A CONTRACT NO. 80-424

SB-983-915

AMENDMENT
TO
INTERGOVERNMENTAL AGREEMENT

This amendment is made this 16th day of July, 1980, by and between the STATE OF ARIZONA, acting by and through its Department of Transportation, hereinafter called "STATE," and the COUNTY OF YUMA, hereinafter called "COUNTY," for the purpose of amending that certain Intergovernmental Agreement dated October 29, 1979, between the parties hereto. This Amendment is necessary to revise the sums to be contributed by STATE in carrying out the terms of said agreement and to add a second bridge, in accordance with Arizona Laws 1980, Chapter 193 (S.B. 1163).

THEREFORE, it is agreed that

1. The previous Intergovernmental Agreement shall remain in full force and effect with the exceptions of (a) the maximum amount to be applied to the bridge site as set forth in paragraph 6a, (b) the addition of paragraph 6b, and (c) the maximum amount of STATE's contribution for construction as set forth in paragraph 7. The amendment of said provisions shall be as follows:

   (a) The maximum amount to be applied to the bridge site in said paragraph 6a is hereby changed from $375,000.00 to $562,500.00.

   (b) Paragraph 6b is hereby added as follows:

   6b. County Avenue 64E over the Gila River, $656,250.00.

   (c) The maximum amount of STATE's contribution for construction as set forth in said paragraph 7 is changed from $375,000.00 to $1,218,750.00.

2. This amendment shall be made a part of and an attachment to said previous agreement dated October 29, 1979.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

By _____
Acting State Engineer

YUMA COUNTY, ARIZONA

By Marion Beaver

Title _____

ATTEST:

CLERK OF BOARD OF SUPERVISORS

CM:df
5-28-80

NO 5893
FILED WITH SECRETARY OF STATE
Date Filed 7-21-80
Secretary of State

S.B. 983-915

A.G. CONTRACT NO. 81-344

AMENDMENT
TO
INTERGOVERNMENTAL AGREEMENT

THIS AMENDMENT is made June 16, 1981, by and between the STATE OF ARIZONA, acting by and through its Department of Transportation (the "State"), and the COUNTY OF YUMA (the "County"), for the purpose of amending that certain Intergovernmental Agreement dated October 29, 1979, and as amended July 16, 1980, between the parties hereto. This Amendment is necessary to revise the County's degree of contribution in carrying out the terms of said amended agreement, in accordance with Arizona Laws 1981, Chapter 215 (H.B. 2034).

THEREFORE, it is agreed:

1. The previous Intergovernmental Agreement, as amended, shall remain in full force and effect with the exception of the provision relating to the 25% matching funds to be contributed by the County, as set forth in paragraph 7. The amendment of said paragraph 7 shall be as follows:

   7.a. Provide matching funds of at least 25% of the cost of the bridge at County Avenue 38E only. It is understood that State's contribution for construction of the bridge at County Avenue 38E shall not exceed $562,500.00, and that should said amount not cover 75% of the costs of the bridge at County Avenue 38E, County shall pay any amount needed in excess of and in addition to the 25% set out herein in order to assure the completion of the bridge.

   7.b. It is further understood that State's contribution for construction of the bridge at County Avenue 64E shall not exceed $656,250.00 and that should said amount not cover the costs of said bridge, County shall pay any additional amount needed in order to assure the completion of the bridge.

2. This amendment shall be made a part of and an attachment to said previous agreement dated October 29, 1979.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

By _____
J. B. Mertz
Chief Deputy State Engineer

YUMA COUNTY, ARIZONA

By _____
Title Yuma County Board of Supervisors

ATTEST:

_____
Clerk, Board of Supervisors

Cl:df

NO. 5893
FILED WITH SECRETARY OF STATE
Date Filed 6/16/81
_____
Secretary of State

RESOLUTION

BE IT RESOLVED on this 16th day of May, 1980, that I, W. A. Ordway, Director of the Arizona Department of Transportation, have determined that it is in the best interests of the Arizona Department of Transportation by and through its Highways Division to enter into an amendment of that intergovernmental agreement dated October 29, 1979, with Yuma County to include additional funds allocated from the State general fund by Arizona Laws 1980, Chapter 193 (S.B. 1163), Section 2.

THEREFORE, authorization is hereby given to draft an amendment for said purpose which, upon completion, shall be returned for approval and execution by the Chief Deputy State Engineer on behalf of the Department.

W. A. Ordway

W. A. Ordway, Director
ARIZONA DEPARTMENT OF TRANSPORTATION

OFFICE OF THE COUNTY ATTORNEY
168 S. Second Avenue
Post Office Box 1048
Yuma, Arizona 85364
782-4534, Ext. 55
782-2776
782-7541

County Attorney

David S. Ellsworth

YUMA COUNTY ATTORNEY

AMENDMENT TO INTERGOVERNMENTAL

BRIDGE AGREEMENT SB-983-915

DETERMINATION

The Arizona Departmemt of Transportation agent for the State of Arizona Contract to which this letter is attached is an amended agreement between the State of Arizona and the County of Yuma. It has been reviewed pursuant to A.R.S. §11-952 by the undersigned. The agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

Dated this 16th day of June, 1980.

YUMA COUNTY ATTORNEY

David S. Ellsworth

David S. Ellsworth
County Attorney

OFFICE OF THE
Attorney General
1801 WEST JEFFERSON STREET
FOURTH FLOOR
PHOENIX, ARIZONA 85007

ROBERT K. CORBIN
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. 80-474, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 15th day of July, 1980.

ROBERT K. CORBIN
Attorney General

James R. Relphorde

Assistant Attorney General
Transportation Division