

First Coast Pool

Name Of Park

Park No. \_\_\_\_\_

**MEMORANDUM OF UNDERSTANDING**  
**FOR**  
**CITY PARK PROPERTY**

THIS MEMORANDUM OF UNDERSTANDING ("Memorandum"), made and entered into this 25 day of September, 2008, by and between the City of Jacksonville, a municipal corporation, hereinafter referred to as "City" and DUVAL COUNTY SCHOOL BOARD, a body politic and corporate, hereinafter referred to as "DCSB".

WITNESSETH:

WHEREAS, the City and DCSB have entered into a Joint Use Agreement dated 1/20/98 (the "Agreement") allowing the City and DCSB to jointly use certain DCSB property and certain City property more particularly described herein for recreational and educational purposes in accordance with said Agreement and the limitations set forth therein;

WHEREAS, the Agreement requires the parties to enter into a Memorandum of Understanding for each DCSB property and City property setting forth in detail the extent of the use to be made of each property;

WHEREAS, the City and DCSB have authorized the Director, Department of Recreation and Community Services and the Chief Officer, Operations Support to execute all Memoranda of Understanding and amendments thereto, on behalf of the City and DCSB, respectively;

WHEREAS, the parties desire to enter into this Memorandum to set forth the terms and conditions necessary by the parties to ensure the jointly used property is well maintained and operated.

NOW THEREFORE, the parties in consideration of the foregoing and the mutual promise and covenants herein, agree as follows:

Section 1. Use. The DCSB shall have the right to use jointly with the City the area designated on the park diagram or site plan attached hereto as Exhibit A and made a part hereof (the "Property") at First Coast Pool for educational and recreational purposes only. The DCSB shall have Priority use of the Property for the purposes stated herein at the times set forth in Exhibit B, attached hereto and made a part hereof. Quarterly, the DCSB shall submit a schedule of its requested dates and hours of operation. The DCSB shall submit requests for swim meets one (1) year prior to the scheduled event. The CITY shall maintain and control the pool outside of those hours to be open for public use. The CITY shall have the right to use jointly with DCBS the area designated on the diagram attached hereto as Exhibit A-1 for parking purposes.

Section 2. Correction of Unsafe Condition. The DCSB shall provide proper supervision and safe conditions during its use of the Property. In the event either party becomes aware of an unsafe condition, said party will correct same if the correction is the responsibility of said party or will notify the other party of the unsafe condition. DCSB shall be responsible for the correction of any unsafe condition resulting from the use of the facility or from debris, trash and other unsightly refuse associated with congregations of persons as spectators and participants in recreational or other activities, placed on the Property during the DCSB's use of the Property.

Section 3. Maintenance of Property. The DCSB shall keep the Property free from debris, trash and other unsightly refuse associated with congregations of persons as spectators and participants in recreational or other activities during and immediately after the school's use of the Property. The CITY shall maintain the Property during those times not in use by DCSB.

Section 4. Memorandum Period and Termination. This Memorandum shall be effective for the period beginning September 25<sup>th</sup> 12 and shall continue unless terminated by either party, with or without cause, upon giving three (3) months written notice to the other party.


Section 5. Notices. All notices required under this Memorandum shall be made in writing and served upon City by registered or certified mail, return receipt requested, addressed to Director, Department of Recreation and Community Services,

851 N. Market Street, Jacksonville Florida 32202-2798 and served upon DCSB by registered or certified mail, return receipt requested, addressed to the Chief Officer, Operations Support, 1701 Prudential Drive, Jacksonville, FL 32207-8181.

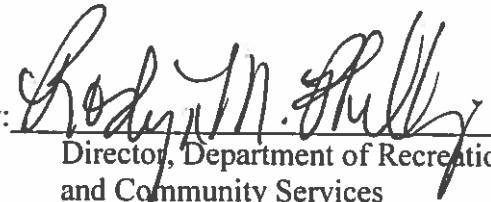
Section 6. Amendments. This memorandum may be amended from time to time by written request and agreements of the parties. The Director, Recreation and Community Services and the Chief Officer, Operations Support are authorized to execute any and all such amendments on behalf of the City and DCSB, respectively.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum on the day and year first above written.

