

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL

AGREEMENT REGARDING DONATION OF FIRE TRUCK

THIS AGREEMENT is made and entered into this 28th day of October, 2014 by and between the McDowell County Board of Education, hereinafter referred to as “the School Board”, and the City of Marion, a North Carolina Municipal Corporation, hereinafter referred to as “the City”.

WITNESSETH

WHEREAS, the City has agreed to donate a surplus 1975 fire pumper truck (VIN D80DVW48729), subject to the conditions of this agreement, to the School Board for use at the Firefighter/EMT Course to be taught at McDowell High School; and

WHEREAS, the School Board is willing to accept the truck described above, subject to the conditions of this agreement.

NOW, THEREFORE, the parties wish to reduce their agreement to writing and agree to the following:

1. The City agrees to donate to the School Board a surplus 1975 fire pumper truck (VIN D80DVW48729), owned by the City for use at the Firefighter/EMT Course to be taught at McDowell High School; and
2. The truck described above is given by the City and accepted by the School Board with no warranties in an “**AS IS**” condition.
3. The School Board shall be responsible for maintenance, repairs and providing insurance for the truck upon its donation by the City.
4. At such time in the future the truck is not needed or not used by the School Board, the truck shall be given by the School Board back to the City for disposal.
5. This Agreement may be modified by mutual, written agreement of the parties. Any formal correspondence concerning this agreement shall be sent via first class mail or facsimile to the following:

For School Board:

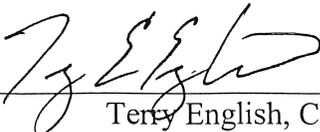
Mark Garrett
Superintendent
334 South Main Street
Marion North Carolina 28752

For City:

Bob Boyette
City Manager
PO Drawer 700
Marion, NC 28752

IN WITNESS WHEREOF, the parties have executed this agreement on the day and year first above written.

MCDOWELL COUNTY BOARD OF EDUCATION

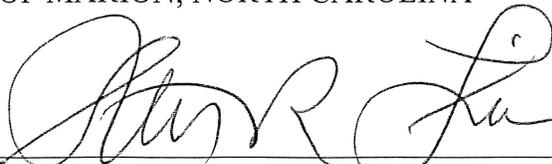
BY:  _____
Terry English, Chair
McDowell County Board of Education

(SEAL)

Attest:

BY:  _____
Secretary/Clerk

CITY OF MARION, NORTH CAROLINA

BY:  _____
Stephen R. Little, Mayor

(SEAL)

Attest:

BY:  _____
J. Robert Boyette, City Manager/Clerk