

**AGREEMENT FOR THE USE OF
CITY OF BLOOMINGTON TREES FOR
WRAPPED IN LOVE EVENT BY
MIDDLE WAY HOUSE, INC.**

This agreement is made and entered into this 24 day of May 2022, by and between the Bloomington Parks and Recreation Department, (BPRD) and, Middle Way House, Inc.

WHEREAS, Middle Way House, Inc. located at 401 S. Washington St., Bloomington, Indiana, desires the use of a City trees for its Wrapped in Love fundraising campaign; and

WHEREAS, the City supports combatting sexual assault, sexual and domestic violence, and human trafficking and raising awareness of supportive services; and

WHEREAS, Middle Way House combats sexual assault, sexual and domestic violence, and human trafficking and raises awareness of supportive services through its Wrapped in Love campaign; and

WHEREAS, the City wishes to allow Middle Way House, Inc. the use of City trees in connection with its campaign.

NOW, THEREFORE, in consideration of the terms and conditions set forth below, the parties agree as follows:

1. **Purpose of the Agreement.** The purpose of the Agreement is for the City to allow Middle Way House, Inc. limited use of up to 55 City trees as part of its Wrapped in Love campaign, which decorates trees around Bloomington in a campaign to raise awareness and funds used for supportive services for survivors of domestic violence, sexual violence, and human trafficking.
2. **Duration of Agreement.** This Agreement shall be in full force and effect from the date both parties sign this Contractual Agreement until October 31, 2023, unless terminated in accordance with paragraph seven (7).
3. **Use of City trees.** The City hereby grants Middle Way House, Inc. permission to use City trees as follows:

Middle Way House, Inc. shall be permitted to cover up to 55 specified City trees with knitted yarn sweaters. Middle Way House, Inc. may begin installing the tree sweaters on September 19, 2022, and must have sweaters removed by March 18, 2022. The City of Bloomington retains the ability to request sweaters removed at any time within the aforementioned time window.

4. **Responsibility for damages; Indemnification.** Middle Way House, Inc. agrees to assume full responsibility for any damages that may occur to the trees from this action.

Middle Way House, Inc. agrees to assume full and complete responsibility for all bodily injury, including death, and property damage which may occur as a result of the acts and omissions of Middle Way House, Inc., its officers, director, agents, employees, members, participants, successors and assigns, while performing the installation and removal of tree sweaters and wraps.

Further, Middle Way House, Inc. agrees to release, hold harmless, and indemnify the City of Bloomington, its Department of Parks and Recreation, and all City of Bloomington and Parks

and Recreation officers, employees, and agents from any and all claims for personal injury, including death, or property damage that may occur as a result of the acts and omissions of Middle Way House, Inc., its officers, director, agents, employees, members participants, successors and assigns, while performing the installation and removal of tree sweaters and wraps.

5. **Rules and Regulations.** Middle Way House, Inc. shall comply with all rules and regulations established by the City's Department of Parks and Recreation for use of City property. Middle Way House, Inc. shall further require its Wrapped in Love member participants to comply with all said rules and regulations.

6. **Notice and Agreement Representatives**

Notice regarding any significant concerns and/or breaches of this Agreement shall be given to:

Middle Way House, Inc. Debra Morrow <i>Carrie Stillions</i> 812-333-7404	Bloomington Parks and Recreation: Erin Hatch, Urban Forester 812-349-3716
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Representatives for the day-to-day operations and implementation of this Agreement shall be:

Middle Way House, Inc. Mindy Bartlett <i>Patricia Mosen</i> 812-333-7404 401 S. Washington St. Bloomington, IN 47401 events@middlewayhouse.org	Bloomington Parks and Recreation Erin Hatch, Urban Forester 812-349-3716 401 N. Morton St. Bloomington, IN 47403 erin.hatch@bloomington.in.gov
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7. **Termination.** This contract may only be terminated in writing and by the mutual agreement of all parties to this Contractual Agreement.

WHEREFORE, the parties have entered into this Agreement on this 24 day of May 2022.

City of Bloomington

Middle Way House, Inc.

Paula McDevitt
Paula McDevitt, Director
Bloomington Parks and Recreation

Carrie Stillions
~~Debra Morrow, Executive Director~~
Carrie Stillions, Interim

Executive Director

Kathleen Mills
Kathleen Mills, Park Board President
Board of Park Commissioners

Beth Cate
Beth Cate, Corporation Counsel