

AGREEMENT

THIS AGREEMENT dated this 2nd day of December, 2013, is entered into by and between the City of Columbia, Missouri, a municipal corporation (hereinafter "City") and Columbia Public School District (hereinafter "District").

WHEREAS, District is improving the fitness facilities at Hickman High School at the corner of Providence and the Business Loop; and

WHEREAS, City is willing to participate in the funding of the replacement of six (6) tennis courts at Hickman High School; and

WHEREAS, District is willing to make the tennis courts and related facilities available to the public when it is not being used for school activities.

NOW, THEREFORE, City and District agree as follows:

1. City will pay District One Hundred Fifty Thousand Dollars (\$150,000.00) to reimburse District for replacement of six (6) tennis courts at Hickman High School. Payment will be made upon receipt of documentation of actual expenditures made by the District with respect to the facility development.
2. As a condition of receiving the payment for these improvements, District agrees:
  - a) The tennis courts shall maintain public access during non-school use and be available for scheduled tennis classes and tournaments either sponsored by City or District.
  - b) District shall be responsible for and shall pay for all maintenance, upkeep and care of the tennis courts at no cost to City. District shall keep the tennis court area in a neat and orderly condition at all times.
  - c) To submit improvement plans and specifications of these tennis courts to City, specifically to the Director of the Parks and Recreation Department, for approval. District shall construct the improvements according to the plan submitted.
  - d) To the fullest extent not prohibited by law, District shall defend, indemnify and hold harmless the City, its officers, agents and employees from any and all claim of damages, suits, costs, liabilities, actions or proceedings of any nature arising out of the use of the tennis courts, whether by students or by members of the public.
  - e) District shall install and maintain a permanent sign on site that indicates "Partial funding provided by the Park Sales tax." If requested, City's Parks and Recreation Department can provide a sign or the appropriate wording could be incorporated into an existing sign.

IN WITNESS WHEREOF, City and District have been duly authorized to execute this Agreement as of the above referenced date.

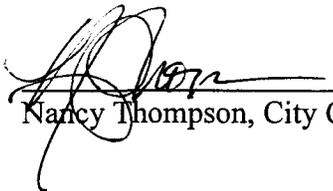
**CITY OF COLUMBIA, MISSOURI**

By:   
Mike Matthes, City Manager

ATTEST:

  
Sheela Amin, City Clerk

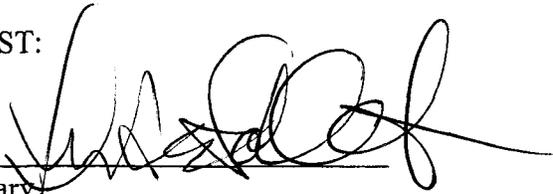
APPROVED AS TO FORM:

  
Nancy Thompson, City Counselor

**COLUMBIA PUBLIC SCHOOL DISTRICT**

By:   
President Deputy Supt.  
Columbia Board of Education

ATTEST:

  
Secretary  
Columbia Board of Education