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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

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Taxpayer Information: N/A

Return Document To: (X) City of Manchester, Iowa
208 E. Main St.
Manchester, IA 52057

Grantors:

City of Manchester

Grantees:

West Delaware Community School District

Legal description is located on page: N/A

Document of instrument number of previously recorded documents: N/A

City of Manchester, 208 E. Main St., Manchester, IA 563-927-3636

I, Erin Rempe, 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 10th day of October, 2005 and the West Delaware County Community School District on the 26th day of September, 2005.

CITY OF MANCHESTER, IOWA

Erin Rempe, City Clerk

Subscribed and Sworn to before me by Erin Rempe, City Clerk of the City of Manchester, Iowa, this 14th day of October, 2005.

Julie A. Swanson, Notary

JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 8-23-06

Community Activity Participation Agreement
Between the West Delaware Community School District and
the City of Manchester, Iowa

This Agreeement 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, 2001 to provide for the joint exercise of power possessed by each and is made this 10th day of October, 2005.

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, 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 10th day of October, 2005, 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 16th day of September, 2006. Cancellation of this agreement can be made by written notification of termination by the designee 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 expense.
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 subject to the City meeting the conditions of paragraph 8.

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 School District the said equipment shall revert to the original purchaser.
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 activities. The City of Manchester shall be responsible for providing and securing these releases.
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", with the exception noted in paragraph 11.
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 activities 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, and personnel, in furtherance of recreational activities pursuant to this agreement as noted in "Attachment A":

    Coordinators for Programs
    Payroll
    Worker's Compensation

This agreement filed and dated by the respective parties as follows:

CITY OF MANCHESTER, IOWA

Milt L. Kramer, Mayor

Erin Rempe, City Clerk

Mike Wessels, Chairperson
Parks & Recreation Commission

Ben Page,
Director of Parks and Recreation

WEST DELAWARE COMMUNITY SCHOOL DISTRICT

BY _____, President

BY _____
Rick Hilbert, Superintendent

City of Manchester Parks & Recreation
Programs for 2005-2006
(Tentative Dates)

Attachment A

Youth Flag Football:

- September 15 – 30 (All days in between)
- October 1 – 23 (All days in between)
- Mondays, Tuesdays, Wednesdays, and Thursdays
- 4:30 – 7:00 p.m.
- Grades 3, 4, 5, 6
- Youth Recreational League
- Location: Middle & Lambert Schools Fields

Youth Volleyball

- September 11, 18, 25 (Sundays)
- October 2, 9, 16, 23 (Sundays)
- Grades 3, 4, 5, 6
- Time: 1:00 – 4:00pm
- Youth Recreational League
- Location: High School Gymnasium

Adult Co-ed Volleyball League:

- November 9,16,23,30 December 7,14,21, 28 January 4,11,18,25, February 1,8,15, 22, March 1,8,15,22,29 April 5,12,19
- Wednesdays
- 7:00 – 10:00 p.m.
- Adult Recreational League
- Location: Middle School Gym

Adult Women's Volleyball League:

- November 10,17, December 1,8,15,22 January 5,12,19,26, February 2,9,16,23, March 2,9,16,23,30 April 6,13,20
- Thursdays
- 7:00 – 10:00 p.m.
- Adult Recreational League
- Location: Middle School Gym

Adult Volleyball Open Gym:

- November 14,21,28 December 5,12,19, January 9,16,23,30 February 6,13,20,27, March 6,13,20,27, April 3,10,17,23
- Mondays
- 6:30 – 9:30 p.m.
- Adult Recreation
- Location: Middle School Gym

Basketball Adult Basketball League:

- November 13,20,27 December 4,11,18, January 8,15,22,29 February 5,12,19,26 March 5,12,19,26, April 2,9,16
- Sundays
- 3:00 –10:00 p.m.
- Adult Recreational League
- Location: High School Gym

Basketball Open Gym:

- November 9,16,23, December 7,14,21,28 January 4,11,18,25, February 1,8,15,22 March 1,8,15,22,29, April 5,12,19,
- Wednesdays
- 7:00 – 9:00 p.m.
- Adult Recreation
- Location: High School Gym

Youth Soccer League:

- July 28, 29, 30, 31 August, All days, September 1, 2, 3, 4, 5
- 5:30 –8:30 p.m.
- Grades 1, 2, 3, 4, 5, 6, 7, 8
- Location: Middle (North of Track)