaserscharities.org. Redeem winning ticket at the Nebraska Methodist College Fan Services booth which is located behind section 115. On non-game days, should be redeemed at Omaha Storm Chasers offices at Werner Park. You must redeem ticket within 30 days of announcement of winner.

This lottery is CASH ONLY. No check or credit card will be allowed for this purchase.
Chasers Charities 50/50 Lottery Official Rules

Please read these Official Rules before entering the Chasers Charities 50/50 lottery (the "Lottery"). By purchasing a ticket, you represent that you meet all of the below-stated requirements and agree to be bound by these Official Rules and by the decisions of the Chasers Charities, a 501(c)(3) charitable organization, or its representative.

Official Rules: By participating in the Lottery, each participant ("Entrant") agrees to be bound by these Official Rules and by the decisions of the Chasers Charities. These Official Rules shall be binding and final as to all matters related to the Lottery. The Lottery is subject to all applicable federal, state, local, and municipal laws and regulations. Some restrictions apply. Void wherever prohibited or restricted by law.

Eligibility: The Lottery is open to all legal residents of the fifty (50) United States and the District of Columbia that are age eighteen (18) or older as of the date of the entry. The Chasers Charities has the right to request photo identification from any person desiring to enter the Lottery. Entrants are subject to these Official Rules. Employees, full-time and seasonal, and their immediate families (spouses, siblings, children, household members and the spouses and children of the foregoing) of the Chasers Charities, Alliance Baseball LLC DBA Omaha Storm Chasers Baseball, and their respective parent, subsidiary or affiliated companies, and each of their respective shareholders, employees, affiliates, representatives, agents, board members, successors are not eligible to enter to participate the Lottery.

Sponsor: Chasers Charities, 12356 Ballpark Way, Papillion, NE 68046.

How to Enter: Lottery tickets ("Tickets") will be available for purchase in-person at Werner Park with the physical address of 12356 Ballpark Way, Papillion, NE 68046, at the Sunday, July 3, 2016 Omaha Storm Chasers home game from the time the gates open to the public until the beginning of the ninth (9th) inning (the "Lottery Period"); provided, however if a game does not start on time, or is delayed during the first two (2) innings, Tickets will be sold for a minimum of three (3) hours from the time stadium gates open. You may enter the Lottery by purchasing Tickets at the following rates: One (1) Ticket for Three Dollars; Five (5) Tickets for Ten Dollars; Ten (10) Tickets for Fifteen Dollars; Twenty (20) Tickets for Twenty Dollars. Tickets may be purchased from the Nebraska Methodist College Fan Service booth that is located behind section 115 and from representatives walking throughout the concourse. No discounts or complimentary Tickets will be provided. Each Ticket serves as a receipt for Entrant's purchase and is valid for that game's Lottery drawing only; Tickets are not eligible for any past or future Lottery drawings. There is no limit to the number of Tickets an Entrant may purchase. All Ticket purchases are final; no refunds or replacements will be issued.

Drawing: The running total from the Lottery sales will be periodically displayed and updated on the video board inside the Werner Park. One (1) Lottery winning Ticket number (the "Winning Ticket") will be drawn at random by an Omaha Storm Chasers representative from all eligible entries at the conclusion of the Entry Period (the "Drawing"). The Drawing will be held after the Sunday, July 3, 2016 game and before the fireworks that night. In the event of a weather delay or other intervening circumstance, the Chasers Charities may, in its sole discretion, modify any pre-determined schedule with respect to the Lottery Period and/or the Drawing. All Drawings will be conducted by the Chasers Charities and its decision is final. The Winning Ticket will be announced over the Werner Park’s Public Address System and posted at the Nebraska Methodist College Fan Services booth at the beginning of the fireworks on Sunday, July 3, 2016. The Winning Ticket will also be listed online at www.chaserscharities.org. Entrants do not need to be present to win.

Prize: There will be a maximum of one (1) Winning Ticket selected. The holder of that Winning Ticket (the "Official Winner") will, subject to the Official Rules, be awarded fifty percent (50%) of the gross Lottery sales from that game's Ticket purchases (the "Prize"). The remaining proceeds shall be retained by the Chasers Charities Each Official Winner assumes all responsibility for any state, county, or
federal taxes, fees and withholdings. Federal and state withholding laws are subject to change without notice. The withholding laws in an effect at the time each Prize is claimed will be followed. No substitute for Prizes will be allowed for any Official Winner. Prizes will not be split amongst various parties. Any unclaimed Prize will be retained by the Chasers Charities for charitable purposes (see Notifications Section, below).

