

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT AMONG THE CITY OF ALAMO, TEXAS THE CITY OF DONNA, TEXAS AND HIDALGO COUNTY

This FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT by and among the CITY OF ALAMO, TEXAS, CITY OF DONNA, TEXAS and the COUNTY OF HIDALGO (the "Amendment"), effective the _____ day of _____ 2017, is made between the City of Alamo ("Alamo"), the City of Donna ("Donna") and the County of Hidalgo (the "County"), pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WHEREAS, on or about _____, 2017, Alamo, Donna and the County entered into an Interlocal Cooperation Agreement ("Interlocal Agreement") regarding improvements to a portion of Whalen Road commencing at Business 83 and terminating at the access road to U. S. Expressway 83 (the "Road");

WHEREAS, Alamo, Donna and the County now desire to amend the Interlocal Agreement as hereinafter provided.

NOW THEREFORE, for and in consideration of the terms and conditions considered herein and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, and this mutually agreed upon Amendment to the Interlocal Agreement, Alamo, Donna and the County hereby agree to the following amendments to the Interlocal Agreement:

1. The fourth Whereas clause is deleted in its entirety and the following two Whereas clauses are inserted in lieu thereof:

WHEREAS, a portion of Whalen Road commencing immediately north of the concrete pavement north of Business 83 constructed or to be constructed by Donna and terminating at the access road to U. S. Expressway 83 consisting of 2535 linear feet (the "North Portion").

WHEREAS, a portion of Whalen Road commencing at the north side of Business 83 and terminating at the southern adjoining concrete paving constructed or to be constructed by Donna on Whalen Road consisting of 415 linear feet (the "South Portion").

1. The seventh Whereas clause is deleted and the following is inserted in lieu thereof:

WHEREAS, Alamo, Donna and County desire to jointly

undertake a road improvement project consisting of two portions of Whalen Road being the South Portion and the North Portion (the "Road").

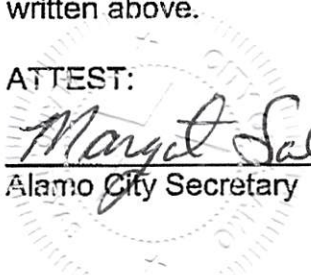
2. Numbered paragraph 4 shall be deleted in its entirety and the following substituted in lieu thereof:

Prior to commencement of the constructing of the improvements to the Road by County, the City of Alamo and Donna each shall pay the sum of Forty-Seven Thousand Twenty-Six and 07/100ths Dollars (\$47,026.07) to County within five (5) days of the approval of this Agreement such sum paid by each of Alamo and Donna representing one-half the cost of the materials for paving the Road. Such funds provided by Alamo and Donna being the cost to the County of the materials for the reconstruction of the Road.

3. Except as modified herein, all terms and conditions of the Interlocal Agreement, as amended, remain in full force and effect and Alamo, Donna and County ratify and confirm the terms and provisions of the Interlocal Agreement as amended.

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

ATTEST:


Margot Salas
Alamo City Secretary

CITY OF ALAMO

By: Diana Martinez
Diana Martinez, Mayor

ATTEST:

Irene Munoz
Donna City Secretary

CITY OF DONNA

By: Irene Munoz
Irene Munoz, Mayor

ATTEST:

Arturo Guajardo, Jr.
Arturo Guajardo, Jr., Hidalgo County Clerk

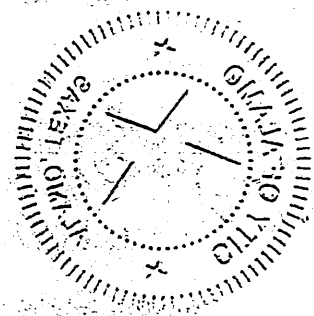
HIDALGO COUNTY

By: _____
Ramon Garcia, County Judge

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: Stephen L. Crain
Stephen L. Crain



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**APPROVAL OF
INTERLOCAL COOPERATION AGREEMENT
PROJECT**

In accordance with Texas Government Code §791.014, Hidalgo County, Texas, acting by and through the Hidalgo County Commissioners Court, has been advised of a proposed project whereby the Alamo, Donna and County desire to jointly undertake a road improvement project consisting of a portion of Whalen Road, from Business 83 and terminating at the access road to U.S. Expressway 83 through an Interlocal Cooperation Agreement to be entered into among Hidalgo County and City of Alamo, Texas and the City of Donna, Texas .

By vote on _____ 2017 the Hidalgo County Commissioners Court has approved the Project identified above.

By: Ramon Garcia, County Judge

ATTEST:

Arturo Guajardo, County Clerk

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: _____
Stephen L. Crain

Exhibit A

Interlocal Cooperation Agreement among the City of Alamo, The city of Donna, Texas and the County of Hidalgo

Project: Reconstruction of Whalen Road

Project description: Road improvement project consisting of two portions of Whalen Road described as north portion and south portion where both city limits of Donna and Alamo meet in the middle of Whalen road for a total length of the Project being 2950 linear feet. Where the west side of the road is within the Alamo city limits and the east side of the road is within the city limits of Donna.

