

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

**AMENDMENT TO
INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE CITY OF EDINBURG
AND HIDALGO COUNTY**

This AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN THE **CITY OF EDINBURG** and the **COUNTY OF HIDALGO** (the "Amendment"), effective the ____ day of _____ 2007, is made between the City of Edinburg and the County of Hidalgo, pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WHEREAS, on or about May 17, 2005 the City of Edinburg (the "City") entered into an Interlocal Cooperation Agreement ("Interlocal Agreement") with Hidalgo County (the "County") regarding assistance regarding a project known as the "10th Street Extension from SH 107 to FM 1925" (the "Project");

WHEREAS, the County and City entered into the Interlocal Agreement in order for the County to assist the City by providing land acquisition services for the necessary right-of-way for the entire Project, consisting of land acquisition of 40 parcels;

WHEREAS, the City agreed to reimburse the County twenty-four percent (24%) of all costs and expenses related to and connected with the acquisition of the parcels including but not limited to the actual cost for payments to persons owning or having an interest in the property acquired, engineering fees and costs associated with right-of-way mapping, title reports, appraisals fees, fees for experts, attorneys fees , court costs and all other expenses incurred by County in connection with performing the services under the Interlocal Agreement;

WHEREAS, the timeframe for completion of the Project has been inadvertently delayed and as such, the parties desire to redefine the reimbursement obligations due from City to County and extend the timeframe for which such reimbursements shall be made;

WHEREAS, City and County now desire to amend the Interlocal Agreement as hereinafter provided.

NOW THEREFORE, for and in consideration of the tasks performed by the County and the City and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, and this mutually agreed upon Amendment to the Interlocal Agreement, City and County hereby agree to the following amendments to the Interlocal Agreement:

1. The paragraph numbered 2 of the Interlocal Agreement is deleted in its entirety and the following is inserted in lieu thereof:

2. Edinburg agrees to reimburse County twenty-four percent (24%) of the costs and expenses related to and connected with the acquisition of parcels #1 through #40, from time to time as the County may invoice Edinburg until the completion of the Project. Edinburg further agrees to make such reimbursements to the County no later than thirty (30) days upon receipt of invoices from County.

2. Except as modified herein, all terms and conditions of the Interlocal Agreement, as amended, remain in full force and effect and the City of Edinburg and the County ratify and confirm the terms and provisions of the Interlocal Agreement as amended.

EXECUTED IN DUPLICATE ORIGINALS and effective as of the day and year first written above.

CITY OF EDINBURG

By: _____
Joe Ochoa, Mayor

ATTEST:

City Secretary

HIDALGO COUNTY

By: _____
J. D. Salinas, III, County Judge

ATTEST:

Arturo Guajardo, Jr., County Clerk

APPROVED AS TO FORM:

ATLAS & HALL, L.L.P.

By: _____
Stephen L. Crain