

**AGREEMENT
CITY OF LYONS / USD 405 / LRC
BATTERSHELL FIELD**

File: 3015.7.1



CITY OF LYONS
PRIDE *of the* TRAIL

This agreement is made and entered into this ____ day of February 2021, by and between the City of Lyons, Kansas (the City); Lyons Recreation Commission (LRC); and Lyons Unified School District 405 (USD 405).

Witnesseth:

WHEREAS, LRC provides recreational opportunities on ball fields owned by the City, including Battershell Field; and

WHEREAS, the City, through the City of Lyons Comprehensive Plan, supports continued expansion and retention of recreational opportunities to improve quality of life in the city; and.

WHEREAS, The City also owns structures next to Battershell Field that at one time were utilized by the local 4-H clubs; and

WHEREAS, LRC and USD 405 desire to use one of the former 4-H buildings for a batting practice facility and the City desires to allow such use.

NOW, THEREFORE, the parties agree as follows:

1. LRC and USD 405 agree, at their own individual expense, to utilize the former 4-H for a batting practice facility, with no expenses for such to be incurred by the City.
2. LRC and USD 405 do hereby agree to hold harmless and indemnify the the City from any and all liability, damage, injury, death, and loss of any kind whatsoever, including attorney's fees, by reason of or resulting from their use of the former 4-H building for a batting practice facility.
3. LRC and USD 405 agree to carrying liability insurance sufficient to cover their participants while using the facility; minimum \$300,000.00 per individual and \$1,000,000.00 per incident.
4. The City agrees that there will be no charge for the above-described use of the former 4-H building.
5. The parties agree that this agreement shall end five years from the date of its execution.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the above-mentioned date.

For the City of Lyons:

By _____
Chad Buckley, City Administrator

Date: _____

Lyons Unified School District 405:

By: _____
Dr. Bill Day, Superintendent of Schools

Date: _____

Lyons Recreation Commission

By _____
Clint Bieberle, Superintendent

Date: _____