

manner all income taxes, employment taxes, and other taxes relating to payments made to it by County pursuant to this Agreement.

- J. Contractor agrees to indemnify, save and hold harmless, and defend the County, its commissioners, officers, boards, employees and agents from and against any liability for damages and for any liability or claims resulting from property damage or bodily injuries (including accidental death), including the use of any herbicides or other chemicals used in performing its obligations under this Agreement which arise out of or relate to Contractor's operation and provision of the Maintenance Services and of Contractor's other obligations under this Agreement, or from Contractor's breach or violation of any of the terms of this Agreement, including in each case but not limited to, reasonable attorney's fees and cost if such fees and costs are deemed necessary by the County.
- K. This Agreement shall not be transferred or assigned by either party hereto without the prior written agreement by both parties. This Agreement and the rights of the parties hereunder shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns.
- L. Any notices or communications required or permitted hereunder shall be sufficiently given if sent by Registered or Certified Mail, Return Receipt Requested, postage pre-paid, addressed as follows:

As to Contractor:

Outdoor Living Southeast
1420 Gornito Road
Valdosta, GA 31602

As to County:

Lowndes County Board of Commissioners
327 North Ashley Street
Valdosta, Georgia 31601
Attn: County Manager

Or to such address as shall be furnished by such notice to the other parties.

- M. The captions used in this Agreement are inserted for convenience only and shall not constitute a part hereof.
- N. If any provision of this Agreement, or application thereof to any person or circumstance shall to any extent be invalid, then such provision shall be modified if possible, to fulfill the intent of the parties as reflected in the original provisions of the remainder of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and each provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.
- O. This Agreement shall be governed and construed in accordance with the laws of the State of Georgia.