

## CHRIS KEGEL FOUNDATION, INC

### BICYCLE RACK ACCEPTANCE AGREEMENT

This Agreement, By and between the Chris Kegel Foundation, Inc, hereinafter “Kegel Foundation” and the City of Milwaukee, a municipal corporation, hereinafter known as the “City”.

Witnesseth:

Whereas, the Kegel Foundation and the City have expressed interest in providing additional bicycle facilities in the public right-of-way; and

Whereas, The new bicycle facility would consist of a bicycle rack provided by the Kegel Foundation, hereinafter “bicycle rack”; and

Whereas, The City will accept ownership of the provided bicycle rack; and

Whereas, the City, or a contractor hired by the City, will be responsible for installing the bicycle rack; and

Whereas, The terms and conditions of this arrangement have been codified in an acceptance agreement between the Kegel Foundation and the City as outlined more fully hereinafter;

Now, Therefore, In consideration of these premises and the mutual benefits herein accruing and for other good and valuable considerations;

It is acknowledged and agreed by and between the parties hereto that:

1. The City shall retain ownership of the public right-of-way and shall continue to accept all maintenance responsibility and potential liability, therefore, except as specifically noted herein.
2. The City shall accept ownership of the bicycle rack and shall be fully liable for damages to persons or property by reason of the installation of said bicycle rack, and the Kegel Foundation shall be held harmless of any damages arising with regard to the bicycle rack facility.
3. The City shall install the bicycle rack in the public right-of-way on the sidewalk adjacent to Museum Center Park, 910 E Michigan St, Milwaukee, WI 53202.
4. The City may remove the bicycle rack completely if the bicycle rack is damaged or the Commissioner of Public Works determines that there is a threat to public safety.
5. If the bicycle rack is damaged, the City shall not be responsible for purchasing or installing a new bicycle rack as a replacement.

FOR CHRIS KEGEL FOUNDATION, INC

Signature  \_\_\_\_\_ Date 7/28/2021

Print Name Noel Kegel

Title Board President

Telephone Number 414-345-7378

FOR THE CITY OF MILWAUKEE

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Telephone Number \_\_\_\_\_