

THE STATE OF TEXAS §
§
COUNTY OF DENTON §

**FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN
DENTON COUNTY, TEXAS, AND COLLIN COUNTY, TEXAS**

THIS AMENDMENT is made and entered into by and between Denton County, Texas, a political subdivision of the State of Texas, hereinafter "Denton County," and Collin County, Texas, a political subdivision of the State of Texas, hereinafter "Collin County," whereby Denton County and Collin County are both collectively referred to herein as "the Parties." On August 19, 2008, the Parties entered into an Interlocal Cooperation Agreement under Denton County Commissioners Court Order Number: 08-0621, hereinafter "the original Agreement," in which Collin County agreed to prepare the design schematic and Environmental Assessment for US 380 from the Denton County/Collin County Line to just west of FM 423 in Denton County, Texas; and Denton County agreed to contribute an amount which shall not exceed FOUR HUNDRED EIGHTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$487,000.00) toward satisfactory completion of the Project, with funding to come from the Transportation Road Improvement Program – 2004 ("TRIP-04").

WHEREAS, the Parties to the original Agreement now intend to amend Section III to reflect that Denton County agrees to contribute an amount not to exceed ONE HUNDRED NINETY-THREE THOUSAND, TWO HUNDRED SIXTY AND 93/100 DOLLARS (\$193,260.93). Section IV of the original Agreement will be amended to reflect that Collin County agrees to reimburse Denton County in the amount of TWO HUNDRED NINETY-THREE THOUSAND SEVEN HUNDRED THIRTY-NINE AND 07/100 DOLLARS (\$293,739.07) which represents the difference in the amount Denton County has already contributed toward satisfactory completion of the Project, which is FOUR HUNDRED EIGHTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$487,000.00), and the revised amount Denton County has agreed to contribute toward satisfactory completion of the Project which shall not exceed ONE HUNDRED NINETY-THREE THOUSAND, TWO HUNDRED SIXTY AND 93/100 DOLLARS (\$193,260.93).

NOW THEREFORE, for and in consideration of the mutual covenants and agreements contained in the original Agreement and as contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Denton County and

Collin County hereby agree to amend Section III and Section IV of the original Agreement. All other terms and conditions of the original Agreement are hereby affirmed by the Parties. The amended portion of the original Agreement is as follows:

AMENDED SECTION III.

* * *

In performance of this Agreement, Collin County agrees to prepare the design schematic and Environmental Assessment for US 380 from the Denton County/Collin County Line to just west of FM 423 in Denton County, Texas; and Denton County agrees to contribute an amount toward satisfactory completion of the Project which shall not exceed ONE HUNDRED NINETY-THREE TWO HUNDRED SIXTY AND 93/100 (\$193,260.93), with funding to come from the Transportation Road Improvement Program – 2004 (“TRIP-04”).

AMENDED SECTION IV.

* * *

Collin County agrees to reimburse Denton County in the amount of TWO HUNDRED NINETY-THREE THOUSAND SEVEN HUNDRED THIRTY-NINE AND 07/100 DOLLARS (\$293,739.07) which represents the difference in the amount Denton County has already contributed toward satisfactory completion of the Project, which is FOUR HUNDRED EIGHTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$487,000.00), and the revised amount Denton County has agreed to contribute toward satisfactory completion of the Project which shall not exceed ONE HUNDRED NINETY-THREE THOUSAND, TWO HUNDRED SIXTY AND 93/100 DOLLARS (\$193,260.93). Collin County’s payment shall be made within thirty (30) business days of the effective date of this Agreement. Denton County shall not be required to invoice Collin County in order to receive payment. Collin County shall remit payment made payable to Denton County, Texas, and the payment shall be mailed to the Denton County Auditor, James Wells, 401 W. Hickory Street, Suite 423, Denton, Texas 76201.

This Amendment to the original Agreement shall replace and supersede Section III and Section IV of the original Agreement between the Parties. **All other provisions of the original Agreement shall remain in full force and effect unless modified by subsequent written amendment signed by both of the Parties to the original Agreement.**

This Amendment may be executed in multiple counterparts, attached to the original Agreement, and shall collectively constitute an Amendment to the original Agreement. All other terms and conditions of the original Agreement are hereby affirmed by the Parties.

Executed in triplicate originals this _____ day of _____, 2013.

DENTON COUNTY, TEXAS
110 West Hickory
Denton, Texas 76201

COLLIN COUNTY, TEXAS
2300 Bloomdale Rd. Ste 4192
McKinney, Texas 75071

By: _____
Honorable Mary Horn
Denton County Judge

By: _____
Honorable Keith Self
Collin County Judge

Acting by and on behalf of the authority of
the Denton County Commissioners Court

Acting by and on behalf of the authority of
the Collin County Commissioners Court

ATTEST:

ATTEST:

By: _____
Denton County Clerk

By: _____
Collin County Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Assistant District Attorney

By: _____
County Attorney

**APPROVAL OF FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT
BETWEEN DENTON COUNTY, TEXAS, AND COLLIN COUNTY, TEXAS**

Denton County, Texas, acting by and through the Denton County Commissioners Court, having been advised of the Project, hereby agrees to amend Section III and Section IV of the Interlocal Cooperation Agreement which was approved on August 19, 2008, under Denton County Commissioners Court Order Number: 08-0621. The First Amendment to the Interlocal Cooperation Agreement is necessary to reflect that Denton County agrees to contribute an amount not to exceed ONE HUNDRED NINETY-THREE THOUSAND, TWO HUNDRED SIXTY AND 93/100 DOLLARS (\$193,260.93) and that Collin County agrees to reimburse Denton County the amount of TWO HUNDRED NINETY-THREE THOUSAND SEVEN HUNDRED THIRTY-NINE AND 07/100 DOLLARS (\$293,739.07) which represents the difference in the amount Denton County has already contributed toward satisfactory completion of the Project, which is FOUR HUNDRED EIGHTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$487,000.00), and the revised amount Denton County has agreed to contribute toward satisfactory completion of the Project which shall not exceed ONE HUNDRED NINETY-THREE THOUSAND, TWO HUNDRED SIXTY AND 93/100 DOLLARS (\$193,260.93).

All other terms and conditions and provisions of the original Agreement are hereby affirmed by the Parties and shall remain in full force and effect unless modified by a subsequent written amendment signed by all of the Parties to the original Agreement.

Denton County, Texas, hereby gives its specific written approval of the Project prior to beginning the Project in satisfaction of the requirements of the Interlocal Cooperation Act, Texas Government Code Chapter 791.

By vote on this date, the Denton County Commissioners Court has approved the Project identified above and authorized execution of this document by the presiding officer on behalf of Denton County, Texas.

Date: _____

Presiding Officer of the
Denton County Commissioners Court