I, Karen K. Cole, City Clerk of the City of Manchester, Iowa do hereby certify that the attached copy of a 28E Agreement between the City of Manchester, Iowa and the West Delaware County Community School District has been approved by the City Council of the City of Manchester, Iowa on the 16th day of October, 1995 and the West Delaware Community School District on the 9th day of October, 1995.

CITY OF MANCHESTER, IOWA

Karen K. Cole

Karen K. Cole, City Clerk

Subscribed and Sworn to before me by Karen K. Cole, City Clerk of the City of Manchester, Iowa, this 18th day of October, 1995.




Linda K. Tutton

Linda K. Tutton, Notary

COMMUNITY ACTIVITY PARTICIPATION AGREEMENT
BETWEEN THE WEST DELAWARE COMMUNITY SCHOOL DISTRICT AND
THE CITY OF MANCHESTER, IOWA

THIS AGREEMENT between the City of Manchester, Iowa and the West Delaware Community School District of Delaware County, Iowa, is made pursuant to Chapter 28E, Code of Iowa, 1991, to provide for the joint exercise of power possessed by each and is made this 9 day of October, 1995.

WHEREAS, the City of Manchester, Iowa and the West Delaware Community School District have determined that recreational opportunities for citizens residing in Delaware County, Iowa should be provided and supervision of such activities would be a proper activity for participation by the City of Manchester, Iowa and the West Delaware Community School District; and

WHEREAS, the sharing of certain assets, equipment, materials, personnel and other participation between the City of Manchester, Iowa and the West Delaware Community School District would assist and provide for efficient provision of recreational opportunities.

IT IS THEREFORE AGREED as follows:

1. The purpose of this agreement is to provide for recreational opportunities.

2. The public agencies which are parties to this agreement are the City of Manchester, Delaware County, Iowa and the West Delaware Community School district.

3. This agreement will become effective on the 9 day of October, 1995, or on the date on which the last party to this agreement takes appropriate action by ordinance, resolution or otherwise pursuant to the governing bodies involved, whichever is later.

4. This agreement shall continue in effect until the 31st day of August, 1996. Cancellation of this agreement can be made by written notification of termination by the deisgnee of either party to the designee of the other party of this agreement.

5. No separate legal administration entity is created to administer this agreement. Each entity will be responsible for budgeting it's own expenses.

6. The West Delaware Community School District hereby agrees to indemnify and hold harmless the City of Manchester, Iowa from and against any and all loss, claim, demand, damages, or liability which may be claimed to have arisen as a result of or in connection with recreational activities conducted on property of the West Delaware Community School District.

7. This agreement does not contemplate or authorize the joint purchase of property except for equipment, acquired for these recreational programs, from user fees. Said equipment be equally owned by the City of Manchester and the West Delaware Community School District. In the event this agreement is not renewed and the recreational programs are discontinued said equipment shall either be divided equally or sold with the proceeds divided equally between the two parties of this agreement. In the event that the City of Manchester continues to support and provide these recreational opportunities without the financial or in kind support of the West Delaware Community Schoool District said equipment shall become the property of the City of Manchester.

FILE No. 171-1357
RECORDING FEE $ 21.00
TRANSFER FEE $
FILED FOR RECORD THE 8 DAY OF November, 1995 AT 2:11 O'CLOCK P M. BOOK 6 PAGE 22
STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Misc.

8. Each participant or the legal guardian of the same, if not of legal age, in recreational activities provided by this agreement, shall execute a document releasing and holding harmless the City of Manchester, Iowa and the West Delaware Community School District for injuries or any other legal action of any description arising out of their participation in such activites.

9. Recreational activities to be provided by this agreement shall include youth and adult recreational activities provided by the parties to this agreement.

10. The West Delaware Community School District agrees to make facilities available for recreational activities provided by the parties at the times and places as indicated in "Attachment A".

11. The West Delaware Community School District shall establish conditions for the use of its buildings and properties for recreational activities provided pursuant to this agreement and shall have the authority to cancel or reschedule the recreation activities as necessary.

12, The City of Manchester, Iowa and the West Delaware Community School District shall set fees for participation in certain activities provided pursuant to this agreement. The fees received from participants in such recreational activites shall be used for acquisition of equipment and supplies needed to operate the recreational programs. The equipment and supplies shall become jointly owned property as specified in paragraph 7. Any balance of funds shall be used to offset the cost of personnel to direct or oversee the recreational programs.

13. The City of Manchester, Iowa shall provide the following services, responsibilities, personnel, and equipment infurtherance of recreational activities pursuant to this agreement as noted in "Attachment A":

Coordinators for Programs
Payroll
Workman's Compensation

THIS AGREEMENT filed and dated by the respective parties as follows:

CITY OF MANCHESTER, IOWA

Milt L. Kramer, Mayor

Karen K. Cole, City Clerk

CITY OF MANCHESTER IOWA SEAL

Anita M. Palmer
Anita Palmer, Chairperson
Parks & Recreation Commission

Beverly S. Hermsen
Beverly S. Hermsen, Director
Parks & Recreation Commission

WEST DELAWARE COMMUNITY SCHOOL DISTRICT

BY Judy Gudenkauf
President
Judy Gudenkauf

BY Joseph E. Kirchoff
Superintendent
Joseph E. Kirchoff

"ATTACHMENT A"

