THE STATE OF TEXAS)()(KNOW ALL MEN BY THESE PRESENTS: COUNTY OF TOM GREEN)(

VIETNAM VETERANS MEMORIAL PARK AGREEMENT

WHEREAS, the City of San Angelo (City herein), a home rule municipal corporation acting by and through its duly elected Mayor, recognizes that a Vietnam Veterans Memorial Park would be an important asset to the whole community; and

WHEREAS, the City is desirous of memorializing the men and women who devoted all or part of their lives in service to their country during the Vietnam War era,

WHEREAS, the Vietnam Veterans of America, Chapter 457, (Veterans herein) acting by and through their duly authorized Board Member, Herschel Carmichael, are desirous of constructing and maintaining such a memorial park,

NOW THEREFORE, City and Veterans, in consideration of the mutual covenants and agreements herein contained do mutually agree as follows:

I.

PERFORMANCE BY VIETNAM VETERANS OF AMERICA, CHAPTER 457

Veterans hereby agree to perform the following actions in San

Angelo, Texas:

Construct and maintain a small memorial park off FM 584
 Knickerbocker Road south of East Reary Road and the main entrance to the San Angelo Municipal Airport, the exact

- location to be approved by the Airport Manager. (See attached drawing.)
- 2. Said memorial park will consist of a military helicopter permanently mounted to an approximate twelve foot high base which structure shall be constructed according to plans and specifications sealed by a registered engineer. The park shall also have appropriate parking facilities and landscaping.
- 3. Said memorial park will be open to all citizens of San Angelo.

II.

PERFORMANCE BY CITY OF SAN ANGELO

- City agrees to maintain liability protection for the City of San Angelo on claims arising out of the memorial park.
- 2. Should Veterans fail to maintain the memorial park, breach this agreement and/or disband their organization, the City will dismantle and dispose of the helicopter. Veterans shall be responsible for the expenses of dismantling and disposing of the helicopter. If Veterans fail to pay such expenses, City shall be entitled to the proceeds, if any, from the disposal of the helicopter and shall have no liability to Veterans for such disposal.

III.

INDEMNIFICATION

Vietnam Veterans of America, Chapter 457 hereby covenants and agrees to indemnify, save and hold harmless City from all actions,

causes of action, demands, damages, costs, losses of service, expenses and compensation on account of or in any way growing out of any known or unknown personal injuries and/or property caused by any act or omission by anyone whomsoever, Vietnam Veterans of America, its agents, and employees included, and Vietnam Veterans of America, Chapter 457 agrees that it will completely indemnify City for any damages that may be assessed due resulting from this agreement.

EXECUTED THIS 23^{RO} DAY OF MAY, 1995.

CITY OF SAN ANGELO

BY:

Dick Funk, Mayor

ATTEST:

Carol Rigby, City Secretary

VIETNAM VETERANS OF AMERICA CHAPTER 457

BY:

Armando Vasquez

Its: President

ATTEST:

