**MEMORANDUM OF UNDERSTANDING**

 THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is made and entered into this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023, by and between the City of Greenfield, Indiana, by and through the Greenfield Board of Public Works and Safety, (hereinafter referred to as “the City”) and the Hancock County Veterans’ Organizations (hereinafter referred to as “Veterans”).

 WHEREAS, the City is the owner of a certain parcel of real estate located at the northeast corner of State Road 9 and Davis Road, commonly known as 811 S. State Street, Greenfield, Indiana, (hereinafter referred to as “Site”); and

 WHEREAS, for numerous years, there has been maintained on the Site a Vietnam Veterans Memorial Park in honor of those who served their country during the Vietnam War from 1958 through 1972 and the twelve Hancock County residents who gave their lives in the Vietnam War; and

 WHEREAS, located on the Site are a series of flagpoles and American flags, as well as other decorative items recognizing and memorializing the service of Hancock County residents to the United States Armed Services during the Vietnam War; and

 WHEREAS, the parties are desirous to enter into an agreement regarding the ongoing procedure and protocol both now and in the future, for each party in regard to the display, care, and maintenance of the improvements, including landscaping that currently exists or may exist in the future on the Site.

 NOW, THEREFORE, the City and Veterans hereby agree as follows:

 1. From the date of this Memorandum of Understanding, until further notice, the City will perform all necessary maintenance to preserve the currently existing improvements upon the Site, including, but not limited to, maintaining the American flags and the poles upon which they are displayed, maintain the lawn and all landscaping improvements that currently exist or may exist in the future and will, in association with the Daughters of the American Revolution, maintain the existing tombstone located on the Site.

 2. The City will continue to engage Veterans in the future regarding maintenance of existing improvements on the Site and any additional improvements, including, but not limited to, the design, nature and location of such improvements and the sharing of any costs associated with the construction and/or maintenance of any such additional improvements.

 3. The parties intend for this MOU to be binding upon the successors and assigns of the parties.

 4. The failure of any party hereto to insist upon strict performance of any of the terms, covenants or conditions of this MOU shall not be deemed a waiver of any rights or remedies which such party may have hereunder or at law or equity and shall not be deemed a waiver of any subsequent breach or default in any of such terms, covenants or conditions.

 5. This MOU may only be amended by a written instrument executed by the City and Veterans.

 IN WITNESS WHEREOF, the parties have set their hands on the date first written above.

GREENFIELD BOARD OF PUBLIC

WORKS AND SAFETY

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Mayor Chuck Fewell Robert Workman, CVSO

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Katherine Locke

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Larry Breese

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Kelly McClarnon

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Glenna Shelby

Gregg\MUNICIPAL\Greenfield\Interlocal Agreements & Memorandum of Understanding\Hancock County Veterans' Park, Inc. (SR 9 & Davis Rd.) MOU - rev. 08-14-23