

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

SECOND AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE COUNTY OF HIDALGO AND HIDALGO COUNTY IRRIGATION DISTRICT NO. 2, CONCERNING RIGHT OF WAY ACQUISITION OF RANCHO BLANCO ROAD (JAVELINA DRIVE)

This Amendment to Interlocal Cooperation Agreement by and between the County of Hidalgo and Hidalgo County Irrigation District No. 2 (the “Amendment”), effective the 7th day of May, 2020 is made between the County of Hidalgo (“County”) and the Hidalgo County Irrigation District No. 2 (“District”), pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WITNESSETH:

WHEREAS, by Interlocal Agreement dated April 4, 2019 County and District (“Agreement”) agreed to the purchase of property and the reconstruction of an irrigation pipeline within the Property for the extension of Rancho Blanco Road, and

WHEREAS, by First Amendment to Interlocal Agreement dated July 1, 2019 County and District (“First Amendment”) amended the agreement to correct a clerical error; and

WHEREAS, County and District now desire to amend the Agreement to change the name of the Road from Rancho Blanco Road to Javelina Drive and to allow the District to reconstruct the irrigation pipeline instead of the County at the County’s sole cost and expense; and

NOW, THEREFORE, for and in consideration of the mutual obligations of the parties and the parties other good and valuable consideration the receipt of which hereby acknowledged, the County and District hereby mutually agree to the following amendments to the Agreement:

1. County and District agree, the name of the road to be extended by the County has been renamed by the City of Pharr to Javelina Drive and is inserted into the agreement in lieu of Rancho Blanco Road.
2. The sixth WHEREAS clause is deleted in its entirety and the following is substituted in lieu thereof:

“WHEREAS, District agrees to convey the Property to County for the extension of Javelina Drive and retain an exclusive easement for District’s irrigation water pipeline upon completion of District’s construction of pipeline.”

3. Numbered paragraph 1 of the Agreement is deleted in its entirety and the following is substituted in lieu thereof:

“County and District agree, at County’s Sole cost and expense, that District shall construct the pipeline in accordance with Plans agreed upon by District.”

4. Numbered paragraph 2 of the agreement is deleted in its entirety and the following is substituted in lieu thereof:

“County agrees to pay a fixed lump sum in the amount of One Hundred and One Thousand, Three Hundred Five Dollars and Twenty Cents (\$101,305.20) to District, payable against written invoice submitted by District toward the reconstruction of the irrigation pipeline, in accordance with the Texas Prompt Payment Act.”

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

COUNTY OF HIDALGO

By: Richard F Cortez
Richard F. Cortez, County Judge

ATTEST:

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



APPROVED BY
COMMISSIONERS' COURT
ON: 11/21/2008

HIDALGO COUNTY IRRIGATION
DISTRICT NO. 2

By: Frank John Schuster

Frank John Schuster, President Board of
Directors

APPROVED AS TO FORM:

Hidalgo County District Attorney's Office
Ricardo Rodriguez, Jr.

By: Victor M. Garza
Victor M. Garza, Assistant District Attorney

Second Amendment to Interlocal Cooperation Agreement
by and between the County of Hidalgo and Hidalgo County
Irrigation District No. 2, concerning right of way acquisition
of Rancho Blanco Rd (Javelina Drive)