DUVAL COUNTY SCHOOL BOARD

By:   
Chief Officer, Operations Support

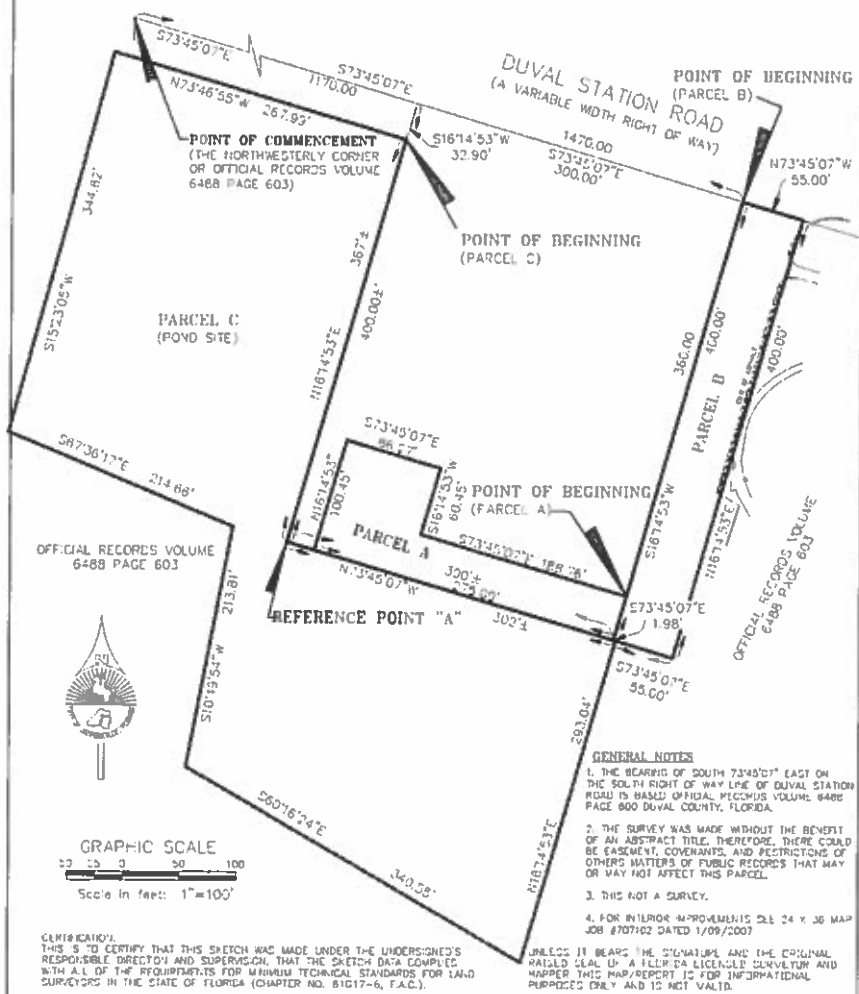
CITY OF JACKSONVILLE

By:   
Director, Department of Recreation  
and Community Services

## EXHIBIT A

### SKETCH AND LEGAL DESCRIPTION OF:

(PARCEL C)  
 A PART OF SECTION 2 OF THE JOHN BROWARD GRANT, SECTION 37, TOWNSHIP 1 NORTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE NORTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 6488, PAGE 600 AS RECORDED IN THE CURRENT PUBLIC RECORDS OF SAID COUNTY, SAID POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF DUVAL STATION ROAD (A 60 FOOT RIGHT OF WAY); THENCE SOUTH 73°45'07" EAST, ALONG SAID RIGHT OF WAY LINE 1170.00 FEET; THENCE SOUTH 16°14'53" WEST, 32.90 FEET TO THE POINT OF BEGINNING; THENCE NORTH 73°46'55" WEST, 267.99 FEET; THENCE SOUTH 15°23'05" WEST, 344.82 FEET; THENCE SOUTH 67°36'17" EAST, 214.66 FEET; THENCE SOUTH 10°49'54" WEST, 213.81 FEET; THENCE SOUTH 60°16'24" EAST, 340.55 FEET; THENCE NORTH 16°14'53" EAST, 293.04 FEET; THENCE NORTH 73°45'07" WEST, 302 FEET MORE OR LESS TO A POINT FROM HEREON AFTER REFERRED TO AS REFERENCE POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING AND RUN SOUTH 16°14'53" EAST, 367 FEET MORE OR LESS TO REFERENCE POINT "A" AND TO CLOSE.  
 THE ABOVE DESCRIBED PARCEL CONTAINS 4.16 ACRES MORE OR LESS.



CITY OF JACKSONVILLE, FLORIDA	ENGINEERING DIVISION DEPARTMENT OF PUBLIC WORKS	LEGEND
		<input type="checkbox"/> CONCRETE MONUMENT X FENCE O HAIL ○ IRON PIPE X CROSS CUT
W. VONROE HAZEN, P.L.S. FLORIDA REGISTRATION NUMBER 3398 ROOM 908, 220 E. BAY STREET, 32202 (904)-630-1374		
DATE: 12/08/2007	SCALE: 1"=100'	
FILE NO.: 699	JOB NO.:	SHEET NO. OF

## SKETCH AND LEGAL DESCRIPTION OF:

(PARCEL A)  
 A PART OF SECTION 2 OF THE JOHN BROWARD GRANT, SECTION 37, TOWNSHIP 1 NORTH,  
 RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 (PARCEL A):

