

Principles of Agreement - January 22, 2009

THE WELCH POOL RENEWAL

Centre Regional Recreation Authority (CRRA)

State College Area School District (SCASD)

As discussed at a Joint Committee Meeting on Jan. 20, 2009

The purpose of this overview is to summarize the principles of the proposed agreements to supplement the Pool Land Lease Agreement (2007) between the CRRA and SCASD for the shared uses related to the Welch Pool Renewal:

- Shared Parking and Access Agreement
- Shared Use of Pool Bathhouse Agreement.

If acceptable to the District and the Authority, the respective solicitors would be asked to prepare the necessary documents for official action by each party.

<p>1. Both parties wish to provide the Wm. L. Welch Community Swimming Pool, its related facilities and parking in perpetuity, for the benefit of the Centre Region community.</p>
<p>2. SCASD agrees to permit the use of the existing South High school facilities for the primary pool parking area (a minimum of 106 parking spaces) and related access to the pool facilities. The term of this agreement should coincide with the Pool Land Lease Agreement: expiring December 31, 2031, with a renewal provision of 10 years.</p>
<p>3. SCASD will grant the necessary permissions for the CRRA to plan, construct and utilize the facilities as generally outlined on the attached plan (Exhibit A) to include a drop-off area, five ADA parking spaces, a pedestrian access path and other related facilities. These facilities will be funded by CRRA and constructed as part of the Authority's pool construction project.</p>
<p>4. The planning and construction of the ADA parking spaces, drop-off area and related facilities by CRRA will be finalized with the coordination and approval of SCASD staff, which will include unrestricted access to the South Building facilities for school operations.</p>
<p>5. Maintenance and ownership of the shared parking facilities, shared driveways, ADA spaces, pool drop-off area and sidewalks will remain with SCASD.</p>
<p>6. The CRRA will provide SCASD access to the new pool bathhouse (during Spring & Fall) by separate agreement, at no direct cost to SCASD other than operational reimbursements.</p>
<p>7. As provided in the Pool Land Lease Agreement, "if Lessor (SCASD) engages in a construction project the parking areas will be modified at Lessor's expense and will include a drop-off area and handicapped parking spaces for the use of pool patrons." In addition, it is agreed that:</p> <ul style="list-style-type: none">• The drop-off area and the handicapped parking spaces will be replaced by SCASD only if they are impacted by those modifications.• All (106) shared spaces for the pool will be located within a 400' radius of the pool entrance gate and only on the south side of Westerly Parkway.• There shall be no buildings or structures between that area and the pool facility (the two areas should be contiguous),• The COG / CRRA will be included in the Master Site Planning process for the South Building as it relates to the future viability of the Welch Pool complex.

8. As long as SCASD retains ownership of the High School Properties, it will share parking with Welch Pool. If the sale of the pool lands or shared parking areas becomes necessary, the district agrees to meet with CRRA and discuss that proposal at least six months prior, including providing for a buffer area around the pool facility. The “shared parking & access” responsibilities for the pool will remain the obligation of any new landowner, as is now provided in the Pool Land Lease Agreement, for the life of that agreement.

9. At all times of pool operations, pool patrons will be permitted to access, on a supplemental and optional basis, to designated parking spaces in the North Building parking area. The High School Band Camp will retain sole access to the entire South Building Lot on August weekdays from 8 AM - noon. However, during the band camp times, pool patron access to the pool drop-off area and the pool ADA spaces will be maintained.

10. SCASD agrees to construct an alternate water service and supply to the sportfield area above Welch Pool. The current water service is provided from the existing Welch Pool bathhouse and is scheduled to be demolished upon the start of the Authority’s pool construction project.

EXHIBIT A

PROPOSED MASTER SITE PLAN

WITH DROP-OFF AREA, A.D.A. PARKING, PEDESTRIAN PATH & POOL ENTRANCE PLAZA

