

**2017 PROMOTIONAL LICENSE BETWEEN  
BROKEN ARROW EDC OF COMMERCE AND THE  
CITY OF BROKEN ARROW**

1. The City of Broken Arrow (CITY) hereby enters into this agreement with the Broken Arrow Economic Development Corporation (EDC).
2. The license grants the EDC the use of the Rose District Pavilion for the Rose District Music Events. The license grants the EDC the use of the Rose District Pavilion beginning Thursday, June 1, 2017 through Thursday, December 28, 2017, each Thursday between the hours of 5:00 p.m. to 11:00 p.m. The Rose District Pavilion may be used until noon, Friday, December 29, 2017, for clean-up purposes only, at which time this license will expire.
3. EDC may select at their discretion, such musical artists as it deems desirable. The City hereby waives any and all applicable Permits and corresponding fees EDC may select or limit the musical artists to perform within the licensed area; however, this license does not provide for any such restrictions to private property.
4. EDC or its licensees shall not remove or damage any trees or other plantings in the licensed area, nor damage any publicly owned property such as traffic signals, sidewalks, streets, etc. in any way. Damages to the park, parking lots, and other facilities within the park resulting from the event shall be repaired at the expense of EDC.
5. Neither EDC nor any vendor may use any loud speaker system or public address system, except for the speaker system used in designated entertainment areas absent the separate advance approval of the City Council. The sound system located on the site may only be utilized for background music. All music shall be turned on only during the hours of June 1, 2017 through December 29, 2017, between the hours of 5:00 p.m. to 11:00 p.m. so as not to unduly interfere with the peace and quietude of the adjoining residential areas.
6. It is the event organizers' responsibility to cancel events due to pending or forecasted inclement weather and to notify all parties of the cancellation. Should inclement weather be an imminent public safety concern then the City of Broken Arrow Emergency Manager shall have authority to cancel the event.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED AS TO FORM:

CITY OF BROKEN ARROW, OKLAHOMA

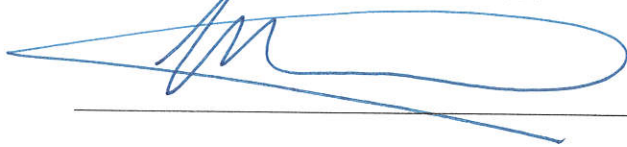
\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk (Seal)

BROKEN ARROW ECONOMIC  
DEVELOPMENT CORPORATION



STATE OF OKLAHOMA    )  
  ) ss:  
COUNTY OF Tulsa    )

Before me, a Notary Public, on this 4th day of July 2017,  
personally appeared, Wes Smithwick, known to me to be the identical person  
who executed the within and foregoing instrument, as the President of the  
BAEDC, LLC and acknowledged to me that he executed the same as his free and  
voluntary act and deed for the uses and purposes therein set forth.

Ariel McDaniel  
Notary Public

My Commission Expires:

11/12/20



## Appendix A

Services to be provided for a cost not to exceed \$5,000.00 to EDC for the Rose District Musical Artists events from June 1, 2017 through December 29, 2017