

STATE OF TEXAS §
COUNTY OF TRAVIS §

Original

ADVANCE FUNDING AGREEMENT AMENDMENT # 2

THIS AMENDMENT IS MADE BY AND BETWEEN the State of Texas, acting through the Texas Department of Transportation, hereinafter called the State, and the County of Hidalgo, acting by and through its duly authorized officials, hereinafter called the Local Government.

WITNESSETH

WHEREAS, the State and the Local Government executed a contract on August 4th of 2006 to effectuate their agreement to undertake and complete a highway improvement generally described as the Hidalgo County Loop SW Portion; and,

WHEREAS, it has become necessary to amend the contract by termination through mutual agreement of the parties;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, the State and the Local Government do agree as follows:

AGREEMENT

Article 1. Description of Amended Items

As per Article 4, Termination of the Advance Funding Agreement, executed on August 4th of 2006, and the Advance Funding Agreement Amendment #1 executed on July 13th of 2007, the parties do hereby mutually agree to terminate the Advance Funding Agreement executed on August 4th of 2006, and the Advance Funding Agreement Amendment #1 executed on July 13th of 2007.

Article 2. Signatory Warranty

The signatories to this amendment warrant that each has the authority to enter into this agreement on behalf of the organization they represent.

IN WITNESS WHEREOF, THE STATE AND THE LOCAL GOVERNMENT have executed duplicate counterparts to effectuate this agreement.

THE LOCAL GOVERNMENT

County of Hidalgo
Local Government

By: _____
Signature

Honorable Juan "J.D." Salinas
Name

County Judge, County of Hidalgo
Title

Date

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: _____
Janice Mullenix
Director of Contract Services Section
Office of General Counsel
Texas Department of Transportation

Date

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WITNESSETH

WHEREAS, the State and the Local Government executed a contract on August 17th of 2006 to effectuate their agreement to undertake and complete a highway improvement generally described as the Hidalgo County Loop SE Portion; and,

WHEREAS, it has become necessary to amend the contract by termination through mutual agreement of the parties;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, the State and the Local Government do agree as follows:

AGREEMENT

Article 1. Description of Amended Items

As per Article 4, Termination of the Advance Funding Agreement, executed on August 17th of 2006, and the Advance Funding Agreement Amendment #1 executed on May 10th of 2007, the parties do hereby mutually agree to terminate the Advance Funding Agreement executed on August 17th of 2006, and the Advance Funding Agreement Amendment #1 executed on May 10th of 2007.

Article 2. Signatory Warranty

The signatories to this amendment warrant that each has the authority to enter into this agreement on behalf of the organization they represent.

IN WITNESS WHEREOF, THE STATE AND THE LOCAL GOVERNMENT have executed duplicate counterparts to effectuate this agreement.

THE LOCAL GOVERNMENT

County of Hidalgo
Local Government

By: _____
Signature

Honorable Juan "J.D." Salinas
Name

County Judge, County of Hidalgo
Title

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THE STATE OF TEXAS

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By: _____
Janice Mullenix
Director of Contract Services Section
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