

DRAFT
AGREEMENT AND MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT AND MEMORANDUM OF UNDERSTANDING is entered into between the CITY OF OWOSSO, a Michigan municipal corporation, of 301 West Main Street, Owosso, Michigan 48867 (“City”), OWOSSO CHARTER TOWNSHIP, a Michigan chartered township, of 2998 West M-21, Owosso, Michigan 48867 (“Township”) and _____, of _____, Michigan _____ (“Developer”).

WHEREAS, Developer is constructing medical buildings at the property described on Exhibit A and commonly known as _____ North M-52, Owosso, Michigan 48867, (“the property”), which is located in the Township;

WHEREAS, Developer desires to have City water service to the property and the City has a water main within approximately _____ feet of Developer’s property; and

WHEREAS, the City and Township wish to conduct negotiations for water service in the area contiguous to the property;

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. The City shall provide water service to the property. The City will charge Developer, or its successors, its normal retail rate for water customers outside the City.
2. The Developer shall be responsible for extending the City water main from its current terminus to the property and for all water system improvements on the property. The Developer shall be responsible for obtaining all necessary permits for installation of water service.
3. The City and Township agree to promptly negotiate in good faith a definitive agreement for the provision of water and any other issues regarding the development of the property and properties contiguous to the property. The negotiations shall occur during the term of this Agreement.
4. The term of this Agreement shall be one year from the date last signed below by the parties.
5. This Agreement may only be assigned by the City and Township by written Agreement of non-assigning party. The Developer may assign this Agreement without consent.
6. This Agreement contains the entire understanding of the parties and may only be amended by written agreement signed by all parties.

This Agreement and Memorandum of Understanding is signed by the parties on the dates noted below.