

RECORDED 2/18/92  
PAGE NO. 516  
MINUTE BOOK NO. 41

AGREEMENT BETWEEN  
MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
AND  
MANATEE COUNTY SCHOOL BOARD

TENNIS COURT LIGHTING AT BRADEN RIVER MIDDLE SCHOOL

THIS AGREEMENT is made and entered into as of the 18th day of February, 1992, by and between the MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS (Board), and the MANATEE COUNTY SCHOOL BOARD (School Board).

WHEREAS, the Board and the School Board have acquired land and constructed facilities upon such land to serve the residents of Manatee County for educational and recreational purposes; and

WHEREAS, the County and School Board recognize the need for joint usage of their land and facilities to better serve the residents and such usage will result in substantial savings to the public; and

WHEREAS, the use by each party for specified purposes of the properties belonging to the other is lawful and in the public interest; and

WHEREAS, the Manatee County Comprehensive Plan requires the County to provide for the recreational needs of its residents; and

WHEREAS, this proposed project is in one of the fastest growing areas of the County where limited recreational facilities are available; and

WHEREAS, the Manatee County Comprehensive Plan encourages the County and School Board to negotiate in good faith to enter into cooperative agreement regarding the joint use of facilities, maintenance, site acquisition and facilities planning;

WHEREAS, the School Board has constructed tennis courts and related facilities at the Braden River Middle School; and

WHEREAS, the County wishes to provide lighting standards for said courts and utilize said courts for public

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recreation needs during hours of the day not in conflict with normal school hours; and

WHEREAS, the parties hereto desire to enter into an Agreement.

NOW, THEREFORE, in consideration of the mutual rights and obligations as set forth herein, it is agreed between the parties as follows:

1. That the County shall have the right of County and public use of the tennis courts and related facilities (e.g., parking lots) located on the Braden River Middle School property located at 10850 State Road 70, Bradenton, Florida, including means of access to and from the site and for the installation, use and maintenance of a lighting system to illuminate the tennis courts. Said lighting system shall be so placed as to not interfere with ordinary school use of said property and shall remain the property of the County and may be removed by the County at any time.

2. That the County will be responsible for all costs associated with the design, installation, maintenance and utility costs of the tennis court lighting system.

3. That the School Board shall be responsible for maintaining said tennis courts and related facilities, except for the tennis court lighting system, in good operating condition.

4. That the School Board will make available for public recreational use, said Braden River Middle School tennis courts during the hours of the day that are not in conflict with normal operating hours (7 a.m. to 3 p.m.) of the school.

5. That the County or School Board agrees to save one another harmless from any and all liability for personal injury or property damage resulting from County's or School Board's use, respectively, of the facilities or granted pursuant to the terms of this Agreement.

6. As to the tennis courts and related facilities at Braden River Middle School, the provisions of this Interlocal Agreement supersede and take precedence over any conflicting provisions of prior agreements with the County and School Board.

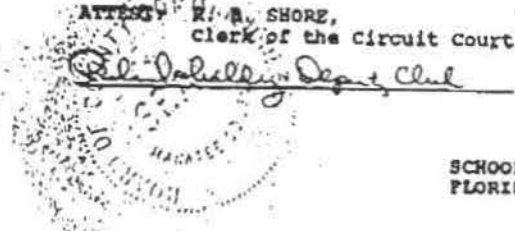
7. This Agreement may be amended or terminated by mutual written consent of the County and the School Board.

IN WITNESS WHEREOF, the parties have executed this Cooperative Agreement the day and year first above written.

BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

By: Kathy A. Savelle  
Chairman 2/18/92

ATTEST: R. B. SHORE,  
Clerk of the Circuit Court



SCHOOL BOARD OF MANATEE COUNTY,  
FLORIDA

By: [Signature]  
Chairman

ATTEST: Gene Witt,  
Superintendent

[Signature]  
2/18/92