

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made and entered into as of the ____ day of _____, 2010 by and between the City of Columbus, Georgia (hereinafter "Columbus"), the Muscogee County School District (hereinafter "MCSD"), the Muscogee County Library Board (hereinafter "Library Board"),

WHEREAS, MCSD, the Library Board and Columbus desire to complete certain facilities adjacent to the Muscogee County Library site and desire to beautify the entire Library Project site;

WHEREAS, Columbus has indicated a need for an additional three (3) acres of property owned by MCSD in order to complete certain projects funded by the 1999 SPLOST (Special Local Option Sales Tax) and other funding sources, so that Columbus will own a total of nine (9) acres of property adjacent to the Muscogee County Library site;

WHEREAS, Columbus agrees that it plans to designate the six-acre site (Parcel C), previously conveyed by MCSD to Columbus, for Columbus' City Service Center and Olympic swimming pool/natatorium, and any other County purpose;

WHEREAS, MCSD has indicated its willingness to exchange said three (3) acres for the entire property formerly known as the Carmike Cinema property comprised of five-plus (5+) acres of property owned by Columbus at the rear of the Library Project site, and has indicated a need for said acreage;

WHEREAS, in addition, MCSD and the Library Board have requested the release of \$1,050,412.46 contained in the 1999 SPLOST Projects Account for the purpose of removing asphalt on property owned by MCSD located behind the Muscogee County Library and for seeding and landscaping said property to the extent that said funds will allow;

WHEREAS, Columbus and MCSD are agreeable to Columbus deeding to MCSD the entire property formerly known as the Carmike Cinema property comprised of five-plus (5+) acres at the rear of the Muscogee County Library site in exchange for a conveyance of three (3) acres owned by MCSD to Columbus as shown on the attached CCG-GIS Location Map dated January 14, 2010;

WHEREAS, in addition, Columbus agrees to release \$1,050,412.46 contained in the 1999 SPLOST Projects Account to MCSD and the Library Board for the purpose of removing asphalt on property owned by MCSD located behind the Muscogee County Library and for seeding and landscaping said property to the extent that said funds will allow.

WHEREAS, this Memorandum of Understanding shall serve as an intergovernmental agreement pursuant to Article IX, Section III, Paragraph I of the 1983 Constitution of the State of Georgia and shall supersede and replace that Memorandum of Understanding between Columbus and MCSD dated March 20, 2007;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, MCSD and Columbus hereby agree as follows:

1. MCSD shall convey to Columbus three (3) acres of property shown as "Additional 3 Acres" (Parcel D) on the attached CCG-GIS Location Map dated January 14, 2010;

2. A roadway (Parcel G) may be developed by Columbus adjacent to said "Additional 3 Acres" (Parcel D) and the six (6) acres (Parcel C) previously conveyed to Columbus to serve SPLOST projects developed by Columbus as shown on the attached CCG-GIS Location Map dated January 14,2010;
3. Columbus shall convey the entire former Carmike Cinema site comprised of five-plus (5+) acres of property (Parcel B) to MCSD to be used for MCSD purposes;
4. Columbus shall release to MCSD and the Library Board, as MCSD's Designee, \$1,050,412.46 contained in the 1999 SPLOST Projects Account for the purpose of removing asphalt on property owned by MCSD located behind the Muscogee County Library (Parcel A) and for seeding and landscaping said property to the extent that said funds will allow. The Library Board shall expend said funds consistent with previous Columbus SPLOST financial processes and policies, to include a bid process, for (1) removal of asphalt, (2) erosion control, (3) seeding and other landscaping for said property. To the extent funds are available, other beautification measures may be approved by the Library Board.
5. The Parties agree that a fund may be created to receive private donations to beautify property owned and maintained by MCSD at the Library Project Site.
6. MCSD and Columbus shall submit this Memorandum of Understanding to the Muscogee County School Board and Columbus Council respectively for approval and execution.
7. All acts contemplated by the Memorandum of Understanding shall be accomplished within 18 months of execution by the parties hereto.

APPROVED BY THE COUNCIL OF COLUMBUS, GEORGIA

Councilor Allen voting	_____.
Councilor Anthony voting	_____.
Councilor Baker voting	_____.
Councilor Barnes voting	_____.
Councilor Davis voting	_____.
Councilor Henderson voting	_____.
Councilor Hunter voting	_____.
Councilor McDaniel voting	_____.
Councilor Turner Pugh voting	_____.
Councilor Woodson voting	_____.

TINY B. WASHINGTON, CLERK

JIM WETHERINGTON, MAYOR

MUSCOGEE COUNTY SCHOOL DISTRICT

Dr. Philip T. Schley, Chairman, Muscogee County Board of Education

Dr. Susan Andrews, Superintendent, Muscogee County School District

APPROVED BY MUSCOGEE COUNTY SCHOOL BOARD

Dr. Philip T. Schley, District 8 voting
Chair _____

James Walker, District 3 voting
Vice-Chair _____

Cathy Vaughn Williams voting
Member at Large _____

Patricia Hugley Green, District 1 voting _____

John Wells, District 2 voting _____

Naomi Buckner, District 4 voting _____

Rob Varner, District 5 voting _____

Brenda P. Storey, District 6 voting _____

Norene Marvets, District 7 voting _____