

Chets Creek Elem. School

Name Of School

School No. 264

Playground, parfitness course, asphalt jog track, miscellaneous refurbishment

General Description

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("Memorandum"), made and entered into this 18 day of January, 2005, 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 Parks, Recreation and Entertainment and Assistant Superintendent, Facilities Services 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 city shall have the right to use jointly with DCSB the area designated on the plat diagram or site plan attached hereto as Exhibit A and made a part hereof (the "Property") at Chets Creek Elem. 13200 Chets Creek Blvd. Jacksonville, FL 32224

(Name of School)

educational and recreational purposes only. The City shall have the right to use the Property for the purposes stated herein at the times set forth in Exhibit B, attached hereto and made a part hereof.

Section 2. Improvements. The City may install the improvements listed on Exhibit C; attached hereto and made part hereof (the "Improvements") at the locations set forth in Exhibit A. All Improvements shall meet Florida Department of Education safety standards.

Section 3. Maintenance of Improvements and Property. DCSB shall maintain, at its sole cost and expense, the Improvements installed by the City on the Property. The DCSB shall maintain the Property and any improvements made by DCSB thereon and provide daily litter control during the school year.

Section 4. Title of Improvements. DCSB, at its option, may keep any or all of the Improvements installed by City on the Property and the City shall convey its rights, title and interest in the Improvements "as is" with no warranties as to merchantability or fitness to the DCSB or DCSB may require the City to demolish and remove the Improvements on the Property and return the Property completely as practicable to its original condition prior to the installations of the Improvements.

Section 5. Memorandum Period and Termination. This Memorandum shall be effective for the period beginning 1/17/05 and shall continue unless terminated by either party, with or without cause, upon giving three (3) months written notice to the other party.

Section 6. 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 Parks, Recreation and Entertainment, 851 N. Market Street, Jacksonville Florida 32202-2798 and served upon DCSB by registered or certified mail, return receipt requested, addressed to Assistant Superintendent, Facilities Services, 1701 Prudential Drive, Jacksonville, FL 32207-8181 with a copy to Susan Phillips

Name of Principal

At Chets Creek Elem 13200 Chets Creek Blvd. Jacksonville, FL 32224

School Address

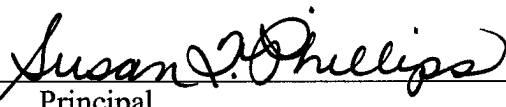
Section 7. Amendments. This memorandum may be amended from time to time by written request and agreements of the parties. The Director, Parks, Recreation and Entertainment and the Assistant Superintendent, Facilities Services are authorized to execute any and all such amendments on behalf of the City and DCSB, respectively.

Section 8. Association Use of Property. The City may allow associations, groups or individuals use of the Property for public purposes upon written agreement between City and the association, group or individual, in accordance with the terms and conditions of the Joint Use Agreement. Any such written agreement between the City and the association, group or individuals must be approved by the school principal, or his/her designee. The DCSB may in its sole discretion deny such use.


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

DUVAL COUNTY SCHOOL BOARD

By: 
Assistant Superintendent,
Facilities Services

By: 
Principal

CITY OF JACKSONVILLE

By: 
Director, Department of Parks,
Recreation and Entertainment

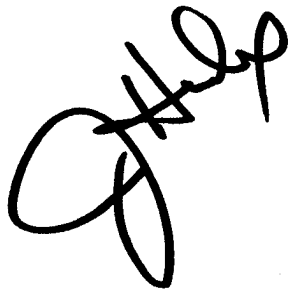


EXHIBIT A

JAXGIS Property Information



RE #	Name	Address	Total Value	Acres	Plat Book	Map Panel	Legal Descriptions	Flood Zone	Landuse	Zoning	AshSite	ENT
167455 1250	DUVAL COUNTY SCHOOL BOARD	CHETS CREEK BLV	3600000	18.0100002289		525B3	02-3S-28E 18.000 PT S1/4 OF SW1/4 OF SEC 2 3S-28E, PT N1/4 OF W1/2 SEC 11-3S- 28E	Not in Flood Zone	MDR	PBF-1		
		32224										

EXHIBIT B

TIME OF USE BY CITY

The City shall have use of the amenities listed as Exhibit C after 5 p.m. Monday through Friday and all day Saturday and Sunday.

Exhibit C
Improvements

City of Jacksonville
Parks & Recreation Dept.
851 North Market St.
Jacksonville, FL 32208

Chets Creek Elem.
Kelley Boree
630-3546
630-3259 Fax

Priority #1 Jogging Track	36,900.00
Priority #2 Site Clearing	11,500.00
Priority #3 Fitness Equipment	16,368.50
Priority #4 New Playground	20,482.74
Priority #5 Refurbish back playgrounds	2,700.00
Priority #6 Refurbish Baseball Field	1,595.00
Priority #7 New roofs for existing playground	<u>1,462.28</u>
Total of Proposed Work	91,008.52

City of Jacksonville Price Agreement contract #SC-0549-03



SOUTHERN RECREATION, INC.

4060 Edison Ave.
904-387-4390

Jacksonville, FL 32254
904-387-4391 Fax

877-488-4390