



MEMORANDUM OF UNDERSTANDING

The City of Denton, Texas (hereinafter referred to as the "CITY") and Denton Independent School District (hereinafter referred to as "DISD") have reached a mutual understanding pertaining to the CITY'S request for a 8.418 acre Stormwater Drainage and Detention Easement grant involving DISD's Strickland Middle School campus (hereinafter referred to as the "SITE") and the incumbent scope of work required for the establishment of the pending drainage basin improvement project (hereinafter referred to as the "WORK").

The Terms of the Understanding are as follows:

- The CITY will fund the entire cost of the construction of the contemplated storm water detention basin utilizing City of Denton Capital Improvement Plan (CIP) bond funds, which are in place for expenditure toward the WORK.
- The CITY will diligently pursue the effectuation of the WORK over the 2010-2011 DISD school year, schedule dependent on unforeseen site conditions and weather permitting, so as to minimize impact to campus operations.
- The CITY will remove all excess earthen spoil material off the SITE for reuse or disposal elsewhere.
- The earthen areas within and forming the detention basin will be graded in such a manner so that the slopes will provide for typical mowing operations. The surface of the detention basin area will be returned to a like condition, inclusive of topsoil placement, grading and the establishment of native Bermuda grass. The topsoil will be free of debris and free of rocks that would be deleterious to mowing..
- As a part of the WORK, the CITY will establish Bermuda sod upon the top and outside slopes of the earthen berm. All other areas disturbed by the WORK within the SITE will be sowed with Bermuda seed.
- The detention basin outlet structure will have sufficient grates at the top to restrict access.

- As a part of the WORK, the CITY will inspect the existing drainage boxes (that will serve as outlet for the detention basin), and will perform such drainage maintenance/clean-out activities necessary to ensure storm water conveyance.
- During the period of time that CITY is mobilized on the SITE to effectuate the WORK, CITY forces will also perform routine clean-up/clean-out drainage maintenance activities upon the north/south drainage swale, located on the eastern side of the athletic track and field facility.
- The CITY will adjust and/or relocate any existing utility facilities (inclusive of any found irrigation systems) impacted by the WORK.
- CITY and DISD field personnel will work collaboratively to investigate, locate, mark, and identify known utilities within the SITE prior to mobilization.

ACKNOWLEDGMENT: By their signatures below, the parties effectuate this Memorandum of Understanding as of the date signed by both parties.

CITY:

Frank G. Payne, P.E., City Engineer

Date

DISD:

Dr. Jim Alexander, Denton Independent
School District President

Date