

EXHIBIT "A"

**AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF
KELLER AND THE KELLER INDEPENDENT SCHOOL DISTRICT RELATING TO
THE LEASE, DESIGN, CONSTRUCTION, USE AND OPERATION
OF A NATATORIUM FACILITY LOCATED IN THE
KELLER TOWN CENTER REINVESTMENT ZONE NO. 1**

STATE OF TEXAS §

COUNTY OF TARRANT §

The Amendment to the Interlocal Agreement, hereinafter referred to as the "Amendment" is made on this the ___ day of _____, 2010, by and between the City of Keller, Texas, a home rule municipal corporation, hereinafter referred to as the "City" and the Keller Independent School District, an independent school district organized pursuant to the laws of the State of Texas, hereinafter referred to as the "District".

WITNESSETH:

WHEREAS, the City and the District entered into an interlocal agreement on March 12, 2001 in accordance with the provisions of Chapter 791, Texas Government Code, to provide for the lease, design, construction, use and operation of a natatorium facility located on City property and owned by the District within the Keller Town Center Reinvestment Zone No. 1 (the "Agreement"); and

WHEREAS, the City and the District desire to amend the Agreement relating to the lease, design, construction, use and operation of a natatorium facility located in the Keller Town Center Reinvestment Zone #1; and

WHEREAS, the district desires to expand the size of the current facility through an addition to be constructed entirely within the boundaries of the original lease area and funded by a voter approved Keller Independent School District bond program and not through the City of Keller Tax Increment Financing Reinvestment Zone #1.

NOW, THEREFORE, be it hereby mutually agreed by both parties hereto to enter into an Amendment No. 1 to the Agreement whereby an addition to the District natatorium will be constructed in accordance with the following terms and conditions:

I. REQUIREMENTS

A. The District agrees to:

1. Construct the proposed addition to the natatorium entirely within the boundaries of the original lease area.
2. Fund the cost for the construction of the proposed addition to the natatorium through a voter approved Keller Independent School District bond program and not through the City of Keller Tax Increment Financing Reinvestment Zone #1.
3. Seek and receive from the City approval of an amended site plan for the natatorium prior to commencing construction.
4. Construct the proposed addition to the natatorium in accordance with all Federal, State and local regulations pertaining to such.
5. All other terms and conditions in the Agreement not hereby amended shall remain unchanged and in full force and effect.

Executed this the ____ day of _____, 2010, in Keller, Tarrant County, Texas.

CITY OF KELLER, TEXAS

By: _____
Dan O'Leary, City Manager

ATTEST:

Sheila Stephens, City Secretary

KELLER INDEPENDENT SCHOOL DISTRICT

By: _____
President, Board of Trustees

ATTEST:

Secretary, Board of Trustees