

**Land Use / Hold Harmless Agreement
Between the
City of New Castle
and the
Henry County Commissioners**

WHEREAS, The City of New Castle and the Henry County Commissioners wish to provide a location that will allow emergency responders to train, exercise and perfect their skills, and

WHEREAS, the City of New Castle has a section of property located east of the Osborne Park wooded walk park and north of the baseball fields that is centrally located within Henry County and,

WHEREAS, the Henry County Commissioners wish to utilize a portion of the Osborne park area to provide a location for a training facility for emergency responders.

The Commissioners of Henry County would request that this land use agreement for the said property be agreed upon between the Henry County Commissioners and City of New Castle until January 1, 2060. This agreement shall automatically renew at the anniversary date for the next 20 years unless either party wishes to terminate the agreement at the end of the initial agreed upon timeframe. If either party wishes to terminate this agreement they may do so in writing no later than 90 days prior to the anniversary date.

If this agreement is terminated, the Henry County Commissioners and other interested parties shall be provided an appropriate amount of time to relocate any training resources that have been built or located at the provided training site.

The property will be managed for the Henry County Commissioners by the Henry County Emergency Management Agency (HCEMA/DHS) with input from the Henry County Training Center Advisory Board.

NOW, THEREFORE, The Henry County Commissioners agree to hold harmless the City of New Castle, its officers, members and employees from and against any and all liabilities and claims made by individuals or entities as a result of the participants' participation or actions during any activity or event.


Furthermore, the Henry County Commissioners agree to include this training location on the Commissioners insurance policy.

I have read the terms of this land use/hold harmless agreement and I understand and agree to the terms and conditions of this agreement.



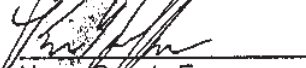
City of New Castle
Mayor

5/5/2008
Date



Henry County Commissioner
President

5-7-08
Date



Henry County Emergency
Management
Director

5/5/08
Date



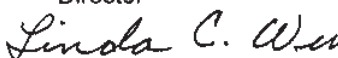
Henry County Commissioner

5-7-2008
Date



Henry County Commissioner

5-7-2008
Date



Linda C. Winchester
Notary Public, State of Indiana
Henry County
Commission Number 521631
My Commission Expires 12-29-10

Property location/description

Description

Approximately 5 acre square with a driveway which extends from the training facility out to Hillsboro Road. The road bed shall be twenty foot wide with a 5 foot right of away on both sides.

Physical Location

Starting at the Osborne park walk park north east corner post to a point 470 feet due east and 470 feet due south from that point, from the corner post 470 feet south and from that point 470 feet east.

Once the facility is established, the training facility corner posts shall be the property markers.

Attachments

A – Local topographic map with facility overlay (facility layout and options may change)

B – Full page facility overlay (facility layout and options may change)