

FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT REGARDING THE
MAINTENANCE OF PUBLIC RIGHTS-OF-WAY BETWEEN THE CITY OF COMMERCE CITY
AND THE COUNTY OF ADAMS

THIS FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (the "First Amendment") is made this ____ day of _____ 2012, by and between the Board of County Commissioners of Adams County Colorado ("County") and the City of Commerce City ("City").

WHEREAS, on December 9, 2011, the parties entered into that certain Intergovernmental Agreement Regarding the Maintenance of Public Rights-of-Way between the City of Commerce City and the County of Adams (the "IGA"), which allocated maintenance responsibilities of certain public rights-of-way described in the IGA; and,

WHEREAS, the term of the IGA ends in December 2012; and,

WHEREAS, the parties wish to amend the language in Section 6 of the IGA to allow the IGA to renew automatically on an annual basis.

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties, the sufficiency of which is expressly acknowledged, the parties agree to amend the IGA as follows:

1. Section 6 of the IGA is hereby amended to read as follows:

The initial term of this IGA shall be one (1) year from the date of execution. This IGA shall thereafter automatically renew for successive one-year terms until terminated as provided herein. Either party may terminate this IGA upon thirty days written notice. Amendments or revisions may be made to this IGA in writing by mutual consent, from time to time, as annexations or de-annexations take place.

2. Except as expressly modified by this First Amendment, the terms and conditions of the IGA shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused their names to be affixed hereto.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO

Chair

Date

ATTEST
KAREN LONG
CLERK AND RECORDER

APPROVED AS TO FORM:

Deputy Clerk

Adams County Attorney's Office

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk

Approved as to form:

Gregory D. Graham, Assistant City Attorney

Recommended for approval:

Daren A. Sterling, Interim Director
Department of Public Works