

**MEMORANDUM OF UNDERSTANDING
BETWEEN**

**DEPARTMENT OF DEFENSE
U.S. Army Corps of Engineers
LAVON LAKE OFFICE**

AND

COLLIN COUNTY, TEXAS

AND

CITY OF LUCAS, TEXAS

SUBJECT: Development and operation of a Multi-use Trail on the western side of Lavon Lake, Collin Co., Texas. The Trail extends from East Fork Park on the south to north of the Wilson Creek Regional Wastewater Treatment Plant as shown on the map in Appendix I.

This Memorandum of Understanding is made and entered into by and between: U.S. Army Corps of Engineers (COE), Collin County, Texas, and the City of Lucas, Texas, hereinafter referred to as the Agencies.

I. PURPOSE

The purpose of this MOU is to establish a general framework for cooperation between the COE, Collin County, and the City of Lucas, Texas. The agencies propose to work together to coordinate and support the development and operation of a multi-use trail at Lavon Lake. The agencies desire to work together to achieve the common goal of planning, development, and operation of this facility.

II. REFERENCES

The COE has authority, pursuant to Section 4 of the Flood Control Act of 1944 (16 U.S.C. 460d) to permit the maintenance and operation of recreational facilities at water resource development projects by local interests and may enter into agreement with local interests such as Collin County and the City of Lucas, Texas for part and recreational purposes.

Collin County, Texas and the City of Lucas, Texas have the authority to assist the Corps in the trail development of recreational trails as set forth in this MOU.

All assistance provided under this MOU will be in accordance with U.S. laws and regulations. Unless otherwise provided by law, all in-house, volunteer and/or contract work undertaken by the parties in furtherance of this MOU will be performed in accordance with federal and state laws, procurement and claims policies and procedures.

III. STATEMENT OF MUTUAL INTEREST AND MUTUAL BENEFITS

The multi-use trail will be developed and operated on public lands owned by the COE.

The cooperating agencies responsible for the management of the federal resources and lands are dedicated to wise management of Lavon Lake. Trail development on public lands will foster and encourage a partnership between agencies. Visitors can be better served by the cooperating agencies working together toward mutually developed objectives.

Travel and tourism to public lands provide significant economic, educational and recreation benefits for visitors and businesses around the lake. Development of the project trail will provide an important component in the recreational use of the public lands. It will provide additional recreational activity opportunities on the public lands and provide for increased generation of revenue in neighboring municipalities.

IV. THE COOPERATING AGENCIES AGREE TO:

Work to design, plan, develop and operate a multi-use trail along the western side of Lavon Lake.

Prepare a cooperative management plan (Appendix II) for the operation of the trail to include conditions of public access, public safety, and adjacent landowner concerns.

Use volunteer programs including but not limited to the Trinity Trail Preservation Association (TTPA) and wards of the County for development and maintenance of most of the trail. TTPA is a 501.c.3 organization dedicated to the maintenance and upkeep of the Trinity Trail. The majority of the maintenance on the trail will continue to be completed by TTPA. COE, Collin County, and The City of Lucas may use in-house labor, contracts, and other appropriate mechanisms to supplement TTPA's efforts as needed.

Research grant opportunities for necessary funding of materials and construction costs.

V. THE CITY OF LUCAS AGREES TO:

Be responsible for the development, operation, and maintenance of any portion of the trail within the properties of the COE that are within the City's jurisdiction and/or ETJ as shown on the attached map. The southern end of the trail section shown as part of the City's jurisdiction ends at 33° 3' 56.45", -96° 32' 42.79" and the northern end of the trail section ends at 33° 7' 23.24", -96° 33' 32.65".

Manage and operate trail according to guidelines of the cooperative management plan.

VI. COLLIN COUNTY AGREES TO:

Be responsible for the development, operation, and maintenance of any portion of the trail within the properties of the COE that are within the County's jurisdiction that are outside of the jurisdiction and ETJ for the City of Lucas as shown on the attached map. This portion of the trail is broken into 2 segments. The northern section is all of the trail north of 33° 7' 23.24", -96° 33' 32.65". The southern section is all of the trail south of 33° 3' 56.45", -96° 32' 42.79".

Manage and operate trail according to guidelines of the cooperative management plan.

VII. THE CORPS OF ENGINEERS AGREES TO:

Manage and operate trail according to guidelines of the cooperative management plan.

