

A JOINT USE AGREEMENT
FOR
SCHOOL-RECREATION CENTERS
IN
HARFORD COUNTY, MARYLAND

THIS AGREEMENT MADE THIS 24 DAY OF October, 1960,
BY AND BETWEEN THE BOARD OF EDUCATION OF HARFORD COUNTY, MARYLAND,
HEREINAFTER CALLED EDUCATION, AND THE BOARD OF PARKS AND
RECREATION OF HARFORD COUNTY, MARYLAND, HEREINAFTER CALLED PARKS
AND RECREATION.

WHEREAS, PARKS AND RECREATION DESIRES TO CONSTRUCT AND
OPERATE RECREATION FACILITIES, EACH WITH APPROPRIATE EQUIPMENT,
FENCING, AND LANDSCAPING TO BE LOCATED ON THE GROUNDS OF VARIOUS
SCHOOLS THROUGHOUT HARFORD COUNTY, AND

WHEREAS, EDUCATION DESIRES TO COOPERATE WITH PARKS AND
RECREATION IN ITS EFFORTS TO FURTHER THE RECREATIONAL
OPPORTUNITIES FOR THE PEOPLE OF HARFORD COUNTY AND VISITORS IN
THE COUNTY.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISE AND THE
MUTUAL COVENANTS AND AGREEMENTS,

EDUCATION AGREES AS FOLLOWS:

1. To DESIGNATE CERTAIN PORTIONS OF SCHOOL GROUNDS AS
MAY BE DETERMINED BY EDUCATION AS SUITABLE AND AVAILABLE FOR
THE CONSTRUCTION OF SAID RECREATION FACILITIES WITHOUT
JEOPARDIZING FUTURE SCHOOL DEVELOPMENT.

2. To PERMIT PARKS AND RECREATION EMPLOYEES TO ENTER INTO
AND UPON SAID GROUNDS AT ALL REASONABLE TIMES FOR THE PURPOSE
OF INSPECTING THE CONDITIONS OF THE SAME AND/OR FOR THE PURPOSE
OF MAKING REPAIRS AND CARRYING ON ORDINARY DAY-TO-DAY
MAINTENANCE.

3. To PERMIT THE OUTDOOR RECREATION FACILITIES TO BE OPEN
TO THE GENERAL PUBLIC, AS REGULATED BY PARKS AND RECREATION, AT
ALL REASONABLE HOURS AND TIMES CONSISTENT WITH THE TYPE OF
FACILITIES, AS LONG AS NORMAL SCHOOL ACTIVITIES ARE NOT
INTERFERED WITH.

PARKS AND RECREATION AGREES AS FOLLOWS:

1. TO OBTAIN EDUCATION'S APPROVAL REGARDING THE PLANNING, LOCATING, CONSTRUCTING, OPERATING, AND THE MAINTENANCE OF SAID FACILITIES AND TO ASSUME COMPLETE RESPONSIBILITY FOR THE CARRYING OUT OF ALL THE ITEMS CONCERNING THE FACILITY'S DEVELOPMENT, OPERATION, AND MAINTENANCE.

2. TO PROVIDE THE NECESSARY MAINTENANCE OF SAID FACILITIES SO THAT THEY:

- A. WILL APPEAR ATTRACTIVE AND INVITING TO THE PUBLIC,
- B. WILL BE REASONABLY SAFE FOR PUBLIC USE, AND
- C. WILL CONTINUE TO REMAIN IN A REASONABLE STATE OF REPAIR THROUGHOUT THEIR ESTIMATED LIFE, MINIMUM OF TWENTY-FIVE (25) YEARS, SO AS TO PREVENT UNDUE DETERIORATION AND SO AS NOT TO DISCOURAGE PUBLIC USE.

3. TO RECEIVE WRITTEN PERMISSION FROM THE SUPERINTENDENT OF SCHOOLS BEFORE BEGINNING IMPROVEMENTS TO SAID FACILITIES. IT WILL BE NECESSARY FOR THE DIRECTOR OF PARKS AND RECREATION TO OBTAIN THE PERMISSION OF THE SCHOOL PRINCIPAL BEFORE PROCEEDING WITH ANY MAINTENANCE ON SAID FACILITIES.

4. TO INDEMNIFY AND SAVE HARMLESS EDUCATION FROM ANY AND ALL CLAIMS, DEMANDS, SUITS, ACTION EXPENSES AND COSTS, JUDGMENTS, AND RECOVERING FOR OR AN ACCOUNT OF DAMAGE OR INJURY (INCLUDING DEATH) TO PROPERTY OR PERSONS, OTHER THAN SCHOOL STUDENTS AND SCHOOL PERSONNEL USING THE SAME AS AN ADJUNCT TO THE SCHOOL SYSTEM OF HARFORD COUNTY WHICH IS IN NO WAY TRACEABLE TO NEGLIGENCE, FAULT, OR DEFAULT OF EDUCATION, ITS AGENTS, SERVANTS, EMPLOYEES, OR PERSONNEL.

EDUCATION AND PARKS AND RECREATION MUTUALLY AGREE AS FOLLOWS:

1. THAT NEITHER WILL MAKE ANY CHANGE FROM THE ORIGINAL RECREATION USE OF SAID FACILITIES WITHOUT THE WRITTEN CONSENT OF THE OTHER; AND THAT NO CHANGE WILL BE MADE IN THE INTENDED USE OF ANY PORTION OF THE FACILITY UPON WHICH ASSISTANCE FROM THE LAND AND WATER CONSERVATION FUND HAS BEEN GRANTED WITHOUT THE WRITTEN CONSENT OF THE STATE LIAISON OFFICER RESPONSIBLE FOR ADMINISTERING THE FUND.

2. THAT THESE FACILITIES UPON WHICH LAND AND WATER CONSERVATION FUND ASSISTANCE HAS BEEN PROVIDED WILL BE USED PRIMARILY FOR PUBLIC OUTDOOR RECREATION AND ARE NOT CONSTRUCTED PRIMARILY TO MEET THE BASIC NEEDS RELATED TO THE EDUCATION OF STUDENTS.

3. THAT THIS AGREEMENT SHALL INURE TO THE BENEFIT OF, AND BE BINDING UPON, THE PARTIES HERETO AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. NOTHING IN THIS AGREEMENT, EXPRESSED OR IMPLIED, IS INTENDED TO CONFER UPON OR AGAINST ANY OTHER PERSON, CORPORATION, OR GOVERNMENTAL UNIT ANY RIGHT OR REMEDIES UNDER OR BY REASON OF THIS AGREEMENT.

THE BOARD OF EDUCATION OF HARFORD COUNTY, MARYLAND

ATTEST:

BY: Charles W. Willis
SUPERINTENDENT

BY: William H. ...
PRESIDENT

THE BOARD OF RECREATION AND PARKS OF HARFORD COUNTY, MARYLAND

ATTEST:

BY: Roy A. ...
DIRECTOR

BY: Walter D. Barnes
PRESIDENT

APPROVED FOR LEGAL FORM AND SUFFICIENCY HARFORD COUNTY BOARD OF EDUCATION

Edward ... 10-16-69
NAME DATE

APPROVED FOR LEGAL FORM AND SUFFICIENCY HARFORD COUNTY, MARYLAND

Richard ... 10/21/69
NAME DATE