

**MEMORANDUM OF UNDERSTANDING BETWEEN POLK COUNTY
AND COMMISSIONER MILTON PURVIS**

The agreement is between the County of Polk, hereinafter called "The County" and Commissioner Milton Purvis, hereinafter called "Commissioner".

WHEREAS the purpose of this MOU is to provide a secure location to store TxDOT County Transportation Infrastructure Fund (CTIF) materials for Polk County Precinct 3; and

WHEREAS Polk County Precinct 3 yard is used to store Commissioner's road and bridge material which currently does not have the space to store the materials purchased through the CTIF; and

WHEREAS Commissioner has property located in Abstract #1103 H B Purvis Survey, Tract 3 in Corrigan located in Precinct 3; and

WHEREAS The County of Polk desires to temporarily store the CTIF materials, including large amounts of rock, at the Commissioner's property until the materials are used.

NOW, THEREFORE, the parties agree:

1. Commissioner, in consideration of The County's need for storage of CTIF materials, provides at no cost a site for The County to stockpile rock for future projects.
2. The County will only access the property via the South entrance off E. FM 942.
3. Commissioner and heirs indemnify and agree to hold harmless The County, the Polk County Commissioners Court, and the Polk County Judge from any liability whatsoever arising as a result of the acts or omissions of The County, its agents or employees. The Polk County Commissioner's Court agrees to hold harmless, Commissioner and heirs of any act of omission involving Commissioner.
4. Commissioner will oversee storage by The County employees.
5. This MOU represents the entire Agreement between the Parties, and it supersedes any prior understanding or written or oral agreement relating to the subject matter herein. This MOU may not be modified, altered, changed, or amended, except by written agreement of the Parties.
6. This agreement shall automatically renew for subsequent and successive one (1) year periods beginning January 1, 2022 unless either party gives written notice of its intent to terminate the Agreement at any time and for any lawful reason, or until the Commissioner no longer holds this office. This notice shall be effective not less than sixty (60) days when delivered to the other party by email, hand delivery or sealed in an envelope with sufficient postage affixed and deposited in the US Mail.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the 14th day of December, 2021.

POLK COUNTY, TEXAS

By 
Hon. Sydney Murphy, County Judge, Polk County, Texas

COMMISSIONER

By 
Milton Purvis, Commissioner Precinct 3