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MATAGORDA COUNTY TEEN COURT
CONSTRUCTION FUNDING AGREEMENT

STATE OF TEXAS §

COUNTY OF MATAGORDA §

WHEREAS, the Matagorda County Teen Court has existed in Bay City, Matagorda County for approximately 12 years, and offers an alternative disposition and rehabilitation for minor misdemeanor offense; and

WHEREAS, the Matagorda County Teen Court program has continued to grow and increase in numbers of young people throughout the years, and has outgrown its current facilities and location; and

WHEREAS, a determination has been made that the Matagorda County Teen Court should continue its exemplary program in aiding young people who have committed minor misdemeanor offenses and/or moving vehicular violation offenses with a program that, among other purposes, teaches said young people respect for the law, citizenship, and an appreciation for the American judicial system; and

WHEREAS, currently the Matagorda County Teen Court program does not have a permanent office or headquarters building, and such a building and facility would greatly enhance the Teen Court program in its efforts to assist and outreach to young people in the Matagorda County community; and

WHEREAS, the City of Bay City has title to certain real property located in the city limits of the City of Bay City, more particularly described as follows, to wit:

Being 6.0 acres of land out of the R. P. T. STONE SURVEY, Abstract No. 92, Matagorda County, Texas, being the same land described in Deed dated November 19, 1917 from Robert T. Burgess and wife, Martha A. Burgess, to Gus Hardeman, recorded in Vol. 71, Page 13, Deed Records, Matagorda County, Texas.

WHEREAS, the Bay City Lions Club has for many years sought out a funding project for the local Bay City community, and as a result, has agreed to assist in the construction of the Teen Court headquarter building facility; and

WHEREAS, the Bay City Community Development Corporation, an economic development corporation, established by the City of Bay City, currently has sales tax funds and revenues available which it can use for recreational and municipal purposes, and the construction of a public facility to

be used by the Matagorda County Teen Court meets the criteria for funding by the Bay City Community Development Corporation; Additionally, the Bay City Community Development Corporation has agreed to advance the Bay City Lions Club the sum of \$75,000.00, interest free, for a period of up to five (5) years to allow the Lions Club to contribute a lump sum amount of \$75,000.00 to the Matagorda County Teen Court construction project; and

WHEREAS, the Bay City Lions Club has requested that it have the right to name the facility to be used by Matagorda County Teen Court, and additionally that it receive the right to use and to meet in the facility once completed without charge for an indefinite time in the future.

NOW THEREFORE, the Bay City Lions Club, the City of Bay City, Texas, and the Bay City Community Development Corporation hereby enter into the following agreement and contract:

(1) The City of Bay City will set aside such portions of the following real property as it deems necessary for the construction location for the Matagorda County Teen Court headquarter facility, "the Project". The real property used for the construction site is hereby identified as "the Property", and is described as being out of and a part of that certain 6.0 acres of land described as follows:

Being 6.0 acres of land out of the R. P. T. STONE SURVEY, Abstract No. 92, Matagorda County, Texas, being the same land described in Deed dated November 19, 1917 from Robert T. Burgess and wife, Martha A. Burgess, to Gus Hardeman, recorded in Vol. 71, Page 13, Deed Records, Matagorda County, Texas.

(2) The Bay City Lions Club will donate and contribute the sum of \$75,000.00 to the capital construction costs of the Project;

(3) The Bay City Community Development Corporation will advance to the Bay City Lions Club the sum of \$75,000.00, interest free for a period of five (5) years, to allow the Lions Club to make the above contribution and donation prior to the beginning date of construction of the facility. The Bay City Lions Club will, beginning in on the 1st day of July, 2005 and annually each year thereafter, reimburse the Bay City Community Development Corporation the loan advancement in yearly payments of \$15,000.00 until the total of \$75,000.00 has been repaid;

(4) The Bay City Community Development Corporation will additionally match dollar for dollar the sum of \$75,000.00 donated by the Bay City Lions Club.

(5) The City of Bay City, the Bay City Lions Club, the Teen Court administrative staff, and the Bay City Community Development Corporation will meet to determine the exact building footprint, location, size, structure, and amenities and appurtenances to be constructed on the Property;

(6) The Bay City Lions Club will have the right to name the building and facility upon its completion, subject to the approval of the City of Bay City, and additionally have the right to use the facility in any and all reasonable ways the Lions Club may choose, without fee requirement, in cooperation with the Matagorda County Teen Court and the City of Bay City, for as long as the Bay City Lions Club determines that such use would be beneficial to the Bay City Lions Club and to the citizens of the City of Bay City;

(7) In the event that the Matagorda County Teen Court program disbands, ceases to exist, or no longer desires to use the facility and Project, the Bay City Lions Club will participate with the City of Bay City and the Bay City Community Development Corporation in the determination of the future use of the Project and facility;

(8) The building to be constructed will consist of a structure of approximately 4,000 square feet. The City of Bay City will provide city personnel and equipment to assist and participate in the construction of the facility and Project in order to reduce cost and expenses of construction;

(9) The Matagorda Teen Court participants and staff will be responsible to keep the facility and Project clean and useable;

(10) The Bay City Lions Club will require signature authorization on all construction funds to certify the \$75,000.00 donation is used exclusively for capital improvements for the Project and facility, and hereby designates Nate McDonald as its agent for such purposes.

