

STATE OF TEXAS           §  
  §  
COUNTY OF HIDALGO    §

**FIRST AMENDMENT TO LEASE AGREEMENT  
#C-15-105-04-28**

This **AMENDMENT** to the **LEASE** is made this **4<sup>th</sup> day of August of 2015** by and between **HIDALGO COUNTY, TEXAS** (the "Lessor") and **LINEBARGER GOGGAN BLAIR & SAMPSON, LLP** (the "Lessee").

**WHEREAS**, on April 28, 2015, Hidalgo County (the "Lessor") entered into a Lease Agreement ("Lease Agreement") with Linebarger Goggan Blair & Sampson, LLP, in which the Lessee would rent certain premises from the Lessor as described in the Agreement;

**WHEREAS**, the Leased Premises were not available for occupancy on the commencement date specified in the Lease Agreement however Lessee although unable to occupy the Leased Premises paid the rental to Lessor; and

**WHEREAS**, the parties have now determined to amend the Lease as hereinafter provided.

**NOW THEREFORE**, for and in consideration of the terms and provisions of this First Amendment to Lease Agreement, both parties hereby agree to the following amendments to the Lease Agreement:

1. Article 1.1 shall be deleted in its entirety and the following substituted in lieu thereof:

The lease term shall begin on the first day of the Month of May 2015 or on such later date as the Leased Premises are already for occupancy . Any rental paid by Lessee prior to occupancy of the Leased Premises shall be credited to rental due for the month(s) at the end of the initial term of the Lease.

2. The following sentence shall be added to Article 2.2:

A copy of each rental payment shall be submitted by Lessee to the Hidalgo County Department of Budget & Management, Attn: Sergio Cruz, Budget Officer at 2818 S. Business 281, Edinburg, Texas 78539.

3. Article 14.13 shall be added to the Lease to read as follows:

Lessor may terminate the Lease without cause on thirty (30) days written notice to Lessee.

4. Except as modified herein, all terms and conditions of the Lease Agreement, as amended, remain in full force and effect. Lessor and Lessee ratify and confirm the terms and provisions of the Lease Agreement as amended.

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

LESSOR: HIDALGO COUNTY

Ramon Garcia  
Ramon Garcia, County Judge

ATTEST:

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

APPROVED BY  
COMMISSIONERS' COURT  
ON: 8/4/15

LESSEE:

Darcy B. Crain  
Linebarger Goggan Blair & Sampson, LLP

APPROVED AS TO FORM:  
ATLAS, HALL & RODRIGUEZ, LLP

By: Stephen L. Crain  
Stephen L. Crain

Zimbra

evangelina.garcia@co.hidalgo.tx.us

**RE: Draft Amendment to Lease Agreement with Linebarger Goggan Blair & Sampson**

**From :** Steve Crain <scrain@atlashall.com>

Thu, Jul 30, 2015 01:55 PM

**Subject :** RE: Draft Amendment to Lease Agreement with Linebarger Goggan Blair & Sampson

1 attachment

**To :** 'Evangelina Garcia' <evangelina.garcia@co.hidalgo.tx.us>

if the amendment satisfies your concerns it works for me

**From:** Evangelina Garcia [mailto:evangelina.garcia@co.hidalgo.tx.us]

**Sent:** Thursday, July 30, 2015 1:50 PM

**To:** Stephen L. Crain

**Subject:** Re: Draft Amendment to Lease Agreement with Linebarger Goggan Blair & Sampson

Mr. Crain;

Attached is the second revision as requested under PDF however, I've also attached the amendment in word document (redline) where you can see the revisions that have been made, if it'll help.

Thank you;

Vangie Y. Garcia, Contract Manager  
Hidalgo County Purchasing Department  
2812 S. Business Hwy. 281  
Edinburg, Texas 78539  
Email: [evangelina.garcia@co.hidalgo.tx.us](mailto:evangelina.garcia@co.hidalgo.tx.us)  
Phone: 956-292-7000-Ext. 4856

**From:** "Stephen L. Crain" <[scrain@atlashall.com](mailto:scrain@atlashall.com)>

**To:** "Evangelina Garcia" <[evangelina.garcia@co.hidalgo.tx.us](mailto:evangelina.garcia@co.hidalgo.tx.us)>

**Sent:** Thursday, July 30, 2015 1:14:39 PM

**Subject:** FW: Draft Amendment to Lease Agreement with Linebarger Goggan Blair & Sampson

Hi Vangie:

See the attached with revisions, if you have any questions, please call our office.

