

Memorandum of Understanding

Regarding the Asset at 89 Avon Terrace, York

Parties

- York Community Resource Centre Inc, 5 Joaquina Street, York WA 6302
- Shire of York, PO Box 22 York WA 6302

Asset

89 Avon Terrace, York

Objective

The objective of this Memorandum of Understanding is to stipulate controls for maintaining accessibility by the York community to the Asset over the long term and ensuring that the property is maintained to ensure sustainability into the future.

Principles

This agreement takes into consideration the following principles:

- A common interest in benefiting and building capacity in the York community
- To operate in synergy towards common goals
- Mutual respect, trust and support of both organisations
- A commitment to open communication regarding the Asset
- Shared capabilities and resources

Definition:

- Owner: York Community Resource Centre Inc.
- Interested Party : Shire of York

The Asset owned by the York Community Resource Centre Inc. (York CRC) at 89 Avon Terrace will be maintained and managed by the York CRC. A Management Committee of the York CRC will oversee all operations and will determine all future business and strategic plans, and financial budgets for the Centre. Operational funding for the Centre has been obtained through the Department of Regional Development. To obtain this funding, the Committee must submit timely business plans and acquittals, abide by the rules of the association and the Financial Assistance Agreement. It is the Committee's intention to ensure all relevant agreements are adhered to, to enable these funds to assist with the running of the York CRC., and to provide for a proactive and successful future in support of the York Community.

The York CRC agrees to maintain the asset in a fit state for its intended purpose and comply with all Shire building codes. The York CRC will develop a plan for the long-term future maintenance of the asset (minimum 5 years) and provide a copy of the plan to the Shire. The York CRC agrees to maintain adequate insurance over the property and provide a copy of the certificate of insurance to the Shire if requested to do so.

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The York CRC agrees not to sell or transfer the asset without prior consultation with the current caveat holder Lotterywest, and the Shire of York. If in the event of a dissolution or winding up of the York CRC Inc. the Management Committee will abide by the Rules of the Association, clause 25 which states:


25 If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members. The surplus property must be given or transferred to another association incorporated under the Act which has similar objects and which is not carried out for the purposes of profit or gain to its individual members, and which association shall be determined by resolutions of the members.

In the event of a dissolution, any transfer of surplus property to a like-minded organisation to be determined by the members and to be approved by the Shire of York.

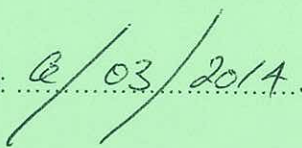
Duration of the MOU

This Memorandum of Understanding shall continue indefinitely.

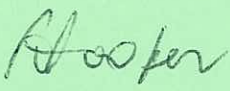
Signed:


York Community Resource Centre Inc.
Gordon Marwick
Chairperson

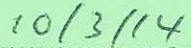
Dated:



Signed:


Shire of York
Ray Hooper
Chief Executive Officer

Dated:



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