

**FIFTH ADDENDUM TO AGREEMENT**

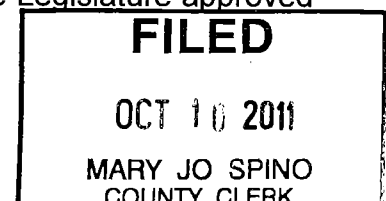
**THIS FIFTH ADDENDUM TO AGREEMENT** is entered into this 10 day of October, 2011, by and between **JACKSON COUNTY, MISSOURI**, a First Class Constitutional Home Rule Charter County, hereinafter referred to as "the County," and **LONGVIEW HORSE PARK ASSOCIATION, INC.**, a not-for-profit Missouri corporation, hereinafter referred to as "Association."

WHEREAS, on May 1, 1992, the County and Association entered into a <sup>(0.1992)</sup> Cooperation and Use Agreement, whereunder the parties agreed to cooperate in the planning, development, improvement, operation, and use of an equestrian horse park center in the area of Longview Lake Park; and

WHEREAS, by Resolution 10831, dated May 9, 1995, the County Legislature approved a First Addendum to Agreement wherein the County and Association agreed to renew the original Agreement for a period of three years; and

WHEREAS, by Resolution 12163, dated April 13, 1998, the County Legislature approved a Second Addendum to Agreement wherein the County and Association agreed to renew the original Agreement for a period of three years; and

WHEREAS, by Resolution 13735, dated June 25, 2001 the Legislature approved



a Third Addendum to Agreement, wherein the County and the Association agreed to extend the Agreement for a period of six years; and,

WHEREAS, by Resolution 16475, dated December 3, 2007, the Legislature approved a Fourth Addendum to Agreement, wherein the County and the Association agreed to extend the Agreement for a period of three years;

WHEREAS, the parties now desire to further extend said Agreement for an additional three years, at no additional cost to the County;

NOW THEREFORE, in consideration of the foregoing and the terms and provisions herein contained, the County and Association respectively agree as follows:

1. Except as hereinafter specifically modified or amended, all of the terms and conditions of the Cooperation and Use Agreement between the parties hereto of May 1, 1992, shall remain in full force and effect pursuant to its terms.

2. The term of the Agreement is hereby renewed for a three-year period, effective upon the execution of the Addendum and extending through December 31, 2013.

3. In regards to the Cooperation and Use Agreement of May 1, 1992, the

section titled "Indemnity" is amended as follows:

"In furtherance of this obligation, the Association agrees to obtain and keep in force at all times during the term of this Agreement a Liability Insurance policy indemnifying Jackson County with a minimum of \$3 million per occurrence with a \$3 million aggregate naming Jackson County, Missouri as an additional insured."

4. In regards to the Cooperation and Use Agreement of May 1, 1992, the section titled "Scheduling" is amended as follows:

"The user fee shall be in accordance to Schedule 1, Chapter 50 of the Jackson County Code, 1984 related to park fees and charges."

5. This Fifth Addendum, together with the Cooperation and Use Agreement of May 1, 1992, and the First, Second, Third, and Fourth Addenda thereto, constitute the entire agreement and understanding of the parties.

IN WITNESS WHEREOF, the County and Association have executed this Fifth

Addendum this 10 day of October, 2011.

APPROVED AS TO FORM:

W Stephen Nixon

1st Bill Snyder

W. Stephen Nixon  
County Counselor

JACKSON COUNTY, MISSOURI

By Michael D. Sanders

Michael D. Sanders  
County Executive

ATTEST:

LONGVIEW HORSE PARK ASSOCIATION

Mary Jo Spino

Mary Jo Spino  
Clerk of the County Legislature

By: Jess Bain

Title: President