

MEMORANDUM OF UNDERSTANDING ACCEPTING
LITTLE LEAGUE BASEBALL CENTENNIAL PARK SCOREBOARD

This Memorandum of Understanding shall be dated as of April 25, 2011, by and between the City of Billings, a municipal corporation and political subdivision of the State of Montana (the "City") and Little League Baseball Association (the "League").

This Memorandum covers the scoreboard at the Centennial Park baseball field (the "Field"). The parties hereby acknowledge, agree and covenant as possible.

Section 1. Recitals

1.01.1 On _____, 2011, the League accepted a \$5,000 contribution from Stockman Bank (the "Bank") to help pay for installation of a scoreboard at the League Field at Centennial Park.

1.01. As part of the installation, the League agreed to produce and install a sign designed by the Bank with the Bank's name and logo on it. The sign is to be attached to the top of the full length of the Scoreboard and is to be the only signage or advertising above the scoreboard.

1.02. The League and the Bank have agreed the sign will remain in place 15 years from the date of installation of the scoreboard. If the scoreboard is replaced, for any reason, prior to 15 years, the sign will be attached to the replacement scoreboard for the remainder of the 15-year term.

1.03. The League has agreed that the Bank has the right of first refusal to sponsor a new scoreboard when it is replaced or at the end of the 15-year term, whichever comes later.

Section 2. City Agreement to Scoreboard and Sign Installation.

2.01 At the recommendation of the Parks, Recreation and Cemetery Board, the City agrees to the installation of the scoreboard and the Bank sign at Centennial Park, according to the terms outlined above.

2.02 The upkeep, maintenance and repairs of both the scoreboard and the sign shall be the sole responsibility of the League.

2.03 In the event that, for whatever reason, the League no longer can fulfill its obligation to maintain the scoreboard and sign, they shall become the property of the City. The City will maintain them for the balance of the current, 15-year period, but will then negotiate with the Bank in regard to their future use.

2.04 The League shall include the City as a named insured in its liability insurance coverage of the scoreboard and sign and indemnify, defend and hold the City harmless against any and all claims, liabilities, judgments, damages, demands and causes of action on account of bodily or personal injuries, death or damage to property.

Section 3. Consideration.

3.01 The City agrees that, other than the installation of the scoreboard that will facilitate play at the League field, it will require no payment for the placement of the scoreboard and sign.

APPROVED BY THE BILLINGS CITY COUNCIL THIS 25TH DAY OF APRIL, 2011.

Thomas W. Hanel, Mayor

ATTEST:

Cari Martin, City Clerk