

STATE OF TEXAS §  
COUNTY OF TRAVIS §

**FUNDING AGREEMENT  
FOR BORDER COLONIA ACCESS PROGRAM  
AMENDMENT #5**

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

**WITNESSETH**

**WHEREAS**, the State and the County executed an agreement on the 8th day of September 2002 to construct access roads in the County's colonias under terms of the first call of the Border Colonia Access Program; and,

**WHEREAS**, it has become necessary to amend that contract;

**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:

**A G R E E M E N T**

**Article 1. Description of Amended Items:**

**Article 9, Item c is voided in its entirety and replaced with the following:**

Project is not let within seven years of the original execution of this agreement, or the Project is not completed within eight years of the original execution of this agreement.

All other provisions of the original contract are unchanged and remain in full force and effect.

**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**

\_\_\_\_\_  
Hidalgo County

By: \_\_\_\_\_  
Honorable Juan D. Salinas

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
County Judge

\_\_\_\_\_  
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: \_\_\_\_\_  
Mario Jorge, P.E.

\_\_\_\_\_  
District Engineer, Pharr District  
Title

\_\_\_\_\_  
Date