



Equal Housing
Opportunity

**THE HOUSING AUTHORITY OF THE
COUNTY OF HIDALGO**

MAIN OFFICE
1800 N. TEXAS BLVD.
WESLACO, TEXAS 78596
(956) 969-5865
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MEMO

TO: Mr. Steve L. Crain, Attorney
FROM: Dora Moreno, Executive Secretary
SUBJ: Amended Interlocal
DATE: May 2, 2008

Enclosed is the Amended Interlocal Agreement executed by the Housing Authority's Board Chairman. Once the Agreement is fully executed, please forward a copy for our file.

Should you have any questions, please contact our office.

Thank you.

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BUDGET OFFICE
HIDALGO COUNTY

STATE OF TEXAS §
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COUNTY OF HIDALGO §

**AMENDMENT TO
INTERLOCAL COOPERATION AGREEMENT BETWEEN
HIDALGO COUNTY AND
HIDALGO COUNTY HOUSING AUTHORITY**

This AMENDMENT TO the INTERLOCAL COOPERATION AGREEMENT BETWEEN HIDALGO COUNTY, TEXAS and HIDALGO COUNTY HOUSING AUTHORITY (the Amendment), effective the 1st day of September 1999, is made between the Hidalgo County, Texas and Hidalgo County Housing Authority as follows:

WHEREAS, effective September 1, 1999, Hidalgo County (the "County") entered into an Interlocal Cooperation Agreement with the Hidalgo County Housing Authority (the "Housing Authority") for the lease of certain real property commonly known as Charles E. Curtis Park (the "Property") within the city limits of McAllen;

WHEREAS, the County desires to amend the Interlocal Cooperation Agreement to allow the County to assign or sub-lease the Property to other governmental entities for the continued use as a park with the written consent of the Housing Authority;

WHEREAS, the Interlocal Cooperation Agreement describes the Property's limited use to be only for a county-maintained and operated park and its related uses and the parties now desire to allow other governmental entities to participate in the maintenance and operation of the Property should an agreement be reached to do so;

WHEREAS, the Property is wholly located in an urbanized area and would be better maintained and operated if the County had authority to allow other governmental entities to be maintain and operate the Property for its intended purposes.

WHEREAS, the parties now desire and agree to amend the Interlocal Cooperation Agreement as hereinafter provided.

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

- 1.1 Paragraph 4 shall be deleted in its entirety and the following paragraph shall be inserted in lieu thereof.

4. Limited Use. It is expressly understood and agreed between the parties hereto that Lessor leases, lets and rents said lands unto Lessee for the limited use of a park and its related uses and not any other use, and if Lessee shall fail to maintain and operate a public park, then Lessor, after thirty (30) days written notice to the Hidalgo County Commissioners Court, may unilaterally terminate this Agreement, at which time Lessee will vacate said lands and surrender possession thereof to Lessor.

1.2 Paragraph 13 shall be deleted in its entirety and the following paragraph shall be inserted in lieu thereof:

13. Assignment and Sub-Lease. This Agreement may not be assigned except with the written consent of Lessor. The County shall be authorized to sub-lease the Property for its limited use with the written consent of Lessor. Any assignment or sub-lease shall be conditioned with the requirement that all County residents shall be allowed to use the lands for its limited use described in paragraph 4, as amended.

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

EXECUTED IN DUPLICATE ORIGINALS and this ___ day of May, 2008.

HIDALGO COUNTY HOUSING AUTHORITY



Eloy Avila, Board Chairman

COUNTY OF HIDALGO

J.D. Salinas, III, Hidalgo County Judge

ATTEST:

Arturo Guajardo, Jr., County Clerk

APPROVED AS TO FORM:

Atlas & Hall, L.L.P.

By: Stephen L. Crain