

PARTIAL TERMINATION OF LEASE AGREEMENT

WHEREAS, in 2001, the Camden Fairview School District (CFSD), donated certain real property described in Exhibit “A” attached hereto to the City of Camden (City); and,

WHEREAS, the Special Warranty deed was recorded at Book D35 at Page 363 of the records of Ouachita County, Arkansas; and,

WHEREAS, the Special Warranty deed contained the following reversion clause: “title to the property hereby conveyed will revert to the Grantor [CFSD] should the property ever cease to be used as a recreation facility,” and all parties acknowledge that this clause remains in full force and effect; and,

WHEREAS, as a condition of receiving said property, the City donated a leasehold interest in the property to the Ouachita County Boys and Girls Club (OCBGC) for the purpose of OCBGC developing and operating thereon a recreational and educational facility; and,

WHEREAS, the Lease Agreement between the City and OCBGC was filed in Deed Book D35 at Page 369 of the records of Ouachita County, Arkansas; and,

WHEREAS, Ouachita County Recreational Center, Inc. (OCRC) is the successor in interest to OCBGC; and,

WHEREAS, the OCRC desires to release and surrender part of the described property back to the City; and,

WHEREAS, the City has consulted with CFSD, and the District does not object to this partial termination of the Lease Agreement between the City and OCRC, so long as the property continues to be used for recreational purposes and is made available for use to the citizens of Camden and Ouachita County.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants of

the parties contained in this Termination of Lease Agreement, THE CITY OF CAMDEN and OUACHITA COUNTY RECREATIONAL CENTER, INC., AS SUCCESSOR IN INTEREST TO OUACHITA COUNTY BOYS AND GIRLS CLUB, INC., do hereby agree as follows:

1. The Old Fairview Gymnasium property more specifically described herein (the "Subject Property") shall be removed from the lease dated September 21, 2001, between the City and OCBCG.

2. The Subject Property consists of the Old Fairview Gymnasium located generally within Tract 1 of Exhibit "A".

3. The Subject Property shall also consist of the front and side lawn areas of the Old Fairview Gymnasium, extending approximately 165 feet the width of the building and side lawn and running approximately 285 feet the length of the building and front lawn to the parking lot adjacent to Mt. Holly Road, as shown on the map attached hereto as Exhibit "B", containing 1.1 acre, more or less.

4. The OCRC, as successor in interest to the OCBGC, releases and relinquishes back to the City the Subject Property shown on Exhibit "B".

5. The City shall remain the sole owner of the Subject Property shown on Exhibit "B".

6. The City agrees that the Subject Property shall continue to be used as a recreational facility, operated in a manner that maintains the highest standards found in similar facilities in this part of the United States, while making those facilities generally available to all the citizens of the Camden and Ouachita County communities. However, the City is not precluded from charging reasonable fees or memberships for the use of the facilities, nor from

contracting out the operation and management of all or part of the facilities. Additionally, it is expressly understood that any contract operators of the premises or any part thereof shall be bound by the City's obligations in regard to reasonableness of fees and charges and general availability to all members of the community.

LESSOR: CITY OF CAMDEN, ARKANSAS

BY: _____
Charlotte Young, Mayor

Attest: _____
Donna Stewart, City Clerk

LESSEE: OUACHITA COUNTY RECREATIONAL CENTER, INC.
Successor in interest to the BOYS AND GIRLS CLUB OF OUACHITA COUNTY

BY: _____
John Dawson, III President

Attest: _____
Jamie Semple, Secretary

CAMDEN FAIRVIEW SCHOOL DISTRICT, in order to verify notice to it of the contents of the foregoing Partial Termination of Lease Agreement

BY: _____
Johnny Embry, Superintendent

STATE OF ARKANSAS)
COUNTY OF OUACHITA) **ACKNOWLEDGMENT**

On this day personally appeared before me Charlotte Young and Donna Stewart, personally well known to me, and acknowledged that they are Mayor and Clerk of the City of Camden, Arkansas (LESSOR), and that being properly authorized to do so, they had executed the same for the purposes therein contained.

WITNESS my hand and official seal this _____ day of _____, 2023.

Notary Public

Commission Expires: _____

STATE OF ARKANSAS)
COUNTY OF OUACHITA) **ACKNOWLEDGMENT**

On this day personally appeared before me John Dawson, III and Jamie Semple, personally well known to me, and acknowledged that they are President and Secretary of the Ouachita County Recreational Center, Inc., the successor in interest to the Ouachita County Boys and Girls Club, Inc., (LESSEE), and that being properly authorized to do so, they had executed the same for the purposes therein contained.

WITNESS my hand and official seal this _____ day of _____, 2023.

Notary Public

Commission Expires: _____

STATE OF ARKANSAS)
COUNTY OF OUACHITA) **ACKNOWLEDGMENT**

On this day personally appeared before me Jonny Embry, personally well known to me, and acknowledged that he is the Superintendent of the Camden Fairview School District (CFSD), and that being properly authorized to do so, he had executed the same for the purposes therein contained.

WITNESS my hand and official seal this _____ day of _____, 2023.

Notary Public

Commission Expires: _____