

CITY CLERK FILE

AGREEMENT BETWEEN THE SANTA CLARA UNIFIED SCHOOL DISTRICT AND THE CITY OF SANTA CLARA RELATIVE TO SKATEBOARD PARK

This is an Agreement between the Santa Clara Unified School District (hereinafter "District") and the City of Santa Clara (hereinafter "City") relative to the establishment of a skateboard park facility at the Cabrillo Middle School site.

- 1. Use of Property. District grants City permission to utilize a portion of the Cabrillo Middle School site for purposes of establishing and maintaining an area for skateboarding activities.
2. Fences, Notice. City shall install at its expense appropriate fences to separate the skateboard park from the remaining portions of the school site.
3. Term. This agreement shall commence on December 1, 1997, and shall terminate one year after either party to the other delivers notice of termination.
4. Hold Harmless and Defense: City shall defend, indemnify and hold harmless District, its officers, agents and employees from any and all claims or causes of action for death or injury to persons, or damage to or loss of property arising out of negligent or inadequate supervision of the skateboard park facility, the construction and maintenance of the skateboard facility and the operation and use of the skateboard facility except where such claim or cause of action arise from the sole negligence of District, its officers, employees or agents.

SANTA CLARA UNIFIED SCHOOL DISTRICT

Dated: 11/25/97

By: Paul Beretta

CITY OF SANTA CLARA

Dated: 12-9-97

By: Judy Nadler Mayor

By: Jennifer Sparano City Manager

APPROVED AS TO FORM
By: [Signature] City Attorney

ATTEST:
By: [Signature] City Clerk