

MEMORANDUM OF UNDERSTANDING

BETWEEN: Vancouver Board of Parks and Recreation (VPB)

AND: BC Disc Sports society (BCDSS)

DATE: January 30, 2002

WHEREAS the VPB has approved in principle the proposal by BCDSS to erect a nine hole disc golf course consisting of nine target posts and nine disc tee areas on Quilchena Park; subject to all design, financial and legal details to the satisfaction of the General Manager.

The Parties agree as follows:

1. Construction of the Disc Golf Course

- C Prior to start of construction, BCDSS will provide to the satisfaction of the General Manager documentation that sufficient funding has been secured to cover the cost of construction.
- C BCDSS is responsible for all costs associated with the construction and servicing of the disc golf course.
- C The disc golf course's construction and installation will be completed to Park Board requirements and subject to approval of the General Manager. BCDSS will provide VPB with working drawings of the proposed work.
- C BCDSS is responsible for obtaining the necessary insurance for the construction phase of the project.
- C BCDSS will submit "record drawings" to VPB upon completion of this project.
- C BCDSS will assign a member or agent of its Society as the liaison person for construction issues. BCDSS's contractor will have a City of Vancouver business license, acceptable course of construction insurance and be in good standing with the WCB.
- C BCDSS will be responsible to ensure that all work will be carried out in accordance with WCB regulations/requirements.

2. Ownership of the Disc Golf Course

- C Upon completion of the project, the VPB assumes ownership of the disc golf course.

3. Maintenance of the Disc Golf Course

- C BCDSS will maintain the disc golf course in a neat, tidy and safe condition.

- C BCDSS will keep and maintain the disc golf course in good repair and attend to deficiencies within a reasonable time period. If this is not done, VPB will charge BCDSS all associated costs to complete repairs or remove the disc golf course.

4. Renovations to the Disc Golf Course

- C Prior written consent from VPB is required for golf course renovations, additions, or alterations. BCDSS would be responsible for all associated costs.

5. Use of the Disc Golf Course

- C The disc golf course will only be used for the purposes of recreation activities.
- C BCDSS agrees to comply with all bylaws of the City of Vancouver and the VPB and all uses of the disc golf course are subject to the approval of the VPB.

6. Removal of the Disc Golf Courses

- C VPB can remove the disc golf course if:
 - < the Park Board redevelops the park and the disc golf facility is no longer compatible
 - < the disc golf course is damaged beyond repair (substantial destruction) without replacement through insurance coverage;
 - < BCDSS fails to perform or observe the operating conditions outlined in this agreement;
 - < BCDSS ceases to operate or amalgamates with groups other than minor sport;
 - < BCDSS abandons the disc golf course.
 - < In all cases, BCDSS would be given written notice of the VPB's intent to remove the disc golf course.

7. Liability

- C VPB will not be held liable for:
 - < any actions in regards to the construction of the disc golf course;
 - < the contents/equipment in the disc golf course;
 - < damage caused by breakdown
 - < BCDSS is responsible for obtaining comprehensive general liability insurance with a minimum \$2 million coverage which indemnifies the City of Vancouver and the VPB.