

River Road Athletic Fields Commitments

Carmel Clay Schools and Carmel Dads' Club

~~March 31, 2005~~

April 13, 2009

Soccer Field Modifications and Commitments

1. The soccer fields shall be used for their intended purpose only by the Carmel Dad's Club and the Carmel Clay School systems, and for no other purpose unless approved by the Carmel Clay School board. Said uses shall be restricted to the use of the Six Fields (126th Street Fields) to be located north of 126th Street and west of Vestal Creek and One Field (131st Street Field) to be constructed south of 131st Street northeast of Vestal Creek on the subject property and shall not be used in conjunction with any activities taking place off of the subject premises. (i.e. activity at River Road Park)
2. The fields shall be used during the following times only.

126th STREET FIELDS (Section I) Spring Play Carmel Dad's Club

(All 6 Fields of the 126th Street fields shall be used per the following schedule)

April 1 through June 15th

Three fields at a time will have 30-minute staggered start times Monday through Thursday from 5:00PM to 8:00PM.

Saturday from 9:00AM to 5:00PM

Sunday from 1:00PM to 4:00PM (~~Make-up games only~~)

~~No regularly scheduled games on Sundays using three north fields.~~

No more than 2 Sundays allocated for weekend tournament play

The fields shall not be used on Fridays

June 16th through July 31st

Two weeks of usage allowed during this time period for day camps.

Monday through Friday, 9:00AM to 4:00 PM.

131st STREET FIELD (Section II) Spring Play by Carmel Dad's Club

April 1 through June 15th

Monday through Thursday from 5:00PM to 8:00PM.

Saturday from 9:00AM to 5:00PM

No Scheduled Play on Friday or Sunday.

Sundays 1 p.m. to 4 p.m. for make up games only if necessary.

**126th STREET FIELDS (Section I)
Fall Play Carmel School System**

(All 6 Fields of the 126th Street fields shall be used per the following schedule)

August 1 through August 15th

Monday through Friday from 9:00AM 8:00AM to 11:00AM and 4:00PM to 7:00PM

Saturday from 10:00AM to 5:00PM

The fields shall not be used on Sunday

August 15th though October 15th

Monday through Friday from 4:00PM to 7:00PM.

Saturday from 10:00AM to 5:00PM

The fields shall not be used on Sunday

**131ST STREET FIELD (Section II)
Fall Play Carmel School System**

This field will not be used during the fall season by Carmel Schools.

**131st STREET FIELD (Section II)
Fall Play by Carmel Dads' Club**

August 15th through October 15th.

Monday through Thursday 5 p.m. to 7:15 p.m.

No Scheduled Play on Friday, Saturday or Sunday

[Note: No changes in items 3-13]

3. The fields shall be constructed on the subject premises in accordance with the plans and specifications as approved by the Carmel BZA and shall be subject to any restrictions placed on the development by the Carmel BZA.

There shall be no more than seven fields constructed, Six Fields at the 126th Street Fields (Section I) and One Field at the 131st Street Field (Section II). The 131st Street Field, or Section II, shall not be divided via cones, into more than 8 small fields of teams consisting of 4 to 5 players within the confines of Section II as shown on the Development Plan; or play on the one large field as shown on the development plan, but not both.

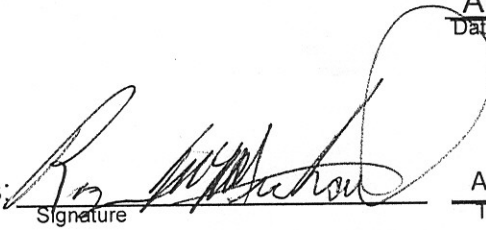
4. When used by the Carmel Dads' Club, a sufficient amount of traffic officers shall be employed at both entrances to insure adequate traffic control is provided. Furthermore, all traffic exiting from the 126th Street Fields shall be directed westbound towards Hazel Dell Parkway. Also, information provided by Dads' Club to persons (parents, fans, visiting teams, etc.) coming to subject property shall emphasize use of major thoroughfares such as Hazel Dell Parkway, 126th and 131st streets, and not residential streets such as Medalist Parkway and Double Eagle Drive.
5. No floodlights or permanent seating (i.e. bleachers) shall be installed.
6. All roadway and parking areas shall be paved in accordance with plan documents. Parking shall not be allowed on any unpaved area except in overflow parking areas as designated on petitioner's site plan on or off of the subject property, or on any perimeter roadway of the development, or within the respective residential areas. Parking lot access roads to be gated and locked when not in use as per schedule cited in Section 2 of this document.
7. The parking area south of the 126th Street Fields shall be limited to a mutually agreeable number of spaces and the parking area on the west side of River Road shall be limited to 108 spaces. The 92 space parking area west of River Road shall be eliminated. Furthermore, the parking area shall be limited to one lot, developed in an area that shall minimize congestion, while allowing for maximum screening of the parking lot.
8. No voice or music sound amplification, including vehicle boom boxes or public address system, bullhorns, megaphones and the like shall be allowed.
9. No commercial signage of any type, temporary or permanent shall be allowed. However, Donor Recognition signage shall be permitted beyond 100 feet from all roadways and provided it meets city-zoning requirements and school board approval.
10. Entire development shall be kept clear of all debris and trash/litter year round. Goals shall be dismantled and shall be placed inside the maintenance buildings at the end of each respective season.
11. The Carmel Dads' Club shall meet with the representatives of the adjacent homeowners associations within 14 days after the end of each season to address any issues resulting from the use of the subject premises.
12. Respective homeowner representatives shall be allowed to have input into the Landscape Plan prior to the implementation of the Landscape Plan.

13. Location, appearance, and use of the permanent structures shall be designed to minimize their visual impact on surrounding neighborhoods, i.e. facing overhead doors towards the woods, etc.
14. Restrooms shall be locked at all times when the fields are not in use.
15. Special care shall be taken when applying fertilizers, pesticides, herbicides and other chemicals to fields that applications be done on calm days so as to protect chemicals from drifting onto neighboring playground equipment, vegetable and flower gardens.

April 13, 2009

Date

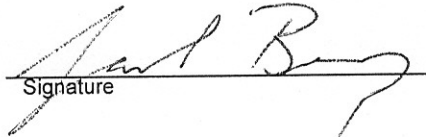
For Carmel Clay Schools:


Signature

Assistant Superintendent for Business

Title

For Carmel Dads' Club:


Signature

President
Title