

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made as of this ___ day of June, 2011, between the **CITY OF LANGLEY**, a Washington municipal corporation, (the "City") and the **FRIENDS OF THE LANGLEY WOODMEN CEMETERY**, a Washington non-profit corporation, (the "Friends"), who agree as follows:

1. Within three business days from the date of this Memorandum of Understanding ("MOU"), the Friends will make a restricted donation of \$___ to the City; and the City agrees to use this donation to purchase a [describe the ZTR mower] (the "New Mower") from [Insert name of vendor] (the "Vendor"). The City further agrees that during the term of this MOU the New Mower will be used exclusively at the Langley Woodmen Cemetery (the "Cemetery"), unless the Friends agrees in writing to an alternative use.
2. On behalf of the City, the Friends will take delivery of the New Mower from the Vendor; and during the term of this MOU, will store the New Mower in Linda Anderson's garage at 1040 Al Anderson Ave. in Langley, or at another location approved by the City.
3. The parties agree that during its useful life, the New Mower will be operated exclusively by contractors retained by the City or the Friends, volunteers organized by the Friends and City employees, as appropriate. Unless covered by warranty, the Friends shall be responsible for the maintenance and repair of the New Mower during the term of this MOU.
4. The City also owns a John Deere ride-on mower (the "Old Mower"), which was purchased approximately 15 years ago with funds donated to the City by the Friends. The Old Mower has recently been repaired with funds donated by the Friends. As long as it is deemed feasible by the Friends to keep the Old Mower as a "back-up" mower at a reasonable cost, the Old Mower will be stored, maintained, repaired and used exclusively at the Cemetery, under the same terms as the New Mower. If, and when, the Friends deems that it is no longer feasible to use the Old Mower, the Friends will deliver the Old Mower to the City or dispose of the Old Mower in a mutually agreed manner.
5. The term of this MOU shall be 15 years or the useful life of the New Mower, whichever is shorter. This MOU may not be amended, or its term extended or terminated, except by the mutual agreement of the City and the Board of Directors of the Friends.

CITY OF LANGLEY

FRIENDS OF THE LANGLEY WOODMEN CEMETERY

By

By