City Recreation Programs for 1995-96
(Tentative Dates)

ADULT FLAG FOOTBALL LEAGUE:

- September 24, October 1, 8, 15, 22, 19
- Sunday evenings, 1:00 - 5:00 p.m.
- Adult Recreational League
- Location: behind Lambert

YOUTH FLAG FOOTBALL LEAGUE:

- September 18, 19, 21, 23, 25, 26, 30, October 2, 3, 5, 7, 9, 14, 16, 18
- Mondays, Tuesdays, Wednesdays, Thursdays, 4:30 - 7:00 p.m. and Saturdays, 10:00 a.m. - 12:00 p.m.
- Grades 3, 4, 5, 6
- Youth Recreational League
- Location: behind Lambert (Middles Schoolo football field or soccer field area)

HAWK YOUNG MEN'S BASKETBALL LEAGUE:

- September 17, 24, October 1, 8, 15, 22, 29, November 5
- Sunday evenings, 7:00 - 9:00 p.m.
- Recreational High School League
- Location: High School Gym

ADULT CO-ED VOLLEYBALL LEAGUE:

- November 1, 8, 15, 29, December 6, 13, 20, January 3, 10, 17, 24, 31, February 7, 14, 21, 28, March 6, 13, 20, 27, April 5, 12
- Wednesday evenings, 6:00 - 10:00 p.m.
- Adult Recreational League
- Location: Middle School Gym

ADULT MEN'S/WOMEN'S VOLLEYBALL LEAGUE:

- November 2, 9, 16, 30, December 7, 14, 21, January 4, 11, 18, 25, February 1, 8, 15, 22, 29, March 7, 14, 21, 28, April 4, 11
- Thursday evenings, 6:00 - 10:00 p.m.
- Adult Recreational League
- Location: Middle School Gym

VOLLEYBALL OPEN GYM:

- October 30, November 6, 13, 20, 27, December 4, 11, 18, January 8, 15, 22, 29, February 5, 12, 19, 26, March 4, 11, 18, 25, April 1, 8
- Monday evenings, 6:30 - 10:00 p.m.
- Adult Recreation
- Location: Middle School Gym

COMPETITIVE VOLLEYBALL TOURNAMENT:

- March 11, 1996
- Saturday, 8:00 a.m. - 10:00 p.m.
- Adult Competitive Tournament
- Location: High School Gym

City Recreation Programs for 1995 - 96
(Tentative Dates)

WINTER WALKING:

- November 6, 8, 9, 13, 15, 16, 20, 27, 29, 30, December 4, 6, 7, 11, 13, 14, 18, 20, 21, January 3, 4, 8, 10, 11, 15, 17, 18, 22, 24, 25, 29, 31, February 1, 5, 7, 8, 12, 14, 15, 19, 21, 22, 26, 28, 29, March 4, 6, 7, 11, 13, 14, 18, 20, 21, 25, 27, 28
- Monday, Wednesday, and Thursday evenings to coincide with Volleyball nights, 6:00 - 9:00 p.m.
- Recreational activity
- Location: Middle School

BASKETBALL OPEN GYM:

- November 15, 22, 29, December 6, 13, 20, January 3, 10, 17, 24 February 7, 14, 21, 28, March 6, 13, 20, 27
- Wednesday evenings, 7:00 - 10:00 p.m.
- Adult Recreation
- Location High School Gym

ADULT MEN'S BASKETBALL LEAGUE:

- November 19, 26, December 3, 10, 17, January 7, 14, 21, 28, February 4, 11, 18, 25, March 3, 10, 17
- Sunday evenings 6:30 - 10:00 p.m.
- Adult Recreational League
- Location: High School Gym

AEROBICS:

- November 27, 29, 30, December 4, 6, 7, 11, 13, 14, 18, 20, 21, January 4, 5, 8, 11, 12, 15, 17, 18, 22, 24, 25, 29, 31, February 5, 6, 8, 12, 14, 15, 19, 21, 22, 26, 28, 29,March 4, 6, 7, 11, 13, 14
- Monday, Wednesday, and Thursday evenings, 4:30 - 5:30 p.m.
- Instructional Clinic
- Location: Lambert Gym

YOUTH BASKETBALL CLINIC:

- January 6, 13, 20, 27, February 3, 10, 17, 24, March 2, 9
- Saturday afternoons, 12:00 p.m. - 4:00 p.m.
- Youth Instructional Clinic
- Grades 4, 5, 6, 7, 8
- Location: Middle School Gym, High School Gym, and Old Gym

YOUTH CO-ED SOCCER LEAGUE:

- August 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, September 3, 4, 5, 6, 9, 10, 11, 12, 13
- Times will vary, Monday thru Friday: 5:30 p.m. - 8:00 p.m.
- Grades 1, 2, 3, 4, 5, 6
- Youth Recreational League
- Location: behind Middle/Lambert School

171-1357
DELAWARE COUNTY IOWA
FILED
'95 NOV 8 PM 2 11
BOOK 6 PAGE 22
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
$21.00

City of Manchester

To

West Delaware Community
School District

City of Manchester