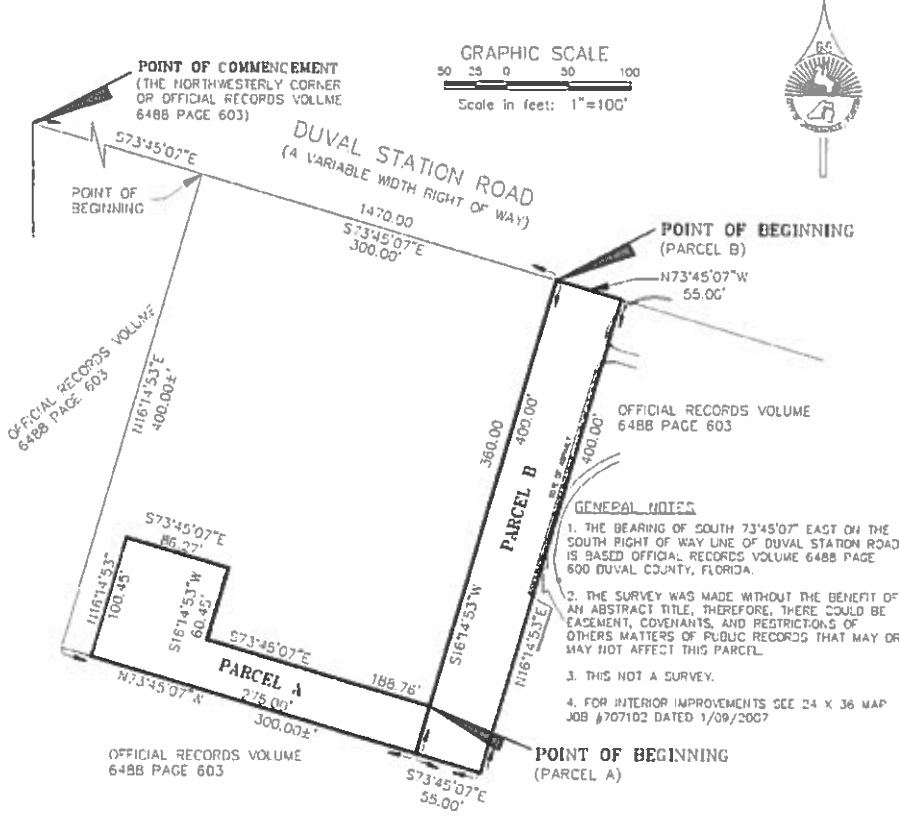
COMMENCE AT THE NORTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 6488, PAGE 500 AS RECORDED IN THE CURRENT PUBLIC RECORDS OF SAID COUNTY, SAID POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF DUVAL STATION ROAD (A 60 FOOT RIGHT OF WAY); THENCE SOUTH 73°45'07" EAST, ALONG SAID RIGHT OF WAY LINE 1470.00 FEET; THENCE SOUTH 16°14'53" WEST, 360.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 16°14'53" WEST, 40.00 FEET; THENCE NORTH 73°45'07" WEST, 275.00 FEET; THENCE NORTH 16°14'53" EAST, 100.45 FEET; THENCE SOUTH 73°45'07" EAST, 86.27 FEET; THENCE SOUTH 16°14'53" WEST, 60.45 FEET; THENCE SOUTH 73°45'07" EAST, 188.76 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 16213 SQUARE FEET OR 0.37 ACRES MORE OR LESS.

(PARCEL B):

COMMENCE AT THE NORTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 6488, PAGE 500 AS RECORDED IN THE CURRENT PUBLIC RECORDS OF SAID COUNTY, SAID POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF DUVAL STATION ROAD (A 60 FOOT RIGHT OF WAY); THENCE SOUTH 73°45'07" EAST, ALONG SAID RIGHT OF WAY LINE 1470.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 16°14'53" WEST, 400.00 FEET; THENCE SOUTH 73°45'07" WEST, 55.00 FEET; THENCE NORTH 16°14'53" EAST, 400.00 FEET TO AFORESAID SOUTHERLY RIGHT OF WAY LINE; THENCE NORTH 73°45'07" WEST, ALONG LAST SAID LINE 55.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 22,000 SQUARE FEET OR 0.51 ACRES MORE OR LESS.



CERTIFICATION:  
 THIS IS TO CERTIFY THAT THIS SKETCH WAS MADE UNDER THE UNDERSIGNED'S  
 RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SKETCH DATA COMPLIES  
 WITH ALL OF THE REQUIREMENTS FOR MINIMUM TECHNICAL STANDARDS FOR LAND  
 SURVEYS IN THE STATE OF FLORIDA (CHAPTER NO 61C17-6, F.A.C.).

