

County Harris  
District Houston  
ROW CSJ # 0050-06-077  
CCSJ # 0050-06-080  
Federal Project # \_\_\_\_\_  
CFDA Title: Highway Planning & Construction  
CFDA # 20.205  
Federal Highway Administration  
Not Research and Development

STATE OF TEXAS       §

COUNTY OF TRAVIS     §

**AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS  
SUPPLEMENTAL AGREEMENT # 1**

**THIS SUPPLEMENTAL AGREEMENT** is made by and between the State of Texas, acting through the Texas Department of Transportation (the “State”), and Harris County, Texas (the “Local Government”), acting by and through its duly authorized officials.

**WITNESSETH**

**WHEREAS**, the State and Local Government executed an agreement on February 7, 2013 to contribute funds for the acquisition of right of way and adjustment of utilities necessary for highway improvements on Highway No. US 290 from W of Mason to East of Mueschke; and

**WHEREAS**, it has become necessary to amend that agreement; and

**WHEREAS**, the Governing Body of the Local Government has approved entering into this supplemental agreement by resolution or ordinance dated \_\_\_\_\_, 20\_\_, which is attached to and made a part of this supplemental agreement as Attachment A;

**NOW THEREFORE** the State and the Local Government do agree as follows:

**AGREEMENT**

**1. Description of Amended Items**

(A) To update the contractual agreement from the Agreement to Contribute Right of Way Funds to the Agreement to Contribute Right of Way Funds – (Fixed Price) to reflect the final participation of Harris County that is recorded in Attachment C.

(B) The Local Government project contribution amount is amended to be set at the fixed total sum of \$305,000.00

(C) The Agreement is further amended to remove any obligation from the Local Government to contribute any additional funds above or beyond the fixed sum of \$305,000.00.

(D) The Local Government acknowledges that the fixed sum of \$305,000.00 represents the final determination of the Local Government’s contribution and the sum does not include any excess payments to the refund provision of the agreement.

County Harris  
District Houston  
ROW CSJ # 0050-06-077  
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Federal Highway Administration  
Not Research and Development

All other provisions of the original agreement are unchanged and remain in full force and effect.

## 2. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this amendment on behalf of the entity represented.

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

### THE LOCAL GOVERNMENT

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

### THE STATE OF TEXAS

\_\_\_\_\_  
Rose Wheeler  
Contracts & Finance Director  
Right of Way Division  
Texas Department of Transportation

\_\_\_\_\_  
Date

### APPROVED AS TO FORM:

CHRISTIAN D. MENEFE  
COUNTY ATTORNEY

DocuSigned by:  
  
0B97D5E185374E3...  
Marcy Linebarger  
Senior Assistant County Attorney  
25GEN1687

County Harris  
District Houston  
ROW CSJ # 0050-06-077  
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Federal Project # \_\_\_\_\_  
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**ATTACHMENT A**  
**RESOLUTION OR ORDINANCE**



STATE OF TEXAS §

COUNTY OF TRAVIS §

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**THIS SUPPLEMENTAL AGREEMENT** is made by and between the State of Texas, acting through the Texas Department of Transportation (the “State”), and Harris County, Texas (the “Local Government”), acting by and through its duly authorized officials.

**WITNESSETH**

**WHEREAS**, the State and Local Government executed an agreement on February 7, 2013 to contribute funds for the acquisition of right of way and adjustment of utilities necessary for highway improvements on Highway No. US 290 from W of Eldridge to W of FM 529; and

**WHEREAS**, it has become necessary to amend that agreement; and

**WHEREAS**, the Governing Body of the Local Government has approved entering into this supplemental agreement by resolution or ordinance dated \_\_\_\_\_, 20\_\_, which is attached to and made a part of this supplemental agreement as Attachment A;

**NOW THEREFORE** the State and the Local Government do agree as follows:

**AGREEMENT**

**1. Description of Amended Items**

(A) To update the contractual agreement from the Agreement to Contribute Right of Way Funds to the Agreement to Contribute Right of Way Funds – (Fixed Price) to reflect the final participation of Harris County that is recorded in Attachment C.

(B) The Local Government project contribution amount is amended to be set at the fixed total sum of \$2,155,000.00

(C) The Agreement is further amended to remove any obligation from the Local Government to contribute any additional funds above or beyond the fixed sum of \$2,155,000.00.

(D) The Local Government acknowledges that the fixed sum of \$2,155,000.00 represents the final determination of the Local Government’s contribution and the sum does not include any excess payments to the refund provision of the agreement.

All other provisions of the original agreement are unchanged and remain in full force and effect.

2. **Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this amendment on behalf of the entity represented.

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

\_\_\_\_\_  
Rose Wheeler  
Contracts & Finance Director  
Right of Way Division  
Texas Department of Transportation

\_\_\_\_\_  
Date

APPROVED AS TO FORM:  
CHRISTIAN D. MENESEE  
DocuSigned by: MEY  
*Marcy Linebarger* \_\_\_\_\_  
0B97D5E185374E3...  
ivadiy Linebarger  
Senior Assistant County Attorney  
25GEN1688

**ATTACHMENT A**  
**RESOLUTION OR ORDINANCE**

STATE OF TEXAS §

COUNTY OF TRAVIS §

**AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS  
SUPPLEMENTAL AGREEMENT # 1**

**THIS SUPPLEMENTAL AGREEMENT** is made by and between the State of Texas, acting through the Texas Department of Transportation (the “State”), and Harris County, Texas (the “Local Government”), acting by and through its duly authorized officials.

**WITNESSETH**

**WHEREAS**, the State and Local Government executed an agreement on May 29, 2012 to contribute funds for the acquisition of right of way and adjustment of utilities necessary for highway improvements on Highway No. US 290 from W. of FM 529 to E. of Little York ; and

**WHEREAS**, it has become necessary to amend that agreement; and

**WHEREAS**, the Governing Body of the Local Government has approved entering into this supplemental agreement by resolution or ordinance dated \_\_\_\_\_, 20\_\_, which is attached to and made a part of this supplemental agreement as Attachment A;

**NOW THEREFORE** the State and the Local Government do agree as follows:

**AGREEMENT**

**1. Description of Amended Items**

(A) To update the contractual agreement from the Agreement to Contribute Right of Way Funds to the Agreement to Contribute Right of Way Funds – (Fixed Price) to reflect the final participation of Harris County that is recorded in Attachment C.

(B) The Local Government project contribution amount is amended to be set at the fixed total sum of \$4,562,500.00

(C) The Agreement is further amended to remove any obligation from the Local Government to contribute any additional funds above or beyond the fixed sum of \$4,562,500.00

(D) The Local Government acknowledges that the fixed sum of \$4,562,500.00 represents the final determination of the Local Government’s contribution and the sum does not include any excess payments to the refund provision of the agreement.



All other provisions of the original agreement are unchanged and remain in full force and effect.

2. **Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this amendment on behalf of the entity represented.

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

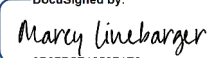
\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

\_\_\_\_\_  
Rose Wheeler  
Contracts & Finance Director  
Right of Way Division  
Texas Department of Transportation

\_\_\_\_\_  
Date

**APPROVED AS TO FORM**  
**CHRISTIAN D. MENELEE**  
**COUNTY ATTORNEY**  
DocuSigned by:  
  
0B97D5E185374E3  
**Marcy Linebarger**  
**Senior Assistant County Attorney**  
**25GEN1689**

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**WITNESSETH**

**WHEREAS**, the State and Local Government executed an agreement on May 29, 2012 to contribute funds for the acquisition of right of way and adjustment of utilities necessary for highway improvements on Highway No. US 290 from FM 529 to Little York - 1; and

**WHEREAS**, it has become necessary to amend that agreement; and

**WHEREAS**, the Governing Body of the Local Government has approved entering into this supplemental agreement by resolution or ordinance dated \_\_\_\_\_, 20\_\_, which is attached to and made a part of this supplemental agreement as Attachment A;

**NOW THEREFORE** the State and the Local Government do agree as follows:

**AGREEMENT**

**1. Description of Amended Items**

(A) To update the contractual agreement from the Agreement to Contribute Right of Way Funds to the Agreement to Contribute Right of Way Funds – (Fixed Price) to reflect the final participation of Harris County that is recorded in Attachment C.

(B) The Local Government project contribution amount is amended to be set at the fixed total sum of \$1,024,000.00

(C) The Agreement is further amended to remove any obligation from the Local Government to contribute any additional funds above or beyond the fixed sum of \$1,024,000.00

(D) The Local Government acknowledges that the fixed sum of \$1,024,000.00 represents the final determination of the Local Government’s contribution and the sum does not include any excess payments to the refund provision of the agreement.

All other provisions of the original agreement are unchanged and remain in full force and effect.

2. **Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this amendment on behalf of the entity represented.

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

\_\_\_\_\_  
Rose Wheeler  
Contracts & Finance Director  
Right of Way Division  
Texas Department of Transportation

\_\_\_\_\_  
Date

**APPROVED AS TO FORM**  
**CHRISTIAN D. MENELEE**  
**COUNTY ATTORNEY**  
DocuSigned by:  
*Marcy Linebarger*  
0B97D5E185374E3...  
\_\_\_\_\_  
Marcy Linebarger  
Senior Assistant County Attorney  
25GEN1690

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STATE OF TEXAS §

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**AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS  
SUPPLEMENTAL AGREEMENT # 1**

**THIS SUPPLEMENTAL AGREEMENT** is made by and between the State of Texas, acting through the Texas Department of Transportation (the “State”), and Harris County, Texas (the “Local Government”), acting by and through its duly authorized officials.

**WITNESSETH**

**WHEREAS**, the State and Local Government executed an agreement on May 29, 2012 to contribute funds for the acquisition of right of way and adjustment of utilities necessary for highway improvements on Highway No. BW 8 from West Little York to N of US 290; and

**WHEREAS**, it has become necessary to amend that agreement; and

**WHEREAS**, the Governing Body of the Local Government has approved entering into this supplemental agreement by resolution or ordinance dated \_\_\_\_\_, 20\_\_, which is attached to and made a part of this supplemental agreement as Attachment A;

**NOW THEREFORE** the State and the Local Government do agree as follows:

**AGREEMENT**

**1. Description of Amended Items**

(A) To update the contractual agreement from the Agreement to Contribute Right of Way Funds to the Agreement to Contribute Right of Way Funds – (Fixed Price) to reflect the final participation of Harris County that is recorded in Attachment C.

(B) The Local Government project contribution amount is amended to be set at the fixed total sum of \$1,342,500.00

(C) The Agreement is further amended to remove any obligation from the Local Government to contribute any additional funds above or beyond the fixed sum of \$1,342,500.00

(D) The Local Government acknowledges that the fixed sum of \$1,342,500.00 represents the final determination of the Local Government’s contribution and the sum does not include any excess payments to the refund provision of the agreement.

All other provisions of the original agreement are unchanged and remain in full force and effect.

2. **Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this amendment on behalf of the entity represented.

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

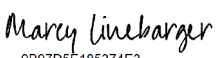
\_\_\_\_\_  
Date

THE STATE OF TEXAS

\_\_\_\_\_  
Rose Wheeler  
Contracts & Finance Director  
Right of Way Division  
Texas Department of Transportation

\_\_\_\_\_  
Date

**APPROVED AS TO FORM**  
CHRISTIAN D. MENESEE  
COUNTY ATTORNEY

DocuSigned by:  
  
0B97D5E185374E3  
Marcy Linebarger  
Senior Assistant County Attorney  
25GEN1691



**ATTACHMENT A**  
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