

RESOLUTION NO. 052813-2

A RESOLUTION APPROVING A RELEASE AND INDEMNITY AGREEMENT BETWEEN MIKE BECKER AND THE CITY OF ABILENE, KANSAS, CONCERNING THE USE OF PRIVATE PROPERTY FOR POLICE AND FIRE TRAINING

WHEREAS, Mike Becker owes certain property known as 1306 N. Campbell Street and desires to allow the City of Abilene to use such property for training purposes;

WHEREAS, the City of Abilene desires to use said property for police and fire training; and

WHEREAS, the City desires to enter into a Release and Indemnity Agreement for use of said property for training purposes.

NOW, THEREFORE BE IT RESOLVED, by the City Commission of the City of Abilene, as follows:

Section 1. Release and Indemnity Agreement. That a Release and Indemnity Agreement concerning private property located at 1306 N. Campbell Street in the City of Abilene, Kansas, such property being owned by Mike Becker, and the City of Abilene, Kansas, is hereby adopted as attached hereto as **Exhibit A**.

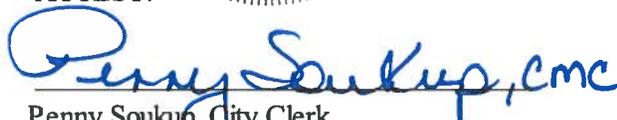
Section 2. Implementation. The Mayor is hereby authorized to execute the Release and Indemnity Agreement with Mike Becker, and the City Manager shall be authorized to enforce the provisions as provided therein and in applicable resolutions, ordinances, and laws.

Section 3. Effective Date. That the effects of this Resolution shall be in full force after its approval by the City Commission.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 28th day of May, 2013.



ATTEST:


Penny Soukup, City Clerk

CITY OF ABILENE, KANSAS

By: 
John F. Ray, Mayor

EXHIBIT A

Release and Indemnity Agreement

City of Abilene, Kansas

and

Mike Becker

(Use of 1306 N. Campbell Street for Training Purposes)

May 28, 2013

RELEASE AND INDEMNITY AGREEMENT

COMES NOW the City of Abilene, Kansas, "City" and Mike Becker, "Owner", and in consideration of the use by the "City" of "Owner's" residential building, which residence is located at 1306 N Campbell, Abilene, Kansas, for fire and police training, the parties agree as follows:

1. "City" desires to use the residential building owned by "Owner" located as set forth above; and "Owner" agrees that the "City" is authorized to use the residential building for fire and police training at no cost to "City".

2. In return, "City" agrees to hold "Owner" harmless from any liability to "City" and its employees, volunteers or third persons permitted by "City" to enter upon "Owner's" property located at 1306 N Campbell, Abilene, Kansas, for injuries to the person of "City's" employees, volunteers or third persons, or to their property, which may occur during "City's" use of "Owner's" property.

3. "City" also agrees to hold harmless "Owner's" property insurer, State Farm Insurance, from any injuries to person or property of "City's" employees, volunteers or third persons which may occur during "City's" use of "Owner's" property.

4. "City" agrees to indemnify "Owner" or "Owner's" insurer, State Farm Insurance, for any liability "Owner" may incur by "City's" use of "Owner's" property located at 1306 N Campbell, Abilene, Kansas.

5. "City" agrees to pay for any damage to "Owner's" property which may occur during "City's" use of such property.

Dated this 28th day of May, 2013.

"City" by:



John Ray, Mayor



Mike Becker, Owner

Attest:



Penny Soukup, City Clerk, CMC

