

SECOND AMENDMENT TO
POND SPRINGS ROAD
INTERLOCAL COOPERATION AGREEMENT
CITY OF AUSTIN AND WILLIAMSON COUNTY

This Amendment to Pond Springs Road Interlocal Cooperation Agreement is made and entered into by and between the City of Austin, Texas (the "City") and Williamson County, Texas (the "County"), hereinafter collectively referred to as the "Parties", upon the premises and for the consideration stated herein.

WHEREAS, the Parties entered into that certain Interlocal Cooperation Agreement dated March 27, 2009 (the "Agreement") for the development, construction, and funding of improvements to a portion of Pond Springs Road (the "Project"); and

WHEREAS, the Parties desire to further amend the Agreement to provide for the resolution of certain drainage issues on the Project; and

WHEREAS, the Parties intend to conform to this Agreement in all respects with the Interlocal Cooperation Act, Texas Government Code Section 791.001, et seq.;

NOW, THEREFORE, the Parties agree that the Agreement, as amended, is further amended as follows:

1. Jon Paulsen, the owner of property at 13216 Pond Springs Road, submitted a claim to the City for flooding damage allegedly caused by changed drainage conditions in connection with the construction of the road improvements by Williamson County.
2. The County agrees that it will be responsible, to the exclusion of any such responsibility of the City, for the present claim and any future claim of Jon Paulsen for flooding of the referenced property on Pond Springs Road.
3. Effect of Amendment. This Amendment amends the Agreement to the extent set forth herein. Otherwise, the Agreement is ratified approved and confirmed.
4. Effective Date. This Amendment takes effect upon the last date of due execution of the Agreement by the County and the City.
5. Current Funds. The party or parties paying for the performance of governmental functions or services shall make payments therefore from current revenues available to the paying party.

CITY OF AUSTIN, TEXAS

By: _____

Name: _____

Title: _____
Authorized Representative

Date: _____

Approved as to Form:

Assistant City Attorney

WILLIAMSON COUNTY, TEXAS

By:  _____

DAN A. GATTIS, County Judge

Date: 02-21-2017