



United Way  
of St. Joseph County

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF  
SOUTH BEND DEPARTMENT  
OF VENUES PARKS & ARTS AND THE UNITED WAY OF ST. JOSEPH COUNTY  
FOR INSTALLATION OF BORN LEARNING TRAILS IN PINHOOK PARK AND LASALLE  
PARK

THIS AGREEMENT, entered into this 20<sup>th</sup> day of March, 2019, by United Way of St. Joseph County, (hereinafter called "the Contractor"), and the City of South Bend, Indiana, and its Venues Parks and Arts, (hereinafter called "the Owner"), acting through its Board of Park Commissioners,

WITNESSETH that the Contractor and the Owner, in consideration of the premises and of the mutual covenants, considerations, and agreements herein contained, agree as follows:

**STATEMENT OF WORK:** The Contractor will purchase two (2) United Way Born Learning Trail kits consisting of ten (10) 12" x 24" aluminum signs with printed logos per kit that are .080" (2mm) thick with round corners; two holes per sign for mounting (one top middle and one bottom middle); protective UV laminate coating; anti-graffiti protection over laminate, and stencils for the trails. One (1) kit will be used in Pinhook Park, the other kit in LaSalle Park, exact locations to be determined by the Owner. The Owner will provide 20 sign posts and paint (if needed). The Owner will provide the labor and equipment for installing the sign posts and creating a mulch bed around each post for easy mowing. The contractor will provide volunteer labor to attach the signs to the posts and apply the stencils to the trail.

**MAINTENANCE:** The Owner agrees to provide future maintenance for the trail by mowing the grass around each sign and notifying the Contractor if signs or stencils need repair or replacement.

**CANCELLATION OF AGREEMENT:** The Term of this MOU will commence on March 10<sup>th</sup>, 2019 and will continue thereafter, subject to annual review. The Owner reserves the right to remove any or all signs and markings in the event the Owner determines they no longer align with the overall purpose and use of the Owner's facilities. Either party may terminate this MOU upon ninety (90) days notice to the other party.

**ENTIRE AGREEMENT:** This document contains all of the agreements between the parties regarding the installation and continued maintenance of the United Way Born Learning Trails in Pinhook Park and LaSalle Park in the City of South Bend and supersedes all prior negotiations, representations, or agreements, either written or oral. This agreement shall not be amended or modified except by written instrument signed by both parties.

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**LAW GOVERNING AGREEMENT:** This agreement shall be governed by the laws of the State of Indiana and the venue shall be in St. Joseph County, Indiana.

IN WITNESS WHEREOF, the parties hereto, through their duly authorized representatives, do hereby enter into this agreement for the installation and continued maintenance of the United Way Born Learning Trails in Pinhook Park and LaSalle Park in the City of South Bend.



United Way  
of St. Joseph County

United Way of St. Joseph County

City of South Bend Department of  
Venues, Parks, and Arts

*Laura Jensen*  
\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*

*President & CEO*  
\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Title*

*Laura Jensen*  
\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Printed Name*

*3.12.19*  
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*Date*

\_\_\_\_\_  
*Date*