

Adopt-A-Park Program

LETTER OF UNDERSTANDING

Whereas, the Town of Prescott Valley embraces the Adopt-A-Park program, where a community group or organization participates as volunteers in the maintenance and improvements for a Town park site, and,

Whereas, Mingus Mountain Academy has expressed a desire to participate in this program with the understanding that:

1. Mingus Mountain Academy (including each member thereof) will assist in the upkeep and maintenance of the park, with the coordination of the Parks and Recreation Department.
2. Mingus Mountain Academy (including each member thereof) acknowledges that it has no authority to bind the Town of Prescott Valley for contractual obligations, expressed or implied.
3. Mingus Mountain Academy (including each member thereof) commits to conducting, at a minimum, one cleanup of its adopted site per month.
4. Mingus Mountain Academy (including each member thereof) expressly waives, releases and discharges any and all claims for damages of any kind (including personal injury), that is (and each of them) may have against the Town, its officials, officers, employees, agents, successors, and assigns, as a result of participating in this volunteer project. In so doing, it (and each of them) expressly assumes all of the risks of participating in this volunteer project and holds the Town harmless for, from, and against any and all claims for damages, including personal injury.

The Town, in turn, agrees to indemnify, defend and hold harmless Mingus Mountain Academy (including each member thereof) for, from and against any and all claims, including personal injury, arising

from the negligence of the Town, its officials, officers, employees, agents, successors and assigns.

Vincent Monreal, Mingus Mountain Academy and as agent for each member thereof

Therefore, be it resolved that **Mingus Mountain Academy** is hereby appointed as an Adopt-A-Park trustee for Fain and Viewpoint Parks located on 2200 N. 5th Street and 7301 E. Park Ridge Drive in the Town of Prescott Valley this 28th day of February, 2013.

Harvey Skoog, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney