

FIRST AMENDMENT
INTERLOCAL AGREEMENT
PROJECT DEVELOPMENT AGREEMENT FOR THE
DARRINGTON ROAD IMPROVEMENTS PROJECT

THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT (the “Amendment”) is made and entered into effective as of the ____ day of _____, 2023, by and between TOWN OF HORIZON CITY (the “Town”) and the CAMINO REAL REGIONAL MOBILITY AUTHORITY (“Authority”), (collectively, the “Parties”), for the purposes described herein.

WITNESSETH:

WHEREAS, the Town and Authority entered into an Interlocal Agreement – Project Development Agreement for the Darrington Road Improvements Project dated August 9, 2022 (the “Interlocal Agreement”), which provided funds from the Town to the Authority for the acquisition of certain right of way along or adjacent to Darrington Road that is necessary for the improvements of such road (the “Project”) located in El Paso County, which is within or adjacent to the Authority’s area of jurisdiction; and

WHEREAS, the Parties now desire to amend the Interlocal Agreement in order to revise the process by which the Town will provide funding to the Authority.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the undersigned Parties agree as follows:

1. Replacement of EXHIBIT “C”. The parties hereby agree to delete **EXHIBIT “C”** from the Interlocal Agreement in its entirety and replace it with **EXHIBIT “C-1”**, which is attached hereto and incorporated herein for all purposes.

2. Ratification. Except as expressly amended by this Amendment, the Interlocal Agreement and its exhibits shall remain in full force and effect.

3. Execution in Counterparts. This Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall be considered fully executed as of the date first written above, when both Parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart.

IN WITNESS WHEREOF, the Parties have executed and attested this Amendment by their officers thereunto duly authorized.

TOWN OF HORIZON CITY, TEXAS

By: _____

ATTEST:

By: _____

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

By: _____
Joyce A. Wilson
Chair

ATTEST:

By: _____
Dorothy M. (Sissy) Byrd
Board Secretary

EXHIBIT “C-1”

DARRINGTON ROAD IMPROVEMENTS PROJECT PROJECT BUDGET

DESCRIPTION	TOTAL ESTIMATED COST	AUTHORITY PAYS WITH TOWN FUNDS	AUTHORITY PAYS WITH OTHER FUNDS
ROW	\$ 1,296,406.10	\$ 1,296,406.10	\$ 0.00
UTILITY RELOCATION	\$ 0.00	\$ 0.00	\$ 0.00
PERMITS & SERVICES	\$ 0.00	\$ 0.00	\$ 0.00
ENGINEERING	\$ 0.00	\$ 0.00	\$ 0.00
CONSTRUCTION	\$ 0.00	\$ 0.00	\$ 0.00
MISCELLANEOUS	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL	\$ 1,296,406.10	\$ 1,296,406.10	\$ 0.00

NOTES:

1. The table above identifies anticipated uses by the Authority of available funds by category. However, the Authority is not limited in its use of funds by such categories and is expressly authorized to utilize funds from any category in the development of the Project, as needed; provided the Authority coordinates all such uses with the Town.
2. The Authority shall submit monthly invoices to the Town for acquisition services rendered by the Authority and its consultants, which shall be paid by the Town within thirty (30) days of receipt. Submittals shall also include status reports in a form and style agreed upon by the Town.
3. Upon negotiation of a sales price on one or more parcels, the Authority shall submit such information to the Town and request payment for all expenses associated with the acquisition of such parcel(s). The Town shall transfer the requested funds to the Authority in a timely fashion to avoid unnecessary delays in the acquisition of parcels.

[END OF EXHIBIT]