

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

FIRST AMENDMENT TO AMENDMENT AND RESTATEMENT OF THAT CERTAIN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF HIDALGO AND CITY OF DONNA, TEXAS CONCERNING CERTAIN IMPROVEMENTS TO FARM TO MARKET ROAD 493 FROM CHAMPION STREET SOUTH OF US HIGHWAY 281

This **AMENDMENT** to the **INTERLOCAL AGREEMENT** is made this ____ day of April, 2013 by and between **HIDALGO COUNTY, TEXAS** (the “County”) and **CITY OF DONNA, TEXAS**, (the “City”).

WHEREAS, City and County entered into an Amendment and Restatement of that certain Interlocal Cooperation Agreement between the County of Hidalgo and City of Donna, Texas Concerning Certain Improvements to Farm to Market Road 493 From Champion Street South of U.S. Highway 281 dated January 25, 2011 by and between County and City to make improvements Farm to Market Road 493 from Champion Street South of U.S. Highway 281 (the “Road”);

WHEREAS, Texas Department of Transportation (“TxDOT”) determined it will acquire the right of way for the Road including but not limited to compensable utilities and utility relocation required, title reports, title policies, appraisals, recording fees, closing costs and cost of land and condemnation.

NOW THEREFORE, for and in consideration of the terms and provisions set forth herein, for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and County hereby agree to the following amendment to the Agreement:

1. Numbered paragraph 1 of the Agreement shall be deleted in its entirety and the following substituted in lieu of:

The County agrees to undertake compensable utility relocations as required and invoice City for same.

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

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

CITY OF DONNA

David S. Simmons, Mayor

HIDALGO COUNTY

Ramon Garcia, County Judge

ATTEST:

Arturo Guajardo, Jr., County Clerk

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: _____
Stephen L. Crain

APPROVED BY COMMISSIONERS COURT: _____