

COOPERATIVE ENDEAVOR AGREEMENT

This Cooperative Endeavor Agreement is entered into by and between:

THE CITY OF HAMMOND, represented herein by its duly authorized and empowered Mayor, Mayson H. Foster, by the authority given in Resolution No. _____ (“City”), and

RICK FOSTER, the duly elected, acting and empowered Coroner of Tangipahoa Parish, Louisiana (“Coroner”);

who declare and agree as follows:

WHEREAS, Article VII, Section 14(c) of the Constitution of the State of Louisiana provides that “for a public purpose, the state and its political subdivisions ... may engage in cooperative endeavors with each other ...”; and

WHEREAS, the City is a home rule charter government, having all powers not denied by its charter or by general law or inconsistent with the constitution, including but not limited to the specific authority to exercise general police power, as well as to pass ordinances to promote, protect and preserve the general welfare, safety, health, peace and good order of the City; and

WHEREAS, the City is authorized by its home rule charter to enter into joint service agreements or cooperative efforts with other governmental agencies and political subdivisions; and

WHEREAS, the City has surplus items no longer needed by the City as described below and the Coroner has requested the use of these items as needed in the performance of his public duties; and

WHEREAS, the Coroner and City have determined that these items are of benefit and use for public safety and will promote and help protect the general welfare, safety, peace and good order of the public.

NOW THEREFORE, in consideration of the covenants and agreements hereinafter set forth to be kept and performed by the parties hereto, it is agreed by and between the parties as follows:

I. TRANSFER OF MOVABLE PROPERTY

The City agrees to transfer the following items (herein collectively referred to as the “Property”) to the Coroner:

Motorola CM-300	Serial # 922tha4898
Motorola CM-300	Serial # 922tha4905

Motorola CM-300 Serial # 922tfc7074
Motorola M-1225 Serial # 869yec2281
Motorola M-1225 Serial # 869fcj2986

It is expressly agreed that the Property is accepted by the Coroner "AS IS, WHERE IS," without any warranties of any kind whatsoever. The Coroner acknowledges and declares that the City nor anyone acting or purporting to act in any capacity whatsoever on behalf of the City has made any direct, indirect, explicit or implicit statement, representation or declaration, whether by written or oral statement or otherwise, and upon which the Coroner has relied, concerning the existence or non-existence of any quality, characteristic or condition of the Property.

Purchaser expressly waives the warranty of fitness and the warranty against redhibitory vices and defects, whether apparent or latent, imposed by Louisiana Civil Code Articles 2520 through 2548, inclusive, and any other applicable state or federal law and the jurisprudence thereunder.

II. OBLIGATIONS OF CORONER

The Coroner shall use the Property as needed to fulfill his duties as Coroner, including law enforcement, investigations, and crime prevention.

III. MUTUAL AND RECIPROCAL BENEFIT

The Coroner and the City acknowledge and agree that the obligations and agreements of each are in consideration of the obligations and agreements of each other. The rights and obligations contained herein shall be binding on the successors and assigns of the respective parties.

THUS DONE AND SIGNED in Hammond, Louisiana, by the City of Hammond through its authorized representative in the presence of the undersigned witnesses and me, Notary Public, on this _____ day of _____, 2010.

WITNESSES

CITY OF HAMMOND

Printed Name: _____

By: _____
Mayson H. Foster, Mayor

Printed Name: _____

_____, Notary Public

Printed Name: _____

Notary Id #/Bar Roll #: _____

My Commission Expires: _____

THUS DONE AND SIGNED in Hammond, Louisiana, by Rick Foster, Coroner of Tangipahoa Parish, Louisiana in the presence of the undersigned witnesses and me, Notary Public, on this _____ day of _____, 2010.

WITNESSES

Printed Name: _____ Rick Foster, Coroner
Tangipahoa Parish

Printed Name: _____, Notary Public
Printed Name: _____
Notary Id #/Bar Roll #: _____
My Commission Expires: _____