

**ARTIFICIAL TURF AGREEMENT
CITY OF MITCHELL**

Agreement made this ____ day of _____, 2021 by and between the City of Mitchell SD, by and through its' Park, Recreation and Forestry Board, (hereafter called "City") and _____(hereafter called "Donor") as follows:

I. Term of Agreement:

- A. This Agreement shall commence as of the date hereof, and shall extend for a term of seven (____) years thereafter: and shall be subject to renegotiation at the completion of this seven (____) year agreement.

II. The Donor Responsibilities:

- A. Pay the City the artificial turf donation on September 1st according to the following terms:
 - a. The artificial turf donations amount for each year is:

2021 - \$ _____
2022 - \$ _____
2023 - \$ _____
2024 - \$ _____
2025 - \$ _____
2026 - \$ _____
2027 - \$ _____

III. The City Responsibilities:

- a. The City agrees to install artificial turf on the infield of Drake Field; installation would begin as early as the fall of 2021. Installation schedule could vary depending on weather.
- b. The City agrees to install the Donor logo into the artificial turf in compliance with our donor guidelines. The logo will stay for the useful life of the artificial turf infield.
- c. All improvements to the Facility premises, upon completion of construction, shall be deemed to be the sole property of the City.

- IV. This Agreement constitutes the entire agreement between the parties and shall not be modified unless mutually agreed by the City Park and Recreation Board and Donor in writing.

V. Donor shall have no right to assign any of the rights or benefits under this Agreement without prior written consent of the City.

VI. If any section, or portion thereof, of this Agreement is found to be void, unenforceable, or unconstitutional, the improper portion shall be severed and the remaining provisions will remain in full force and effect to the maximum extent permitted by law.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

Approved and adopted by the Park & Recreation Board of the City of Mitchell, South Dakota, this ____ day of September, 2021.

CITY OF MITCHELL, SOUTH DAKOTA
PARK AND RECREATION BOARD

By: _____

Title: Mitchell Park & Recreation Board President

Approved and adopted by the _____, this ____ day of September, 2021.

By: _____

Title: _____

In witness whereof, the parties have executed this Agreement as the day and year first written above.