

**Memorandum of Understanding
Between Spotsylvania County and
Shannon Air Museum, LLC**

This Memorandum of Understanding (“MOU”) is made between the Spotsylvania County Board of Supervisors (hereafter identified as "SCBOS") and the Shannon Air Museum, LLC, a limited liability company duly licensed and authorized to transact business in the Commonwealth of Virginia (hereafter identified as "SAM"). The purposes of this MOU are to promote SCBOS’s and SAM’s shared vision for enhanced tourism and educational opportunities in Spotsylvania County, to secure particular benefits for the citizens of Spotsylvania County, and to establish the conditions under which SCBOS is providing a one-time donation of funds to SAM.

RECITALS

Whereas, Sidney L. Shannon, Jr. (“Mr. Shannon”), opened Shannon Airport in October, 1950, and founded the Shannon Air Museum in 1976, collecting 12 vintage aircraft and many artifacts from aviation’s early history, including what is believed to be the world’s only known surviving Vultee V-1A, a Spad VII biplane built in 1917 for service in World War I, a 1927-built Pitcairn PA-5 Mailwing, and a Bellanca CH-400 Skyrocket (originally built in 1928 as a CH-300 Pacemaker and later converted to a CH-400)(collectively the “Shannon Aircraft Collection”). Mr. Shannon dedicated the museum to his father, Sidney L. Shannon, Sr., who became a pilot in 1927 and opened an airport on land that later became the Fredericksburg fairgrounds; and

Whereas, after Mr. Shannon’s death in 1981, the Shannon Aircraft Collection became the core of the then-new Virginia Aviation Museum at Richmond International Airport, which, in 1990, became part of the Science Museum of Virginia. The Virginia Aviation Museum closed in June, 2016; and

Whereas, Spotsylvania businessman and flying enthusiast Luke Curtas acquired Shannon Airport in 2014 and has made numerous improvements to the facility and its operation; and

Whereas, upon the closing of the Virginia Aviation Museum in 2016, Mr. Curtas secured the return of the Shannon Aircraft Collection to Spotsylvania County, reopening the Shannon Air Museum on June 3, 2017; and

Whereas, to promote interest in aviation and educational opportunities in aviation history, SAM plans further improvements, including a 2,400 square-foot glass atrium to be attached to the current hangar and an additional 15,000 square-foot structure with a theater, flight simulators, and space for youth activities and other events; and

Whereas, to promote interest in aviation among youth and educational opportunities in aviation history, SCBOS desires to ensure that admission to the Shannon Air Museum remains free-of-

charge for all Spotsylvania County students and Spotsylvania County school groups, notwithstanding the cost to maintain existing museum facilities and the need to fund planned future improvements; and

Whereas, Virginia Code Ann. Section 15.2-953 (2017) authorizes the SCBOS to make an appropriation of funds to a charitable institution or association located within its limits or outside its limits if such institution or association provides services to the residents of the locality; and

Whereas, SAM is a charitable institution as demonstrated by its status as a tax-exempt entity under Section 501(c)(3) of Title 26 of the U. S. Code, and SAM provides services to the residents of the locality as demonstrated by its commitment to provide admission to the Shannon Air Museum free-of-charge for all Spotsylvania County students and Spotsylvania County school groups; and

Whereas, in approving its fiscal year 2018 budget, SCBOS approved \$50,000 for funding of the Shannon Air Museum located at Shannon Airport, contingent upon the development of a Memorandum of Understanding to be approved by SCBOS to include the amount of funding and term over which SCBOS will continue support of the Museum; and

Whereas, the funding contingency set by SCBOS in the passing of the fiscal year 2018 budget is satisfied upon SCBOS' approval of this MOU.

Now, therefore, in consideration of these premises, pursuant to Virginia Code Ann. Section 15.2-953, and conditioned upon SAM's good and faithful performance of its obligations hereunder, SCBOS and SAM agree to the following:

1. At all times relevant hereto, SAM shall maintain its current status as an entity licensed and authorized to transact business in the Commonwealth of Virginia, its current status as a tax-exempt entity under the U. S. Code, its display of the Shannon Aircraft Collection as open to the public on its current schedule or on a schedule substantially similar to its current schedule, and shall faithfully observe all governing laws, regulations, and ordinances.
2. SAM shall coordinate scheduling, advertising, and promotions of its special events in cooperation with the Spotsylvania County Department of Tourism (hereafter "ED&T"), which requires, at a minimum, that SAM shall (a) provide ED&T with 90 days' advance notice of any special event open to the general public to afford ED&T the opportunity to include the event in its promotions; (b) provide ED&T with photographs, images and other promotional materials for ED&T's use in its promotional materials, all without cost to ED&T or Spotsylvania County; and (c) provide ED&T staff members with reasonable access to the Museum to obtain additional information or photographs for use in ED&T promotional materials.
3. From the date of this MOU through June 30, 2019, SAM shall provide admission to and tours of the Shannon Air Museum at no cost to Spotsylvania County students Spotsylvania County school groups, and their accompanying teachers and chaperones, and shall maintain its current admission rate of \$9.00 for adults who are not teachers or chaperones of Spotsylvania County school groups.

4. SCBOS shall provide a one-time donation of FY 2018 funds in the amount of FIFTY THOUSAND and 00/100 Dollars (\$50,000.00) to SAM to support SAM's maintenance of facilities housing and displaying the Shannon Aircraft Collection.

Authorized to execute this Memorandum of Understanding by:

Shannon Air Museum, LLC

Spotsylvania County Board of
Spotsylvania County Resolution No.
Dated:

By _____

Its _____

Mark B. Taylor
County Administrator