

STATE OF TEXAS §

COUNTY OF HIDALGO §

**FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN
HIDALGO COUNTY AND HIDALGO COUNTY DRAINAGE DISTRICT NO. 1**

This First Amendment to Interlocal Cooperation Agreement by and between Hidalgo County and Hidalgo County Drainage District No. 1 (the "Amendment"), effective the ____ day of _____, 2019 is made between Hidalgo County acting by and through its Urban County Program ("County") and the Hidalgo County Drainage District No. 1 ("Drainage District"), pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WHEREAS, by interlocal agreement dated August 28, 2018, County and Drainage District (the "Agreement") agreed to expand and construct the Trenton Drain Phase II and III;

WHEREAS, following the execution of the Agreement the Texas General Land office, the issuer of Disaster Recovery funding to County, requested certain revisions to the Agreement;

NOW THEREFORE, for and in consideration of requested revisions to the Agreement by the Texas General Land Office, other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, and this mutually agreed upon amendment to the Agreement, County and Drainage District hereby agree to the following amendments to the Agreement:

1. The sixth "Whereas Clause" of the Agreement is deleted in its entirety and the following is inserted in lieu thereof:

Whereas, being the Trenton Drain Phase II and III is in Drainage District's Master plan, Drainage District shall contribute in kind services up to Six Hundred Three Thousand Seven Hundred Sixty-Four and 42 one hundredths Dollars (\$603,764.42) for construction of Phase II and III improvements to the Trenton Drain;

2. Numbered paragraph 2 of the Agreement is deleted in its entirety and the following is inserted in lieu thereof:

County shall provide and/or oversee (delegate) right of way acquisition services (all and/or facets), provided however, right of way acquisition shall not exceed the sum of Six Hundred Eighty-Three Thousand Five Hundred Twenty-Five and no one hundredths Dollars (\$683,525.00).

3. Numbered paragraph 3 of the Agreement is deleted in its entirety and the following is inserted in lieu thereof:

Drainage District shall provide, as appropriate, engineering, construction, acquisition services and surveying either in kind or by third party contractor(s) for the Trenton Drain Phase II and III project.

4. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect and County and Drainage District 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.

HIDALGO COUNTY

ATTEST:

By: _____
Richard F. Cortez, County Judge

Arturo Guajardo, Jr., County Clerk

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

By: _____
Richard F. Cortez, Chairman Board of Directors

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: _____
Stephen L. Crain