**Odds:** The odds of winning the Prize cannot be determined in advance because they are based on the total number of Tickets purchased during the Entry Period, which can vary from game to game.

**Notifications:** All Prize claims must be made within thirty (30) calendar days of the applicable Lottery Drawing date (the "Claims Period"). The Winning Ticket must be presented in-person either to the Nebraska Methodist College Fan Services booth behind section 115 at the ballpark, or to a Chasers Charities representative during normal business hours at Werner Park (Monday - Friday, 9:00 a.m. - 5:00 p.m.). Should the thirtieth (30th) day of the Claims Period fall on a Saturday, Sunday or recognized holiday, then the Claims Period shall be extended to the next business day. Any transportation required for the Official Winner to make delivery of the Winning Ticket shall be the Official Winner's sole responsibility and will not be furnished by the Chasers Charities. The Official Winner must provide the Chasers Charities with all information required to claim the Prize (including tax identification). The Chasers Charities has no obligation to contact Official Winner. Upon presentation of the Winning Ticket in accordance with this Section, the Official Winner will receive a Prize-acceptance Affidavit and Release, as well as tax forms, which must be executed and turned over to the Chasers Charities no later than five (5) business days after receipt. Prizes will be sent to the Official Winner's mailing address via check within fifteen (15) days after the receipt of the Winning Ticket and all required forms. No cash payments will be made.

**Taxes:** The IRS has taken the position that amounts paid for chances to participate in lottery's, lotteries, or similar programs are not gifts and, therefore, the price of the entry does not qualify as a deductible charitable contribution. Official Winner will be subject to the IRS rules and regulations regarding gambling winnings. The Chasers Charities will complete and file IRS form W-2G and withhold federal income tax of 28% and state tax of 5% from the Official Winners proceeds in accordance with IRS guidelines and regulations for prizes at $600.00 and above. Official Winners who are non-resident aliens for tax purposes will be subject to all applicable withholding and reporting requirements. Official Winners may waive the right to receive a Prize, at which time the Prize from that Drawing date will be forfeited and proceeds will be reclaimed by the Chasers Charities for charitable use. In the event that an Official Winner: (a) does not notify the Chasers Charities within thirty (30) calendar days of the Drawing, (b)is ruled ineligible for any reason; (c) refuses the Prize; or (d) does not return all of the required forms, the Prize will be forfeited and will be retained by the Chasers Charities for charitable use. In the unlikely event that an error or problem in the administration of a Lottery results in more than one Entrant holding a Winning Ticket, the person holding the Ticket that was purchased the earliest shall be deemed the Official Winner.

**Transfer of Lottery Tickets:** Entrants may opt to give away their Lottery Tickets to another eligible person, but in doing so the Entrant waives any claim he/she might otherwise have to the Prize. Entrants may not re-sell their Tickets to other parties, and may not knowingly give Tickets away to another for the purpose of allowing those other parties to re-sell such Tickets. All Tickets which have been resold in violation of these Official Rules shall be void. All individuals who re-sell, purchase, or receive Tickets in violation of these Official Rules shall be ineligible to participate in the Lottery or to win a Prize. Transferred Tickets shall be bound by all the terms and conditions of these Official Rules.

**Winners List:** The Winning Ticket and Prize amount will be listed on the Chasers Charities website at [www.chaserscharities.org](http://www.chaserscharities.org).

**Release of Liability:** By entering into the Lottery, all Entrants: (a) agree to be bound by these Official Rules; and (b) release, waive, discharge, covenant not to sue and indemnify the Chasers Charities, Alliance Baseball LLC DBA Omaha Storm Chasers Baseball, the Omaha Storm Chasers, the KC Royals, all MLB Entities, and their respective parent corporations, subsidiaries and affiliates, together
with their owners, partners, employees, officers, directors, sponsors and agents, including advertising, sponsorship and promotion agencies (collectively, the “Released Parties”) from any and all liability with respect to any injury, damage or loss that may occur, directly or indirectly, in whole or in part, from the participation or while preparing to participate in the Lottery. “MLB Entities” shall mean the Office of the Commissioner of Baseball, its Bureaus, Committees, Subcommittees and Councils, the Major League Baseball Clubs, MLB Advanced Media, L.P., Major League Baseball Enterprises, Inc., Major League Baseball Properties, Inc., each of their parent, subsidiary, affiliated and relate entities, any entity which, now or in the future, controls, is controlled by, or is under common control with the MLB Clubs or the Office of the Commissioner and the owners, general and limited partners, shareholders, directors, officers, employees and agents of the foregoing entities.

