

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. The City shall install appropriate signs and notices advising the public of any limitations upon the use of the skateboard area.
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. *At the time of termination, City at the District's discretion and guidance shall remove any or all improvements installed at the skateboard park and, if necessary, return the utilized portion of Cabrillo Middle School back to its original state.*
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: Basil 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: J. E. Bocay
City Clerk