



## Legislation Text

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File #: 2016-393, Version: 1

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### **TITLE**

### **LEASE AND AGREEMENT BETWEEN FORSYTH COUNTY, GUILFORD COUNTY AND WAKE FOREST UNIVERSITY FOR THE OPERATION OF THE ROPES COURSE AT TRIAD PARK**

### **SPONSOR**

Marty Lawing

### **BACKGROUND**

Guilford County and Forsyth County jointly own and operate Triad Park. One of the amenities at the park includes a ropes course. The ropes course was previously operated by a third party operator whose agreement has expired, and the ropes course has not been in operation in recent years. Wake Forest University is interested in operating the ropes course under an initial three (3) year agreement with a single option to extend for three (3) years and six (6) months. The University has agreed to pay \$75 per month and the use of the course is restricted to daylight hours. The University will provide general liability insurance in the amount of \$1,000,000 and a \$2,000,000 umbrella liability policy, to insure against all liability arising from the tenant's operation of the ropes course or its use by their invitees, agents or employees. The tenant will name Forsyth and Guilford County officials, officers and employees as additionally insured.

The operational hours, schedules and event fees shall be mutually agreed upon by the university and the counties, and shall be reviewed annually. Under the agreement, the university will publicize the events and activities of the ropes course and provide a sign at the entrance to the course. It will also be the responsibility of the university to maintain the ropes course to the standards of the Association for Challenge Course Technology (ACCT), and the course must be certified annually by a certified ACCT inspector. The university will be responsible for purchasing and maintaining the operational equipment including all harnesses, helmets, climbing devices, ropes, cables and apparatus of the ropes course. The counties will be responsible for maintenance of all structural elements of the course including tree removal, fencing and building repairs.

Either party may terminate the lease and agreement upon sixty (60) days prior written notice for any reason. This agreement was approved by the Forsyth County Board of Commissioners in

August 2016.

**BUDGET IMPACT**

**NO ADDITIONAL COUNTY FUNDS REQUIRED**

**REQUESTED ACTION**

Approve the lease and agreement, in substantial form, with Wake Forest University to operate the ropes course at Triad Park for an initial term of three (3) years at \$75 per month, with an option for one (1) three-year and six (6) month renewal, to be effective January 1, 2017.