

JOINT-USE AGREEMENT

THIS JOINT-USE AGREEMENT (“Agreement”) is made this _____ day of _____, 2020, by and among:

- (A) The County Commissioners of Caroline County, Maryland, a body politic and corporate and a political subdivision of the State of Maryland (hereinafter, the “County”); and
- (B) Mid Shore Veterans Group/Mid-Shore Community Foundation, Inc. a 501(c)(3) nonprofit in good standing with the State of Maryland with its principal place of business located in Easton, MD, hereinafter, MSVG/MSCF.

WHEREAS, the MSVG/MSCF is hosting a weekday event for the purpose of conducting an “Honor Ceremony”, immediately following the Denton Honors Our Veterans Parade.

WHEREAS, the event activities are located on property owned by the County known as Courthouse Green (hereinafter the “Green”), located around the Circuit Courthouse located at 109 Market Street, Denton, Caroline County, Maryland; and

WHEREAS, the Green is a prominent public space and the center of government for the county.

NOW, THEREFORE, the County, and MSVG/MSCF agree as follows:

1. This Agreement applies to only to those activities outlined in the *Denton Honors Our Veterans Parade* as forth in **Attachment A**, which is hereby incorporated herein by reference (the “Event”). Attachment A consists of a written statement of the activities for the Event. No other activities or events are authorized to take place on County property unless approved by the County in writing an attached to this Agreement as an amendment hereto.
2. The event is scheduled to take place on Friday, April 3, 2019 from 4:30 PM to 6:30 PM. The Event is authorized by the County for this day only. This is a one-day, event-specific Use Agreement, and does not confer the right to the use of County property for any continuing or other purpose by the MSVG/MSCF, now or at any time in the future. The MSVG/MSCF may access the property the day of the Event for setup and until 8:00 AM the day after the Event for cleanup and to return the property to its original condition as required by §6.b. of this agreement.
3. The event will occur, in part, during the regular business hours of the Courthouse. Therefore:
 - a. The event must be limited to the West side of the Green. The Courthouse patio, portico, and steps may not be used.
 - b. Restroom facilities within the Courthouse are not available for event use.

c. The event may not, in any way, interfere with the business of the Courthouse. Ingress and egress to the Courthouse must not be impacted by the event, and noise from the event must be kept to a level which does not interfere with the business conducted within the Courthouse.

4. The MSVG/MSCF agrees to provide proof that liability coverage sufficient to satisfy the County has been purchased and that the County Commissioners of Caroline County, Maryland are named as an additional insured on that policy. Proof of coverage is attached hereto as **Attachment B**, and is incorporated herein.

5. The MSVG/MSCF agrees to protect, indemnify and save harmless Caroline County, Maryland and all of its present, future and former agents, employees, officials and representatives harmless in their official, individual and representative capacities from any and all claims, demands, causes of action, judgments, liens and expenses (including attorney's fees, whether contractual or statutory), costs and damages (whether common law or statutory, and whether actual, punitive, consequential or incidental), of any conceivable character, for injuries to persons (including death) or to property (both real and personal) created by, arising from or in any manner relating to the Event and activities taking place pursuant to this Agreement.

6. No party shall have the right to assign that party's interest in this Agreement.

7. The MSVG/MSCF agrees:

a. The Event shall be conducted so as to protect the participants, visitors, and volunteers.

b. The land upon which the Event is located will be returned to the condition in which it was found, or better, by the MSVG/MSCF, by Saturday, April 4, 2020 at 8:00 AM, so as to repair damage to the land and to prevent deterioration to the value of the land as may be caused by the use as set forth in Attachment A.

8. Any violation of this Agreement that results in damage to the County's land as identified herein shall render the MSVG/MSCF liable to the County to repair the Event land as in the form of a consent judgment. The MSVG/MSCF agrees to be liable to return the land to condition in which it was found prior to the event by Saturday, April 4, 2020 at 8:00 AM.

9. The MSVG/MSCF acknowledges that:

a. While County property is being used for the Event, it is not a Caroline County Government sponsored event. Advertising for this event may not state or imply such sponsorship.

b. Caroline County Government will not provide staff assistance for the Event. Any items necessary for the Event, including power and water, must be provided by the MSVG/MSCF.

c. It is responsible for obtaining any necessary and legally required permits associated with the Event and must abide by all applicable laws, rules, and regulations.

10. This Agreement, together with Attachments A & B, constitute the entire understanding between the parties. Any previous oral or written agreement are hereby abolished and superseded by this Agreement.

IN WITNESS WHEREOF the parties have executed this Agreement causing same to be signed the day and year first written above.

**COUNTY COMMISSIONERS OF
CAROLINE COUNTY, MARYLAND**

Witness:

Jennifer Farina, Administrative Coordinator

Larry C. Porter, President

Witness:

MID SHORE VETERANS GROUP



Name: Royce Ball
Title: Co-Founder

Witness:



**MID-SHORE COMMUNITY
FOUNDATION, INC.**



Name: Robbin Hill
Title: Chief Program Officer

Approved for legal sufficiency:

Heather Price, County Attorney

**Attachment A:
Proposal to Caroline County for Denton Honors Our Veterans Parade**

See Next Page



MID-SHORE VETERANS GROUP
...helping needy Veterans in any way we can...

A Fund of the Mid-Shore Community Foundation

County Commissioners of Caroline County
County Courthouse
Room 123
109 Market Street
Denton, MD 21629

2/8/20

RE: Denton Honors Our Veterans Parade

Dear Sirs,

“Denton Honors Our Veterans Parade” is scheduled for Friday, April 3rd, 2020 at 5:30 p.m. (Parade staging to begin at 4:30 at St. Luke’s United Methodist Church, 5th and Franklin Streets.) During this event Market Street closes down at 4:30 p.m. The parade will proceed up Market Street ending at the County courthouse.

This event is being sponsored by the Mid Shore Veterans Group, with the support of the Town of Denton, and is intended to be an event that honors and showcases the Denton Veteran population. We will be featuring floats, marching groups and motorized units and other entries, most of which will have some connection to Veterans and their service.

At the culmination of this parade, we will present a twenty-minute ceremony, honoring all Veterans present. We propose to hold this Honor Ceremony on the grounds of the County Courthouse. This ceremony to conclude no later than 6:30 p.m.

The Mid Shore Veterans Group would like to take this opportunity to invite the County Commissioners to this event. If any of the Commissioners are Veterans, we would like to know. We also ask the Commissioners to advise us of any Denton Veterans so we may personally invite them also.

Please feel free to contact me at 443.995.5908 if you have any questions or concerns. Thank you for your consideration.

Sincerely,

Royce Ball, Co-Founder

*Royce Ball Co-Founder
443.995.5908*

*www.msVG.org
Not affiliated with Wounded Warriors or any Government Agency*

*Marion Gannon Co-Founder
410.924.5323*

The Bullitt House 102 E. Dover Street Easton, MD 21601 Phone 410.820.8175 Fax 410.820.8729 www.msCF.org
The Mid-Shore Community Foundation is a public foundation designated as a 501(c)(3) charity. Gifts to the Mid-Shore Veterans Group are fully tax-deductible as allowable by law. A copy of MSCF’s financial statement is available on our web site www.msCF.org or by calling 410-820-8175. Information about MSCF requested under the Maryland Charitable Solicitations Act can be obtained from the Office of the Secretary of State, State House, Annapolis, MD 21401.

Attachment B: Proof of Liability Insurance Coverage,

Mid Shore Veterans Group/Mid-Shore Community Foundation, Inc.

See Attached

