

THE STATE OF TEXAS
COUNTY OF HIDALGO

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CITY OF ALTON

**SECOND AMENDMENT
TO INTERLOCAL AGREEMENT REGARDING
REINVESTMENT ZONE NUMBER ONE, CITY OF ALTON, TEXAS**

WHEREAS, the CITY OF ALTON, TEXAS (the "*City*") approved the creation of REINVESTMENT ZONE NUMBER ONE, CITY OF ALTON (the "*Zone*") in accordance with the provisions of Chapter 311, Texas Tax Code, as amended; and

WHEREAS, the City, the Zone, and HIDALGO COUNTY, TEXAS (the "*County*"), a political subdivision of the State of Texas, entered into that certain Interlocal Agreement (the "*Original Agreement*"), a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, in connection with the issuance of a series of bonds designated CITY OF ALTON, TEXAS TAX INCREMENT REVENUE AND LIMITED TAX CERTIFICATE OF OBLIGATIONS, SERIES 2012, in the amount of \$1,250,000, in accordance with the attorney general's requested clarification of the Original Agreement as part of such bonds' approval process, the Original Agreement was amended by that certain Amendment to Interlocal Agreement Regarding Reinvestment Zone, Number One, City of Alton, Texas, made and executed by the City, the Zone, and the County as of August 14, 2012 (the "*First Amendment*", and the Original Agreement as amended by the First Amendment, the "*Agreement*"), a copy of which is attached hereto as Exhibit "B"; and

WHEREAS, a series of bonds designated CITY OF ALTON, TEXAS TAX INCREMENT REVENUE AND LIMITED TAX CERTIFICATE OF OBLIGATIONS, SERIES 2014, in the amount of \$1,955,000 (the "*Bonds*") is be issued by the City; and

WHEREAS, a clarification of Section III.C. of the Agreement was requested by the attorney general as part of the approval process of the Bonds, and

WHEREAS, for the reasons set forth above the parties to the Agreement desire to further amend the Agreement to make such clarification as set forth in this amendment (the "*Second Amendment*") to the Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Section III.C. of the Agreement is amended in total to read as follows:

C. The Parties hereto agree that, other than (i) those certain certificates of obligation designated City of Alton, Texas Tax Increment Revenue and Limited Tax Certificate of Obligation, Series 2012, in the amount of \$1,250,000 issued by the City, (ii) those certain certificates of obligation designated City of Alton, Texas Tax Increment Revenue and Limited Tax Certificate of Obligation, Series 2014, in the amount of \$1,955,000 to be issued by the City and (iii) bonds or notes issued pursuant to §311.015 of the Texas Tax Code, no tax-supported public debt instrument will be issued by the CITY or the ZONE BOARD to finance any costs or improvement on the Project.

2. This Second Amendment may be executed in counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same instrument.

3. Except to the extent specifically modified by the provisions of this Second Amendment, all other provisions of the Agreement remain in full force and effect.

IN WITNESS HEREOF, the City, the County, and the Zone have made and executed this Amendment in triplicate originals effective on this 8th day of July, 2014.

CITY OF ALTON

HIDALGO COUNTY

City Manager

County Judge

ATTEST/SEAL:

ATTEST/SEAL:

City Secretary

County Clerk

**APPROVED AS TO FORM FOR
HIDALGO COUNTY**

ATLAS, HALL & RODRIGUEZ, LLP

By: _____
Stephen L. Crain

**REINVESTMENT ZONE NUMBER ONE,
CITY OF ALTON, TEXAS**

Presiding Officer

EXHIBIT A TO SECOND AMENDMENT

**Copy of Executed Interlocal Agreement Regarding
Reinvestment Zone Number One, City of Alton, Texas**

EXHIBIT B TO SECOND AMENDMENT

**Copy of Executed Amendment to Interlocal Agreement Regarding
Reinvestment Zone Number One, City of Alton, Texas dated August 14, 2012**