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL  
 RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND  
 HAPPEN THIS MAP/REPORT IS FOR INFORMATIONAL  
 PURPOSES ONLY AND IS NOT VALID.

CITY OF JACKSONVILLE, FLORIDA	ENGINEERING DIVISION DEPARTMENT OF PUBLIC WORKS	LEGEND
W. MONROE HAZEN, P.L.S. FLORIDA REGISTRATION NUMBER 3398 ROOM 90B, 220 E. BAY STREET, 32702 (904)-630-1374		□ CONCRETE MONUMENT x-x FENCE ○ NAIL ○ IRON PIPE x CROSS CUT
DATE: 08/20/2007	SCALE: 1"=100'	SHEET NO. OF
FILE NO.: 695	JOB NO.:	

Exhibit A-1

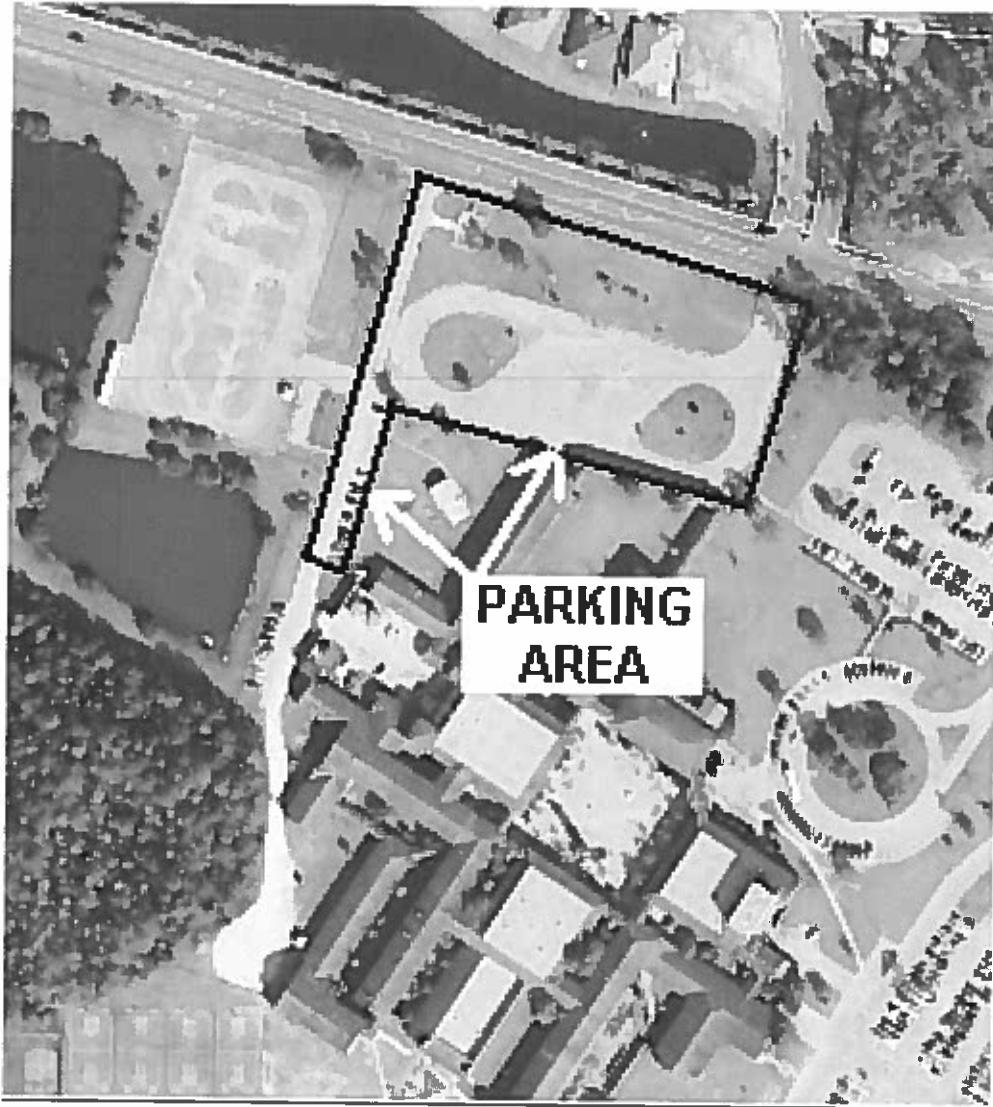


EXHIBIT B

TIME OF USE BY DCSB

First Coast High School Swim Team will have priority pool scheduling; however the pool will be open to the public outside of those hours. First Coast High School will be required to submit their schedule in writing to the City on a quarterly basis. Reservations for swim meets must be submitted one year prior to the requested event date.