Amendment 4
AG # 78-620

KR92-2345 TRN

EXHIBIT "C"

LETTER ADDENDUM

In accordance with paragraph 6 of the Agreement, AG 78-620, Secretary of State #4809 dated October 16, 1978, for the operation and maintenance of traffic signals and/or highway lighting between the **STATE OF ARIZONA** and the **CITY OF NOGALES**, it is agreed by both parties that the following location be added to the existing list of intersections to be operated and maintained as set forth in said Agreement:

SR 189 At Mastick Way (Mariposa West Development), MP 3.57

CITY OF NOGALES

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

BY: Roger L. Hatter
State Traffic Engineer

DATE: Sept 11, 1992

CITY OF NOGALES

BY: Mary P. Macias

DATE: August 26, 1992

TITLE: Mayor, City of Nogales

ATTEST: Earl W. S

City Clerk

#4

MAINTENANCE - TRAFFIC SIGNALS

SR 189 at Mastick Way MP 3.57

CITY OF NOGALES

RESOLUTION

BE IT RESOLVED, on this 23 day of Dec., 1991, that I, CHARLES E. COWAN, Director, ARIZONA DEPARTMENT OF TRANSPORTATION, have determined that it is in the best interest of the State of Arizona, that the ARIZONA DEPARTMENT OF TRANSPORTATION, acting by and through the Highways Division, enter into a Letter Addendum to the Maintenance Intergovernmental Agreement with the CITY OF NOGALES for the maintenance and operation of traffic signals and/or highway lighting. This Letter Addendum adds new signals to Maintenance Intergovernmental Agreement AG #78-620, Secretary of State #4809, filed with the Secretary of State October 16, 1978. THEREFORE, authorization is hereby given to draft said Agreement which, upon completion, shall be submitted for approval and execution by the State Traffic Engineer.

Roy Ellis

for CHARLES E. COWAN, DIRECTOR
ARIZONA DEPARTMENT OF TRANSPORTATION

EXHIBIT "A"

RESOLUTION NO. 92-08-47

RESOLUTION AUTHORIZING THE AMENDMENT OF MAINTENANCE INTERGOVERNMENTAL AGREEMENT AG #78-620, SECRETARY OF STATE #4809, DATED OCTOBER 16, 1978, BETWEEN THE STATE OF ARIZONA AND THE CITY OF NOGALES TO ADD TRAFFIC SIGNALS ON SR 189 AT MASTICK WAY (MARIPOSA WEST DEVELOPMENT) AT MILEPOST 3.57; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT AS AMENDED

WHEREAS, it has been determined that it is in the best interests of the State of Arizona and the City of Nogales that new traffic signals be added on SR 189 at Mastick Way (Mariposa West Development) at Milepost 3.57; and

WHEREAS, the City of Nogales and the Arizona Department of Transportation have previously entered into Maintenance Intergovernmental Agreement AG #78-620, Secretary of State #4809, for the maintenance and operation of traffic signals and/or highway lighting; and

WHEREAS, said Maintenance Intergovernmental Agreement was executed and filed with the Secretary of State #4809, on October 16, 1978; and

WHEREAS, in order to have the authority to add the new traffic signals on SR 189, it is necessary to amend said Maintenance Intergovernmental Agreement #78-620,

THEREFORE, BE IT RESOLVED that the existing Maintenance Intergovernmental Agreement AG #78-620, Secretary of State #4809, between the Arizona Department of Transportation and the City of Nogales be amended to add new traffic signals on SR 189 at Mastick Way (Mariposa West Development) at Milepost 3.57, and that Mary P. Macias, Mayor of the City of Nogales, be, and is hereby, authorized to execute any and all documents necessary to effectuate the purposes of Maintenance Intergovernmental Agreement AG #78-620, Secretary of State #4809, as amended.

PASSED AND ADOPTED this 26th day of August, 1992.

APPROVED this 26th day of August, 1992.

Mary P. Macias
Mayor

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

EXHIBIT "B"

APPROVAL OF THE ATTORNEY

I hereby state that I have reviewed the proposed Letter Addendum to the Maintenance Intergovernmental Agreement between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION and the CITY OF NOGALES and declare the Letter Addendum to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 26 day of August, 1992.

THE CITY OF NOGALES

BY: _____

City Attorney

STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS
ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007

MAIN PHONE : 542-5025
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR92-2345-TRN, 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 the proper form and is within the powers and authority granted to 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 22 day of October, 1992.

GRANT WOODS
Attorney General

JOE ACOSTA, JR.
Assistant Attorney General
Transportation Section

NO. 4809
FILED WITH SECRETARY OF STATE
Date Filed 11/10/92
Richard Mahoney
Secretary of State
By Vicky V. Greenewalt