

*copy in lieu of original*

## MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT ("Agreement") is made and entered into between the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways (referred to herein as the "KYTC"), and Lexington-Fayette Urban County Government, Division of Parks and Recreation (referred to herein as the "LFUCG").

WHEREAS, KYTC and LFUCG (referred to herein as the "Parties") desire to enter into this Agreement to detail the obligations of the Parties regarding the transfer of all control, title and ownership of the parts and materials to the men's and women's restrooms designed for the Kentucky Horse Park as part of KYTC Item Number 7-433.00 (referred to herein as the "Restrooms").

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the Parties each agree as follows:

**1. Obligations of KYTC.** In consideration of the mutual promises and covenants contained herein, KYTC agrees to transfer all control, title and ownership interest in the Restrooms to LFUCG.

**2. Obligations of LFUCG.** In consideration of the mutual promises and covenants contained herein, LFUCG agrees to acquire the Restrooms from KYTC by removing and transporting the Restrooms from 3115 Kearney Road, Lexington, KY 40511, where the Restrooms are currently being stored by KYTC, at the cost and expense of LFUCG within thirty (30) days of this Agreement being executed by both parties.

Having read the foregoing and being in complete agreement with the promises, conditions and statements contained herein, the Parties execute this Agreement freely, intelligently and voluntarily as evidenced by their signatures below on the dates as indicated.

Andy Barber, Kentucky Transportation Cabinet Highway Engineer and Duly Authorized Representative of the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways

STATE OF KENTUCKY

COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me by Andy Barber, Kentucky Transportation Cabinet Highway Engineer and Duly Authorized Representative of the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways, on this the \_\_\_\_ day of \_\_\_\_\_, 2018.

My commission expires: \_\_\_\_\_

NOTARY PUBLIC, STATE-AT-LARGE

AND


  
\_\_\_\_\_  
Jim Gray, Mayor and Duly Authorized Representative of Lexington-Fayette Urban County Government, Division of Parks and Recreation

STATE OF KENTUCKY

COUNTY OF Fayette

Subscribed and sworn to before me by Jim Gray, Mayor and Duly Authorized Representative of the Lexington-Fayette Urban County Government, Division of Parks and Recreation, on this the 16<sup>th</sup> day of March, 2018.

My commission expires: 1/1/20

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE-AT-LARGE