

## JOINT USE AGREEMENT

This **JOINT USE AGREEMENT** made and entered into this 18<sup>th</sup> day of November, 2009, by New Lexington City Fire Department, with its principal place of business at 125 South Main Street, New Lexington, Ohio, 43764, by its duly authorized Chief, Robert Stallings, and by the City of New Lexington, with its principal place of business at 125 South Main Street, New Lexington, Ohio, 43764, by its duly authorized Administrator, Scott Bryant, and by Hocking College, with its principal place of business at 3301 Hocking Parkway, Nelsonville, Ohio, 45764-9704, by its duly authorized Senior Vice President, Dr. Roy Palmer.

### RECITALS:

**Whereas**, the New Lexington City Fire Department has outgrown its current facility and is in need of a new firehouse that will house both the New Lexington City Fire Department and EMS, and including but not limited to its equipment, supplies, and meeting space; and

**Whereas**, the Ohio General Assembly passed House Bill Number 562, which appropriated a total sum of Seven Hundred and Fifty Thousand Dollars (\$750,000.00) to Hocking College to be used by the City of New Lexington Fire Department for a new firehouse; and

**Whereas**, Hocking College provides to its students in Perry County and surrounding counties educational programs, degrees and/or certifications that require and/or will benefit from hands-on training made available through a new firehouse for the New Lexington City Fire Department; and

**Whereas**, the City of New Lexington desires to build and/or improve, and to use and maintain, a facility that will suit both the respective needs of New Lexington City Fire Department and EMS and of Hocking College as set forth above and/or as those needs may develop hereafter; and

**Whereas**, New Lexington City Fire Department and Hocking College desire to make application for any monies available to assist them in jointly meeting their respective needs as set forth above and/or as those needs may develop hereafter.

**NOW THEREFORE**, the parties hereto agree as follows:

1. **Location:** The facility shall be located within Perry County, Ohio, and within and/or contiguous to, the City of New Lexington. Selection of location shall be made by New Lexington City Fire Department, and with the approval of New Lexington City Council. The location chosen is 215 South Main St. New Lexington, OH 43764



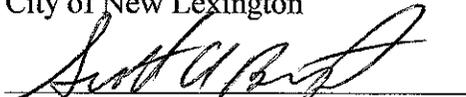


liability to others, in an amount agreed to and established by the management committee.

11. Value of Use: The parties hereto specifically acknowledge and agree that the value of their respective use of this joint facility is reasonable and relative to the amount of funds they will or may receive and/or appropriate therefore. As an active, operating fire station, the facility will have a value in excess of \$57,700.00 per year for college level training applications.
12. Termination: The joint use facility venture shall terminate twenty (20) years from the date of this agreement unless sooner terminated by written agreement of the parties, or by mutually agreed extension of the joint use facility venture. The term of the joint use facility venture may be extended for successive terms of ten (10) years, each extension to be executed by written agreement of the parties.
13. Reimbursement to the State: In the event that prior to the expiration of this Agreement, (1) Hocking College's right to use the facility is involuntarily terminated for any reason, or (2) this agreement is terminated as provided in section 12 above, then the City of New Lexington shall remit to the State of Ohio a prorated portion of the Funds which shall be calculated by dividing the funds contributed by the State of Ohio by twenty (20) and multiplying the result by twenty (20) less the number of full years that the facility was used by Hocking College.
14. Agreement Binding: This agreement is binding on the parties and their personal representatives, successors, and assigns.

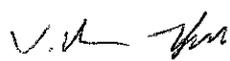
**WITNESS** our signatures.

City of New Lexington



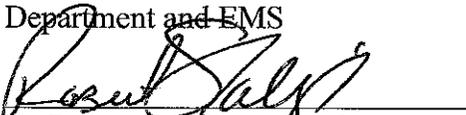
By Scott Bryant, Administrator

Hocking College



By William J. Hill, Ph.D.  
Chief Financial Officer

City of New Lexington Fire  
Department and EMS



By Robert Stallings, Chief