

STATE OF TEXAS     §  
COUNTY OF TRAVIS   §

**ADVANCE FUNDING AGREEMENT  
AMENDMENT #1**

**THIS AMENDMENT IS MADE BY AND BETWEEN** the State of Texas, acting through the Texas Department of Transportation, hereinafter called the State, and Williamson County, acting by and through its duly authorized officials, hereinafter called the Local Government.

**WITNESSETH**

**WHEREAS**, the State and the Local Government executed a contract on December 6, 2007, to effectuate their agreement to construct the extension of O'Connor Drive from RM 620 to SH 45 in Round Rock; and,

**WHEREAS**, the Local Government opted to not pursue the federal funding of the project;

**WHEREAS**, as a result of the lack of federal funding, the Local Government has requested to terminate the Agreement;

**NOW THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, the State and the Local Government do agree as follows:

**AGREEMENT**

**Article 1. Description of Amended Items**

In accordance with Article 2 of the Local Project Advance Funding Agreement and Article 3 of the Master Advance Funding Agreement, the original contract will terminate effective when signed by the last party whose signing makes this amendment fully executed and after an audit of the project costs is completed and funds are paid by the owing party.

**Article 2. Signatory Warranty**

The signatories to this amendment warrant that each has the authority to enter into this agreement on behalf of the organization they represent.

**IN WITNESS WHEREOF, THE STATE AND THE LOCAL GOVERNMENT** have executed duplicate counterparts to effectuate this agreement.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Name of Local Government  
By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Printed Name  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: \_\_\_\_\_  
Name  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Date



# Texas Department of Transportation

P.O. DRAWER 15426 • AUSTIN, TEXAS 78761-5426 • (512) 832-7000

March 25, 2010

Hays County  
CSJ: 0914-05-139  
O'Connor Road

The Honorable Dan A. Gattis  
Williamson County Judge  
710 Main Street, Suite 101  
Georgetown, Texas 78626

Dear Judge Gattis:

Enclosed are two originals of Amendment No. 1 to the Local Project Advance Funding Agreement executed December 6, 2007, for the above project to construct the extension of O'Connor Road from RM 620 to SH 45. The Amendment terminates the Agreement as requested by your letter of March 18, 2010.

Please sign, date and return both documents to this office for further execution. An executed Amendment will be returned to you for your records. Once executed the contract will be terminated effective after an audit of the project costs is completed and funds are paid by the owing party.

If you have any questions, please contact me at (512) 832-7050.

Sincerely,

Patricia L. Crews-Weight, P.E.  
Director of Design - AUS

## Attachments

cc: Lisa Birkman, Williamson County Commissioner, Precinct 1  
Cynthia Long, Williamson County Commissioner, Precinct 2  
Valerie Covey, Williamson County Commissioner, Precinct 3  
Ron Morrison, Williamson County Commissioner, Precinct 4  
Robert B. Daigh, P.E., Senior Director of Infrastructure  
Michael J. Weaver, Prime Strategies, Inc. ✓  
Richard Ridings, P.E., Inc.  
Mike Walker, District Environmental Coordinator, TxDOT