VIII. IT IS MUTUALLY AGREED AND UNDERSTOOD BY AND BETWEEN THE COOPERATING AGENCIES:

They will cooperate in carrying out activities to facilitate development of the multi-use trail. Cooperators will meet annually or as mutually agreed to perform the task. Specific work projects or activities that involve transfer of funds, services, or property between the parties to this MOU will require execution of separate agreements. Nothing in this MOU shall obligate the cooperating agencies to expend appropriations or to enter into any contract or other obligations.

This MOU may be modified or amended upon written request of any party and the concurrence of the others. Participation in this MOU may be terminated with 60 day written notice of any party.

Additional agencies may be added to this MOU with the concurrence of the present cooperators.

Unless terminated under the terms of this section, this MOU will remain in full force and in effect for an indefinite term from the date of its execution.

IX. PRINCIPAL CONTACTS

To provide for consistent and effective communication between the cooperators, each of the cooperators shall appoint a representative to discuss and consider activities that may be pursued under this MOU. The persons in the following positions will be the principal contacts for their respective agencies for the purpose of this agreement:

Lake Manager, Lavon Lake
U.S. Army Corps of Engineers
3375 Skyview Drive
Wylie, TX 75098

Collin County, Special Projects
Jeff Durham – Engineering Projects Manager
4690 Community Blvd., Suite 200
McKinney, TX 75071

City Manager
City of Lucas
665 Country Club Road
Lucas, Texas 75002

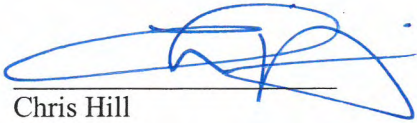
X. INDEMNIFICATION

The County and City shall, to the extent allowed by law, hold and save the federal government free from all damages arising from the construction, operation, maintenance, repair, replacement, and rehabilitation of the trail, except for damages due to the fault or negligence of the Government or its contractors.

This MOU and the indemnity provided herein is not intended to and shall not create any cause of action for the benefit of third parties or any person not a party to this MOU. It is expressly understood and agreed that, in the execution of this MOU, no party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against

claims arising in the exercise of governmental powers and functions. By entering into this MOU, the parties do not create any obligations, express or implied, other than those set forth herein, and this MOU shall not create any rights in parties not signatories hereto.

XI. SIGNATORIES



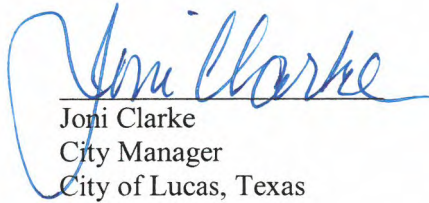
Chris Hill
County Judge
Collin County

10 SEP 2019

Date

Tim MacAllister
Chief, Operations Division
Fort Worth District

Date



Joni Clarke
City Manager
City of Lucas, Texas

8/16/19

Date

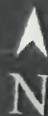
Lavon Lake - Trinity Trail

MOU Appendix I - Figure 1 of Plan

3 mi

324

325



Legend

-  Trail Transition Point
-  Trinity Trail

Northern Trail Transition Point

546

Estates Pkwy

Country Club Rd

W Lucas Rd

E Lucas Rd

Southern Trail Transition Point

982

735

Southview Dr

N Country Club Rd

Parker Rd

Google earth

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TRINITY TRAIL COOPERATIVE MANAGEMENT PLAN

LAVON LAKE

August 2019

MANAGEMENT PLAN
FOR
TRINITY TRAIL - LAVON LAKE

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Figure 1 - Trail Map, Trinity Trail - Lavon Lake

COOPERATIVE MANAGEMENT PLAN

FOR

THE TRINITY TRAIL

AT LAVON LAKE

1. Purpose. This plan provides general guidelines for the management of the Trinity Trail at Lavon Lake. These guidelines are a cooperative plan between agencies to include operation and maintenance of the multiple use trail for hiking and equestrian users. This plan provides procedures for the protection and enhancement of desirable environmental and aesthetic characteristics of the trail while providing a quality facility to the visiting public. The ongoing maintenance and operation of the trail is a cooperative effort between the U.S. Army Corps of Engineers, Collin County, and The City of Lucas, Texas. This plan is prepared as an appendix to a Memorandum of Understanding between the agencies.