This agreement shall be binding upon the Parties, their successors and assigns, and cannot be modified, except by agreement in writing approved by all parties.

Signed this 27 day of May, 2005.

PARTIES:

BAY CITY LIONS CLUB

BY: Nate McDonald
Nate McDonald

CITY OF BAY CITY

BY:

Richard Knapik
Richard Knapik, Mayor
BAY CITY COMMUNITY AND ECONOMIC
DEVELOPMENT CORPORATION

Mayor

BY:

Anthony Hawkins
Anthony Hawkins, President

BCCDC

MATAGORDA COUNTY TEEN COURT

BY:

Dennis Bensfield
Dennis Bensfield, President

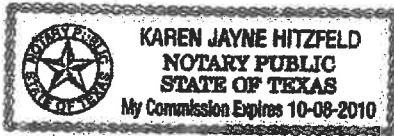
Lions Club

Matagorda
County

STATE OF TEXAS §

COUNTY OF MATAGORDA §

This instrument was acknowledged before me on this the 27 day of May, 2005 by Nate McDonald, President, Bay City Lions Club.

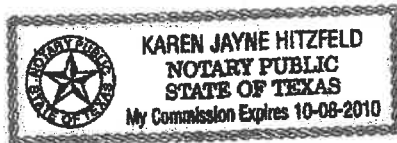


Karen Jayne Hitzfeld
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF MATAGORDA §

This instrument was acknowledged before me on this the 27 day of May, 2005 by Richard Knapik, Mayor, City of Bay City.



Karen Jayne Hitzfeld
Notary Public, State of Texas



Box 867
BAY CITY, TEXAS 77404-0867

May 31, 2005

RE: Matagorda County Teen Court Headquarters Building Proposal

Bay City Lions Club on May 27, 2005, has voted to fund a MCTC building for \$75,000.00, contingent on the following tenets:

1. Bay City Community Development Corporation to match \$75,000.00 BCLC donation dollar for dollar per April 25, 2005, BCCDC BOD action.
2. BCCDC to finance BCLC \$75,000.00, donation for up to 5 years at 0% interest.
3. BCCDC to advance funds for construction so that construction may begin as early as is practical.
4. BCCDC or the City of Bay City wishes to construct bathrooms and a concession stand onto one end of MCTC building. Funds necessary to construct these improvements are to be advanced over and above the \$150,000.00, already spoken to above.
5. These improvements to be added on to the net 4000 SF building proposed for MCTC, over and above said 4000 SF building.
6. As the MCTC shall staff the concession stand and keep restrooms cleaned, we feel that it is in order to ask the City of Bay City to waive sewer, water and garbage bills and pay for MCTC's electric bill at this facility in exchange for their labor.
7. City of Bay City to furnish building site on west 12th Street at the new Hardeman Park complete with asphalt paving or better.
8. BCLC shall have naming and signage rights as deemed appropriate by BCLC BOD and MCTC BOD.
9. BCLC shall have fee-less use of building as deemed appropriate by MCTC.
10. BCLC shall maintain fee-less use of building if MCTC ever should vacate building and would request BCLC input into deciding which youth oriented organization shall inhabit said building next.
11. BCCDC and MCTC understand that this donation is a one time gift to MCTC for capital expenditures only and that the question of additional funds for this project from the BCLC shall never come up. Furthermore, BCLC would request a signator (sitting BCLC President) on construction account to assure that funds are used for capital expenditures only, and by no means operating or administrative use.

Respectfully submitted,

Nate McDonald

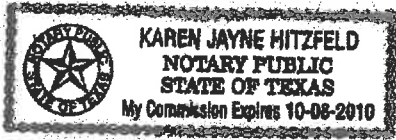
Nate McDonald
President
Bay City Lions Club

Sponsors -- Bay City Rice Festival

STATE OF TEXAS §

COUNTY OF MATAGORDA §

This instrument was acknowledged before me on this the 27 day of May, 2005 by **Anthony Hawkins**, President, Bay City Community and Economic Development Corporation.

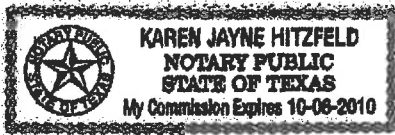


Karen Jayne Hitzfeld
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF MATAGORDA §

This instrument was acknowledged before me on this the 27 day of May, 2005 by **Dennis Bensfield**, President, Matagorda County Teen Court.



Karen Jayne Hitzfeld
Notary Public, State of Texas