

AGREEMENT AND MEMORANDUM OF UNDERSTANDING

ENTERED INTO as of this ____ day of _____, 20__ by and among the CITY OF FRANKLIN, TENNESSEE, a municipal government organized and existing under the laws of the State of Tennessee (the “City”), and FRIENDS OF FRANKLIN PARKS, a Tennessee non-profit corporation (“FOFP”).

RECITALS:

1. FOFP is actively working with the City to create and enhance parks open to the public throughout the City of Franklin.

2. In furtherance of the development of the Franklin Parks, FOFP and the City have worked in the past to develop and support the ongoing efforts of the City to provide top tiered parks to their citizens.

3. This Agreement is intended to set forth the terms and conditions regarding the relationship of FOFP to the City.

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration, the City and FOFP agree as follows:

The primary purpose of FOFP is to help support and provide funding to help further the development and improvement of parks throughout the City.

4. Improvements. FOFP, in concert with the City, shall work to improve elements of the existing parks throughout the City. This may include, but is not limited to, trails, signage, buildings, park amenities, playgrounds, bridges, and other items necessary for use and maintenance of the Parks property. No signage, interpretative elements, or other equipment shall be constructed on the Park Property without the prior written consent of the City.

5. Memorial Items. FOFP, in concert with the City, shall work with the Parks Department regarding any memorial type items in the Parks. This shall include items such as trees, benches, and small plaques. These items shall be required to follow City policies regarding the placement and types of such items. The City shall hold final say regarding these items.

6. Inspection and Maintenance. The City is hereby granted the right at any time to enter upon and inspect and maintain all items maintained or constructed through this agreement. FOFP agree to cooperate with all directives and instructions by the City as such affect any items maintained or constructed through this agreement, from the date of the execution hereof until such ownership is transferred to the City.

7. Cooperation. FOFP shall cooperate with the City in the transfer of the described items, ownership, interpretation, and use of the Park Property.

8. Term. The term of this Agreement shall be for three (3) years from the date adopted and may be renewed for an additional two (2), one (1) year terms if agreed to by the parties. Written notice of renewal shall be given to The City within (90) days of the expiration of the initial three (3) year term.

ENTERED INTO the date first above written.

CITY:

CITY OF FRANKLIN, TENNESSEE

By: _____
Dr. Ken Moore, Mayor

ATTEST:

By: _____
Eric S. Stuckey, City Administrator

Approved as to form:

Tiffani M. Pope, Staff Attorney