

AGREEMENT REGARDING WOODS PARK TENNIS CENTER

This Agreement (“Agreement”) is made and entered into on the dates provided below by and between LANCASTER COUNTY SCHOOL DISTRICT 001, a political subdivision, commonly known as Lincoln Public Schools ("LPS"), CITY OF LINCOLN, NEBRASKA, a municipal corporation, on behalf of the Lincoln Parks and Recreation Department ("City"), and FRIENDS OF WOODS TENNIS, INC., a Nebraska nonprofit corporation (“FOWT”).

WHEREAS, Lancaster County School District 001 is a political subdivision and a Class IV school district that provides educational and extracurricular activities for school age children in the City of Lincoln.

WHEREAS, Lincoln Parks and Recreation Department is a department of the City of Lincoln that provides and maintains quality parks and offers enriching recreation activities and facilities for all people in the City of Lincoln, in accordance with Title 12 of the Lincoln Municipal Code and the City Charter.

WHEREAS, Friends of Woods Tennis, Inc. (“FOWT”) is a Nebraska nonprofit corporation organized for the purpose of capital improvements, fundraising, and operation of the Woods Tennis Center for tennis programming, including lessons, clinics, and leagues, for members of the public, consistent with its Articles of Incorporation and agreements with City, as amended from time to time.

WHEREAS, City is the owner of Woods Park, located generally west of 33rd Street, south of "O" Street and north of "J" Street, in Lincoln, Lancaster County, Nebraska, where the Woods Tennis Center currently sits and operates.

WHEREAS, CITY and FOWT, and its predecessor organization, have entered into numerous operating agreements, approved by Directorial Order No. 16341 on December 27, 2016; Directorial Order No. 14520 on February 4, 2016; Directorial Order No. 14459 on December 28, 2015; Ordinance No. 18569 on June 27, 2005 for a ten (10) year term from 2005 to 2015; and various Executive Orders prior to that date; for the operation of the Tennis Center by FOWT, and the City and FOWT have entered into several Operating Agreements over the years for the operation of Woods Park Tennis Center by FOWT, the most recent authorized by Directorial Order No. 17785 through October 31, 2017. City and FOWT have now entered into a new long-term ten (10) year Operating Agreement authorized by Resolution A-90855 through the end of 2027 for FOWT’s ongoing operation and management of Woods Tennis Center.

WHEREAS, FOWT and the Lincoln Parks and Recreation Foundation, another Nebraska nonprofit corporation, with City’s approval, have been engaged in fundraising for a capital campaign for construction of a new Woods Tennis Center facility to include outdoor courts and related facilities as well as an indoor tennis building and related facilities to replace the two current aging air structures or “bubbles” that shelter six indoor tennis courts (collectively the “Woods Tennis Center Project”).