

**Memorandum of Agreement Between
The Advocates for the Oak Ridge Reservation,
The City of Oak Ridge
and the
The Horizon Center, LLC**

1.0 Introduction

It is recognized that the U. S. Department of Energy (DOE) has recently transferred the ownership of ~ 491 acres of land, commonly referred to as Economic Development Area 1 (ED-1) to the Horizon Center, LLC. In order to effectuate this transfer, DOE and Horizon Center, LLC entered into a lease for an adjoining ~466 acres of property generally referred to as the "natural area". Contained within the ~491 acres is a parcel (Lot 1-17BA) of 41.42 acres (37.27 acres proper plus 4.15 acres of access/utility routes) located at the Northwest corner of the Horizon Center Business Park that Horizon Center, LLC intends on more fully developing by extending utility infrastructure and constructing an access road. Horizon Center LLC's interest in doing so is to make the parcel marketable to potential industrial clients. The Advocates for the Oak Ridge Reservation (AFORR) among others, have expressed interest in retaining this same parcel in a more natural state in order to preserve the adjacent and surrounding area as a conservation district. The City of Oak Ridge, in its role of representing all of its citizenry has a keen interest in participating in and fashioning an agreement beneficial to all *and has a interest in acquiring property along Wisconsin Ave for self-sufficiency*

This seeming conflict of intent amongst these entities has lead to productive discussions to fashion a compromise situation in which all parties might benefit.

This Memorandum of Agreement is designed to codify roles and actions that will effectuate that compromise.

2.0 Roles and Responsibilities

- 2.1 The owner of Lot 1-17BA (Horizon Center LLC) will forgo immediate development plans for the parcel and will transfer title to the Parcel to the State of Tennessee so as to incorporate the parcel into an adjacent ~3000 acre conservation easement now being developed by the State of Tennessee and DOE.
- 2.2 Horizon Center, LLC will, with the approval of DOE, modify its lease of the ~466 acre "Natural Area" so as to allow DOE to incorporate a ~160 acre portion of said "Natural Area" into the conservation easement now being developed with the State of Tennessee. This ~160 acre parcel surrounds Lot 1-17BA and its access/infrastructure routes (41.42 acres) and serves to create a contiguous parcel of some ~200 acres that

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will be incorporated within the greater conservation area.. The ~160 acre parcel within the "Natural Area" encompasses certain ecological resources including potentially endangered species, a portion of the East Fork Poplar Creek and its Floodway, as well as a "Greenway" currently managed by the COR. As a result of its incorporation into the State managed conservation area, Horizon Center's responsibility to DOE for monitoring of the "Natural Area" will be eliminated.

transferred to the conservation easement

- 2.3 In consideration of these actions by Horizon Center LLC, AFORR will actively support the transfer from DOE to Horizon Center LLC of a ~50 acre parcel of property located on the Oak Ridge Turnpike just west of its intersection with Wisconsin Avenue. Horizon Center LLC intends on developing this parcel as a business/industrial park of the same quality and character as that of Horizon Center. In addition, AFORR will actively support the elimination of Horizon Center's responsibility for monitoring of the "Natural Area".
- 2.4 In a like manner, the COR will actively support the transfer of this ~50 acre parcel to Horizon Center, LLC and the elimination of the monitoring activity. In addition, the COR wishes to acquire an adjacent parcel of property whose eastern boundary is that of the Right-of-Way (ROW) along Wisconsin Avenue, traveling north from the Oak Ridge Turnpike to the intersection with Whippoorwill Drive. The depth of the property from the Wisconsin Avenue ROW westerly is generally 300 meters. The City intends on developing this parcel for residential purposes.
- 2.5 AFORR and Horizon Center, LLC will actively support the transfer from DOE to COR of this parcel for residential development purposes. *dependent*

3.0 Effective Date and Duration

This agreement will be effective on the actual date signed by all respective parties and will be in effect for six (6) months from the date of signing.

4.0 Modifications

This agreement may be modified with the mutual agreement of all parties.

5.0 Renewal

This agreement may be renewed for a period of one (1) year with the mutual agreement of all parties.

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6.0 Termination

This agreement may be terminated by any of the parties at any time.

7.0 Approvals

Lawrence T. Young, Chief Manager
The Horizon Center, LLC

Date

Gail Stakes, President
Advocate for the Oak Ridge Reservation

Date

David Bradshaw, Mayor
The City of Oak Ridge

Date

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