

**Agreement Regarding Construction and Maintenance  
of Fence Around Rob Leake City Park Playground**

WHEREAS, the Tupelo Public School District (“District”) and the City of Tupelo (“City”) (collectively, “the Parties”) have an interest in providing safe and secure community recreation facilities to promote the health and general welfare of the community; and

WHEREAS, the District and the City are parties to a Joint Use Agreement regarding the use of property and facilities owned by the Parties and capable of being used by the City for community recreational purposes; and

WHEREAS, the District and the City desire to replace the fence surrounding the Rob Leake City Park playground,

NOW, THEREFORE, the District and the City agree to the following:

The District shall pay for the cost of replacing the fence surrounding the Rob Leake City Park playground, including all materials and labor involved.

Once the new fence is installed, the City shall be wholly responsible for maintaining, repairing, or funding the replacement of any and all damage or vandalism to the fence. The District shall notify the City promptly in the event that the fence is damaged.

This Agreement constitutes the entire understanding between the parties with respect to the subject matter and supersedes any prior negotiations, representations, agreements, and understandings. This Agreement may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved in the same manner as this Agreement. The individuals executing this Agreement represent that they have authority to sign on behalf of the parties to this Agreement. This Agreement shall be effective when it is fully executed by District and City officials.

Tupelo Public School District

The City of Tupelo

By: \_\_\_\_\_  
(Type in name)

By: \_\_\_\_\_  
(Type in name)

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_