Publicity Release: Each Official Winner, by accepting his/her Prize, grants the Chasers Charities and Chasers Charities designees and affiliates, including Alliance Baseball LLC DBA Omaha Storm Chasers Baseball, the Omaha Storm Chasers, the KC Royals and Major League Baseball Advance Media, L.P., full permission to use that Official Winners name, photograph, voice and/or likeness and Prize information for advertising, trade and promotional purposes without further compensation and without notice, review or approval, in all media now known or hereafter discovered, worldwide, and on the Internet, in perpetuity.

Disclaimer: The Chasers Charities, in its sole discretion, reserves the right to disqualify any person who tampers with the entry process or otherwise violates these Official Rules. CAUTION: ANY ATTEMPT BY AN ENTRANT OR ANY OTHER INDIVIDUAL TO UNDERMINE THE LEGITIMATE OPERATION OF THE LOTTERY IS A VIOLATION THESE OFFICIAL RULES AND OF CRIMINAL AND CIVIL LAWS AND SHOULD SUCH AN ATTEMPT BE MADE, THE CHASERS CHARITIES RESERVES THE RIGHT TO SEEK DAMAGES FROM ANY SUCH ENTRANT OR INDIVIDUAL TO THE FULLEST EXTENT PERMITTED BY LAW. The Chasers Charities further reserves the right to cancel, terminate or modify the Lottery for any reason, including, but not limited to, any Lottery that is not capable of completion as planned, infection by tampering, unauthorized intervention or technical failures of any sort, fraud, or acts of God. The Released Parties are not responsible for: (1) Lottery Tickets which are lost, stolen, improperly issued, printed with errors, counterfeited, illegible, given away, and altered or subject to other deficiencies which may limit an Entrant’s ability to participate in or win any Lottery; (2) entry payments that are delayed, misdirected, undelivered, not fully captured, or garbled in an ISP, website, computer, telephone, cable or satellite modem or connection, handheld mobile device or any other computer equipment or connection, whether or not caused by site users, tampering, hacking, or by viruses, worms or malfunctions affecting network, server ISP or any equipment or programming used in or associated with the Lottery; (3) any other error of any kind, whether human, typographical, printing, mechanical, or electronic in nature which relates to the Lottery, including without limitation errors in Lottery related materials or in the administration of the Lottery, such as errors in processing Entrants, determining Official Winners, or announcing or delivering Prizes. Released Parties make no warranty, guaranty or representation of any kind concerning any Prize and disclaim any implied warranty. Failure to enforce any term of these Official Rules shall not constitute a waiver of that provision.

Disputes & Governing Law: The Lottery shall be governed by the laws of the State of Nebraska without giving effect to any choice of law or conflict of law rule of any jurisdiction. Any claims regarding the Lottery that are not released, must be brought in the State or Federal Courts in Sarpy County, Nebraska, and Entrant hereby consents to the personal jurisdiction of such courts for purposes of any such action. The Lottery is void outside the United States and where prohibited by law. Each Entrant agrees that: (1) any and all disputes, claims, and causes of action not waived arising out of or in connection with the Lottery, or any Prize awarded, shall be resolved individually, without resorting to any form of class action; (2) any and all claims, judgments, and awards shall be limited to actual out-of-pocket costs incurred, including costs associated with entering this Lottery, but in no event attorneys’ fees; and (3) under no circumstances will Entrant be permitted to obtain awards for, and Entrant hereby waives all rights to claim punitive, incidental, and consequential damages, and any other damages, other than for actual out-of-pocket expenses, and any and all rights to have damages multiplied or otherwise increased. IN NO EVENT SHALL THE CHASERS CHARITIES OR ANY RELATED ENTITY BE LIABLE FOR DAMAGES THAT EXCEED THE VALUE OF THE PRIZE AWARDED TO ANY ENTRANT IN THE LOTTERY.