Thank you,  
Marynel

Stephen L. Crain & J. Joseph Vale  
**ATLAS, HALL & RODRIGUEZ, LLP**  
818 Pecan Blvd. (78501)  
P. O. Box 3725  
McAllen, Texas 78502

**B. ANY AND ALL REQUESTS FOR PAYMENT(S) APPROVED WILL BE SUBJECT TO COUNTY AUDITORS PROCESSING PROCEDURES INCLUDING AUTHORITY FOR COUNTY TREASURER TO ISSUE PAYMENT(S)/CHECK(S).**

A. Hidalgo County

1. AI-50632 Acceptance and approval of a refund check from Citibank [check # 4580001873-\$4,000.00] as a result of reconciliation of pending invoices/statements as part of an authorized advance approved by HCCC on 02-17-15 [Regular AI#48476] so as to lift a "suspension status" imposed by Citibank on credit card accounts at that time.
2. AI-50621 Recognition, acceptance and approval of donation of one turnkey solar light to be installed at the New Administration Building Parking Lot by Enviro-Lite Solutions, LLC, through USA Promlite, an awarded Buy Board contractor (#437-13) to Hidalgo County.

B. Pct. 1

1. AI-50719 Acceptance and approval of the following work authorizations as submitted by Millennium Engineers Group, Inc. amid Contract #C-14-309-09-09 for the provision of "Construction Materials Engineering and Testing Services" as follows:
  - A. Work Authorization No. 5 - Delta West Drainage Improvements Project in the amount of \$3,852.50 through assigned requisition #281638; and,
  - B. Work Authorization No. 6 - Tijerina Subdivision Improvements Project in the amount of \$4,593.50 through assigned requisition #281635.

C. Pct. 2

1. AI-50704 Approval of Supplemental Agreement No. 1 with L&G Consulting Engineers, Contract# C-15-046-03-03 for the removal of designation of Phase I and Phase II on Exhibit D of Work Authorization No. 2 for the Pct 2 Regional Linear Park Project.

D. Pct. 4

1. AI-50673 Acceptance and approval of "Certificate of Substantial Completion" submitted and certified by project architect, Mata Garcia Architects, LLP, reflecting the date of July 24th, 2015 by JCon Construction, LLC awarded contractor for the Hidalgo County Precinct No. 4 "Construction of the Linn - San Manuel Emergency Services Facility" (Contract No. C-14-067-06-03).

E. IT Department

1. AI-50730 Acceptance and approval of an Amendment between Tyler Technologies, Inc. and Hidalgo County under the current Maintenance and Support Service Agreement to continue agreement between both parties after the discontinuation of agreement with Texas Conference of Urban Counties.

F. Budget & Management

1. AI-50671 Approval of an Amendment [clarification] of current lease agreement between Hidalgo County and Linebarger Goggan Blair & Sampson, LLC for the rental of office space at the HC Tax Office Building in Elsa, Tx as to the effective date of lease and allocation of rental payments already received to coincide with occupancy of said space.

19.

**Closed Session:**

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:

**APPROVED**

**AI-50671**

**Purchasing Department 42. U. 1.**

**CC - REGULAR**

**Meeting Date: 08/04/2015**

**Submitted For: Sergio Cruz, BUDGET & MANAGEMENT**

**Submitted By: Marty Salazar, PURCHASING DEPT.**

**Department: BUDGET & MANAGEMENT**

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**Information**

**CAPTION**

Approval of an Amendment [clarification] of current lease agreement between Hidalgo County and Linebarger Goggan Blair & Sampson, LLC for the rental of office space at the HC Tax Office Building in Elsa, Tx as to the effective date of lease and allocation of rental payments already received to coincide with occupancy of said space.

**BACKGROUND**

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**Fiscal Impact**

**Attachments**

Amendment

Lease Information

Check Receipts

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**Form Review**

**Inbox**

**Reviewed By      Date**

Purchasing Department

Budget & Management

Auditor's Office

Form Started By: Marty Salazar

Started On: 07/29/2015 03:13 PM