

THE STATE OF TEXAS           §  
  §  
COUNTY OF DENTON           §

**AMENDMENT NO. 1 TO INTERLOCAL COOPERATION AGREEMENT BETWEEN  
DENTON COUNTY, TEXAS, AND THE TOWN OF DOUBLE OAK, TEXAS**

**THIS AMENDMENT NO. 1** to the Interlocal Cooperation Agreement is made and entered into by and between Denton County, Texas, hereinafter “the County,” and the Town of Double Oak, Texas, hereinafter “the Town.” The County and the Town are collectively referred to herein as “the Parties.” On December 29, 2009, the Parties entered into an Interlocal Cooperation Agreement under Denton County Commissioner Court Order Number 09-0967, hereinafter “the original Agreement,” for purposes of the procuring Professional Design Services for reconstructing Waketon Road from a 2-lane roadway to a 2-lane concrete roadway from Cross Timbers Road east to Chinn Chapel Road within the corporate limits of the Town and Denton County Commissioner Precinct #4, hereinafter “the Project,” at a total estimated Project cost not to exceed ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED THIRTY-SEVEN AND 40/100 DOLLARS (\$192,237.40).

**WHEREAS**, under the original Agreement, the County and the Town agreed the County would contribute an amount which should not exceed ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED THIRTY-SEVEN AND 40/100 DOLLARS (\$192,237.40) toward satisfactory completion of the Project; and

**WHEREAS**, the Parties to the original Agreement now intend to amend the original Agreement in order to reflect a change in the Project description and an increase in the County’s contribution; and

**NOW, THEREFORE**, the County and the Town for the mutual covenants and agreements contained in the original Agreement and as contained herein, and for the other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agree to amend Section III of the original Agreement to reflect the change in the Project description and an increase in the County’s contribution. All other terms and conditions of the original Agreement are hereby affirmed by the Parties. The amended portion of the original Agreement is as follows:

**AMENDED SECTION III.**

The County and the Town hereby agree that the scope of the Project shall consist of providing for the design, construction, right-of-way acquisition, and drainage improvements for a 3-lane, undivided roadway (2-lane with center turn-lane) on Waketon Road from Cross Timbers Road east to Chinn Chapel Road. The County agrees to contribute an amount which shall not exceed TWO MILLION NINE HUNDRED SIXTY-SIX THOUSAND NINE HUNDRED FOUR AND 87/100 DOLLARS (\$2,966,904.87), provided that any and all funding is approved by formal action of the Denton County Commissioners Court.

This Amendment to the original Agreement shall replace and superseded Section III of the original Agreement between the Parties. **All other provisions of the original Agreement shall remain in full force and effect unless modified by subsequent written amendment signed by both of the Parties to the original Agreement.**

This Agreement may be executed in multiple counterparts, attached to the original Agreement, and shall collectively constitute an Amendment to the original Agreement. All other terms and conditions of the original Agreement are hereby affirmed by the Parties.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**DENTON COUNTY, TEXAS**

110 West Hickory  
Denton, Texas 76201

**TOWN OF DOUBLE OAK, TEXAS**

151 W. Church Street  
Double Oak, Texas 75057

\_\_\_\_\_  
Honorable Mary Horn  
Denton County Judge  
Acting by and on behalf of the  
Denton County Commissioners Court

\_\_\_\_\_  
Honorable Mike Donnelly  
Mayor for Town of Double Oak  
Acting by and on behalf of the  
Town of Double Oak, Texas

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

Attest:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Town Secretary

Approved as to form:

Approved as to form:

\_\_\_\_\_  
Assistant District Attorney

\_\_\_\_\_  
Town Attorney

**AUDITOR'S CERTIFICATE**

I hereby certify funds are available in the amount of TWO MILLION NINE HUNDRED SIXTY-SIX THOUSAND NINE HUNDRED FOUR and 87/100 DOLLARS (\$2,966,904.87), to accomplish and pay the obligation of Denton County, Texas under this Agreement.

\_\_\_\_\_  
James Wells, County Auditor

**APPROVAL OF AMENDEMENT NO. 1 TO INTERLOCAL COOPERATION AGREEMENT  
PROJECT BETWEEN DENTON COUNTY, TEXAS, AND THE TOWN OF  
DOUBLE OAK, TEXAS**

Denton County, Texas, acting by and through the Denton County Commissioners Court, having been advised of the Project, hereby agrees to amend Section III of the Interlocal Cooperation Agreement which was approved on December 29, 2009, under Denton County Commissioners Court Order Number 09-0967. The Amendment to the original Agreement is necessary to reflect a change to the project description for the design, construction, right-of-way acquisition, and drainage improvements for a 3-lane undivided roadway (2-lane with center turn lane) on Waketon Road from Cross Timbers Road east to Chinn Chapel Road within the corporate limits of the Town and located in Denton County Commissioner Precinct #4. The amendment also reflects an increase in the County's contribution toward satisfactory completion of the Project to an amount which shall not exceed TWO MILLION NINE HUNDRED SIXTY-SIX THOUSAND NINE HUNDRED FOUR AND 87/100 DOLLARS (\$2,966,904.87).

**All other terms and conditions and provisions of the original Agreement are hereby affirmed by the Parties and shall remain in full force and effect unless modified by a subsequent written amendment signed by all of the Parties to the original Agreement.**

Denton County, Texas, hereby gives its specific written approval of the Parties prior to beginning the Project in satisfaction of the requirements of the Interlocal Cooperation Act, Texas Government Code Chapter 791.

By vote on this date, the Denton County Commissioners Court has approved the Project identified above and authorized execution of this document by the presiding officer of the Denton County Commissioners Court.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Presiding Officer of the Denton  
County Commissioners Court