

**THIRD AMENDMENT TO PARKS AND GROUNDS
MAINTENANCE CONTRACT**

THIS THIRD AMENDMENT TO THE TO THE PARKS AND GROUNDS MAINTENANCE CONTRACT is made and entered into as of the ___ day of November 2024, by and between the **TOWN OF HORIZON CITY**, a municipal corporation organized and existing under the laws of the State of Texas, hereinafter referred to as the "**City**", and **ABESCAPE LANDSCAPING, LLC**, a Texas Limited Liability Corporation, hereinafter referred to as the "**Contractor**".

WHEREAS, on June 28, 2021, the City Council of the Town of Horizon City awarded RFP No. 2021-003PW-Parks and Grounds Maintenance Contract to Abescape Landscaping, LLC;

WHEREAS, on April 12, 2022, the Town of Horizon City Council approved a First Amendment to add three new parks and three new ponding areas to be maintained;

WHEREAS, the Town of Horizon City subsequently acquired a park, new ponding areas, and additional right-of-way that needed to be maintained;

WHEREAS, the Parties executed a Second Amendment to the Parks and Grounds Maintenance Contract to include the new park, ponding area, and right-of-way on May 9, 2023;

WHEREAS, the Town of Horizon City has acquired three additional ponding areas and additional right of way that also need maintenance; and

WHEREAS, the parties wish to further amend the Parks and Grounds Maintenance Contract to include the ponds and right of way described below.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. **PONDS.** The parties agree that the following ponding areas will be added to the list of ponding areas, Section D-1, to be maintained during the term of this Contract:

Ranchos Desierto Bello U-15 Phase I Pond (78,890 sq. ft.)

Pawling Dr. Pond (29,494.48 sq. ft.)

Horizon Towncenter U-4 pond (76,500 sq. ft.)

The Contractor acknowledges that these ponding areas will be maintained in accordance with the Scope of Work attached to the Contract.

Pond cleanup fee per pond -\$678.26/yr.

2. **RIGHT-OF-WAY.** The Parties agree that the following described areas of right-of way will be added to the areas to be maintained during the term of this Contract.
Pawling Dr. (0.25 miles)
Oxbow Dr. (0.21 miles)
Breux Dr. (0.22 miles)

3. **RATIFICATION.** All other terms and conditions of the Parks and Grounds Maintenance Contract, the First Amendment approved on April 11, 2022, and the Second Amendment approved on May 9, 2023, remain in full force and effect.

Signed and effective the ____ day of _____, 2024.

TOWN OF HORIZON CITY

By: _____
Andres Renteria, Mayor

ATTEST:

By: _____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

By: _____
Sylvia Borunda Firth
Assistant City Attorney

APPROVED AS TO CONTENT:

By: _____
Albert Valle, CFM
Public Works Director

CONTRACTOR:
ABESCAPE LANDSCAPING, LLC

By: _____
Abraham Herrera
Owner