

Open Space Division (OSD) & Open Space Alliance (OSA)
Memorial Bench Agreement

Persons requesting a Memorial Bench (Applicant) agree to the following:

- I. The description of the Memorial Bench that is the subject of this agreement is as follows:

Minor modifications to the style described may be made at the discretion of the OSA or OSD.

- II. A standard cast aluminum plaque is included. Applicant requests the following wording, not to exceed 120 characters including spaces, on the plaque:

Plaque wording will need to be approved by the OSD.

- III. Applicant will meet, in person or by phone, with the appropriate City of Albuquerque Open Space Division (OSD) representative to select a location. The Memorial Bench which is the subject of this Agreement will be located as follows:

- IV. The total cost of the Memorial Bench is \$ _____. This includes the plaque and maintenance as described in this Agreement. A 50% down payment and a signed and dated copy of this Agreement must be received by the Open Space Alliance before Memorial Bench construction begins. Make checks payable and send to:

*Open Space Alliance
P.O. Box 91265
Albuquerque, NM 87199*

- V. Construction and placement of the bench typically can be completed within 3 months of the time the OSA receives the down payment and a signed and dated Agreement.
- VI. Final payment is due when the Memorial Bench has been constructed but prior to installation. A delay in the final payment may result in delays in installation. The OSD is responsible for installation.
- VII. The Applicant's has the option of receiving a letter from the OSA, a not-for-profit 501(c)(3) organization, stating the amount of the donation for tax purposes.
Applicant would like a letter for tax purposes: YES NO

- VIII. The OSD is responsible for maintenance of Memorial Benches that may be required periodically due to normal weathering or wear and tear. Any maintenance will be performed at the discretion of the OSD based on their assessment of need.
- IX. Repair or replacement of a damaged or stolen bench or plaque will only be done once during a ten-year period. The style of the replacement bench may differ from the original.
- X. Any Memorial Bench placed in a City of Albuquerque Major Public Open Space area becomes the property of the OSD and shall not be removed, relocated or altered without written permission of OSD.
- XI. The duration of this Agreement is ten (10) years from the date the Agreement is signed, at which point this Agreement will expire. If the Applicant would like to renew the Agreement, the Applicant is required to contact the OSD or the OSA in writing prior to the expiration of this Agreement, at which time the Applicant will be informed of the renewal procedure and the renewal cost. If the Applicant does not contact the OSD or the OSA prior to the end of the tenth year, the plaque may be removed, in which case it will be stored for up to one year.

If the Applicant contacts the OSD after the expiration of this agreement, the OSD will have no obligation to honor the bench as a memorial and may not continue to store the plaque. Applicant is responsible for providing OSD with current contact information for the duration of this agreement should the OSD or OSA need to contact the Applicant. If the OSD or OSA is unable to contact the Applicant due to out-of-date contact information, this Agreement, will expire.

Signatures

Accepted by:

Applicant

date signed

printed name

address

email

phone number

Accepted by:

Open Space Alliance President

date signed

Accepted by:

Open Space Division Superintendent

date signed