2. Control of Critical Areas. The trail is located on federal lands managed by the U.S. Army Corps of Engineers. Portions of those lands contained an easement (DACW63-3-88-0583 expired in February 2008) to Collin County for the development of an equestrian/hiking trail between East Fork and Brockdale Parks. The trail has been expanded north of Brockdale Park and now terminates in a lollipop loop north of the North Texas Municipal Water District's Wilson Creek Plant. The trail layout will be defined by the map appendix to the MOU.

a. U.S. Army Corps of Engineers Responsibilities. The Corps of Engineers is responsible for the management of 16,158 acres of land and 21,357 acres of the lake (at normal pool) for a total footprint of 37,515 acres. The Corps of Engineers will manage the trail according to the guidelines in this cooperative management plan in compliance with appropriate federal laws, policies, and regulations.

b. Collin County Responsibilities. Collin County is responsible for managing and operating the portions of the trail north of 33° 7' 23.24", -96° 33' 32.65" and south of 33° 3' 56.45", -96° 32' 42.79". Collin County will manage the trail according to the guidelines in this cooperative management plan in compliance with appropriate laws, policies, and regulations.

c. The City of Lucas, Texas, Responsibilities. The City of Lucas, Texas, is responsible for managing and operating the portion of the trail between 33° 3' 56.45", -96° 32' 42.79" and 33° 7' 23.24", -96° 33' 32.65". The City will manage the trail according to the guidelines in this cooperative management plan in compliance with appropriate laws, policies, and regulations.

4. Design Standards and Features. Trail design will be dependent on physical and topographical conditions of the property. Surfacing may vary from natural soil to improved all-weather type surfaces. Appropriate changes to the trail layout, water control features, stream crossings, bridges, and similar appurtenances must be approved by the Corps of Engineers on a case by case basis.

5. Resource Concerns. Protection of historical, cultural and natural resources will be taken into consideration in all planning.

6. Operation Procedures.

a. Trail Use. The trail is designated as a multiple use facility for hikers and equestrian riders. Visitors to designated park areas on Lavon Lake may use the trail provided they have met the entrance requirements of the managing agency. Managing agencies will honor each other's trail use/fee procedures.

b. Access Points/Fees. Access to the trail will be from designated trailheads located in park areas. Users will be required to meet park entrance requirements.

c. Signs. Uniform traffic control signs will be used as appropriate. Standardized interpretive and informational signage will be used throughout the trail. The agencies will be responsible for signs located on the trail.

d. Closure Procedures. Each agency may close portions of the trail if conditions warrant closure. Notification will be made via email as soon as possible to the other agencies and physical closure will be made in a timely manner.

e. Trail Rules. The following trail rules are established for the trail and may be enforced as appropriate by all agencies:

1. Stay on the trail.
2. Keep right except when passing.
3. Announce "Passing on Left" when passing.
4. Limit speed to what is reasonable & safe for conditions.
5. Please be courteous. This is a Multi-use Trail.
6. No wheeled or motorized vehicles except emergency & maintenance vehicles.

f. Emergency Access. The trail will be maintained with dimensions wide enough for access by emergency vehicles. Access points are at various locations as noted in the map found in Appendix 1 to the Trail MOU. Locks are standardized with type and number; lock combinations will be shared as needed to ensure continued access.

7. Maintenance Procedures. The trail will be maintained by the agency responsible using techniques and materials designed to minimize erosion and increase trail tread longevity.

8. Notification List. The following list contains names and phone numbers of those agencies that may need to be notified concerning trail conditions/activities:

U.S. Army Corps of Engineers
Lavon Lake Office 972-442-3141 ext 222

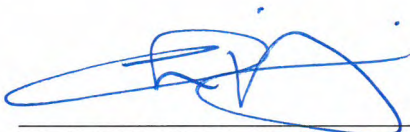
Collin County
Open Space Program Director 972-548-3723
Jeff Durham

The City of Lucas
City Manager 972-912-1212
Joni Clarke

9. Plan Signatures. This document is prepared as a cooperative management plan between the U.S. Army Corps of Engineers, Collin County, and The City of Lucas, Texas.

Michael K. Kinard, Lake Manager
U.S. Army Corps of Engineers

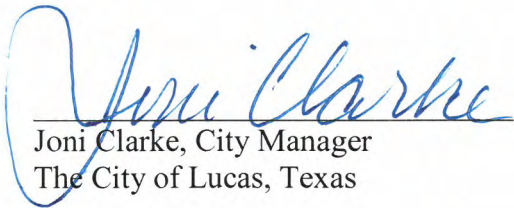
Date



Chris Hill, County Judge
Collin County

10 SEP 2019

Date



Joni Clarke, City Manager
The City of Lucas, Texas

8/21/19

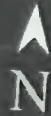
Date

Layon Lake - Trinity Trail

MOU Appendix 1 - Figure 1 of Plan

3 mi

324



Legend

-  Trail Transition Point
-  Trinity Trail

Northern Trail Transition Point

546

E Lucas Rd

Southern Trail Transition Point

982

735

Google earth

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