

FACILITY USE AGREEMENT

This Agreement is entered into as of the date written below by and between the City of Vergas, Minnesota, and Frazee High School (FHS).

Recitals

The City owns and operates the baseball field located at 230 Frazee Avenue Vergas MN .

FHS uses the City's baseball field for games and practices.

Agreement

1. **Equipment:** The City shall mow and otherwise maintain the field. FHS will prep the field (grooming, chalking) for game use and provide its own equipment and materials. FHS shall not create a dangerous condition on the field for players, coaches or the public that may use the field.
2. **Indemnification:** FHS shall defend and indemnify the City with respect to all claims brought by third parties, FHS and FHS staff for damages resulting from the negligence or otherwise wrongful act or omission by FHS or FHS staff while using the field, including costs and reasonable attorneys' fees.
3. **Schedule:** FHS shall provide the City of Vergas City Office with its expected game and practice schedule. (Email schedule to jllammers@cityofvergas.com)
4. **Notification:** FHS shall notify the City of any field or structure defects. By calling 218-302-5996 or emailing: mdufrane@cityofvergas.com. Any defects will be undertaken by the City.
5. **Insurance:** FHS shall provide the City with proof of insurance for use of the City facility.
6. **Fee:** The City shall not charge a fee for FHS to use the facility.
7. **Relationship:** By entering into this agreement, no employment relationship is created between the City and any FHS staff, nor are the parties entering into a partnership or joint venture. The City does not provide supervision of the FHS staff when field maintenance is being undertaken, or during games and practices.

Terms and Conditions

All trash generated by FHS must be picked up and disposed of properly in the receptacles provided. No glass containers are allowed and the sale and/or consumption of liquor or beer is prohibited at high school events.

I hereby for myself or any representative of my organization or group waive and release any and all rights and claims for damages I or representatives of my organization or group have against the City of Vergas and its representatives for any and all injuries suffered at any City of Vergas facility. I also assume full responsibility for any damages to equipment or to the facility during my use.

FRAZEE HIGH SCHOOL

Name: _____

Title: _____

Date: _____

CITY OF VERGAS

Name: _____

Title: _____

Date: _____