

THE STATE OF TEXAS

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COUNTY OF HIDALGO

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**SECOND AMENDMENT TO
INTERLOCAL COOPERATIVE AGREEMENT BETWEEN EDINBURG CONSOLIDATED
INDEPENDENT SCHOOL DISTRICT AND THE COUNTY OF HIDALGO**

THIS SECOND AMENDMENT TO INTERLOCAL COOPERATIVE AGREEMENT (“Agreement”) is made and entered the 13th day of June, 2023 by and between **HIDALGO COUNTY, TEXAS, (“County”)** and **THE EDINBURG CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (“District”)**.

WITNESSETH

WHEREAS, on or about the 8th day of October, 2019, the County and District entered into an agreement (“**Agreement**”) for the development of a community park known as the Linn-San Manuel Community Park and on or about the 14th day of December, 2021 the Parties executed the First Amendment to the Agreement to permit the District to make certain modifications at its expense to property and to maintain said property on the Park premises; and

WHEREAS, Parties continue to acknowledge that the joint use and development of the Community Park is in their best interest and each continue to benefit from the mutual use and development of the premises. Further, Parties continue to acknowledge that this exchange of governmental functions or services results in an exchange that fairly compensates the performing parties for the services or functions performed under the Agreement; and

WHEREAS, pursuant to the Agreement, Parties have ongoing responsibilities in relation to certain areas within the park, and

WHEREAS, District desires and requests to make certain modifications at its expense to property maintained by the County on the park premises, and

WHEREAS, the Parties desire to amend the Agreement as hereinafter provided to allow District to propose modifications to the Park premises at its expense for added recreational facilities which Parties acknowledge serve a public purpose, and

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

1. Number 1 of the Agreement is amended to include the following addition:
 - 1.1. The District may submit to the County, including after completion of the Park, written proposals regarding modifications to the Park for the purpose of adding recreational facilities to the Park premises, including but not limited to, the placement of batting cages and storage. District shall be responsible for all aspects of the proposed modification(s), including, but not limited to, any and all labor, expenses, and maintenance. District shall perform the proposed modification(s) during times in which it has access to the premises as indicated in number 8, or as coordinated between the Parties. The addition of recreational facility proposals, including all specifications, shall be presented to Commissioners Court as Supplemental Exhibits to this Agreement for review, consideration, and or approval. The County reserves the right to reject proposals which it solely considers inconsistent with this Agreement.
2. All of the exhibits attached hereto and/or supplemented, which are approved by Commissioners Court, are by this reference incorporated to this Agreement and made a part hereof.
3. Except as modified herein, all terms and conditions of the Agreement, remain in full force and effect. County and District ratify and confirm the terms and provisions of the Agreement as amended herein.

[Signature Page to Follow]

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

APPROVED BY COMMISSIONERS' COURT ON June 13, 2023.

DISTRICT:
Edinburg CISD

By: _____
Print Name: _____
Title: **President, Board of Trustees**

APPROVED AS TO FORM:

ATTEST:

Board Attorney

Board Secretary

COUNTY:
County Of Hidalgo

Hon. Richard F. Cortez, County Judge

APPROVED AS TO FORM
Office of the Criminal District Attorney,
Toribio "Terry" Palacios

ATTEST:

Michelle Lopez, Assistant District Attorney

Arturo Guajardo, Jr., County Clerk

ATTACHMENTS:
1. Exhibit "A" – *proposal and specifications*

SUPPLEMENTAL SIGNATURES:
(If Applicable)