

STATE OF TEXAS       §

COUNTY OF TARRANT §

**AMENDMENT TO THE INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF COLLEYVILLE AND THE CITY  
OF EULESS, TEXAS, FOR THE CONSTRUCTION OF  
HERITAGE AVENUE IMPROVEMENTS BETWEEN  
CHEEK-SPARGER AND GLADE ROAD.**

This Amendment to the Interlocal Agreement (the "Agreement") for the construction of paving, drainage, traffic signalization, street lighting and landscaping improvements on Heritage Avenue is made and entered into by and between the City of Colleyville, Texas, a municipal corporation located in Tarrant County, Texas, ("Colleyville") and the City of Euless, Texas, a municipal corporation located in Tarrant County, Texas, ("Euless").

**PREAMBLE**

WHEREAS, Colleyville and Euless executed an Interlocal Agreement for Heritage Avenue improvements dated April 2, 2008, and amended on July 7, 2009; and

WHEREAS, the "Agreement" Section II. OBLIGATIONS OF THE PARTIES, Paragraph (6) as amended, anticipated completion of the Heritage Avenue improvements by Glade 121, L.P. prior to August 31, 2010; and

WHEREAS, economic conditions continue to cause a delay in the private development associated with the Heritage Avenue improvements; and

WHEREAS, the Heritage Avenue improvements will not be completed prior to August 31, 2010; and

WHEREAS, Colleyville and Euless mutually desire to again amend Paragraph (6) of Section II, OBLIGATIONS OF THE PARTIES of the "Agreement" to establish an anticipated date for the Heritage Avenue improvements.

**AGREEMENT**

NOW, THEREFORE, for and in consideration of the mutual covenants, terms and conditions set forth herein, and the mutual benefits to each party, the receipt and sufficiency of which are hereby acknowledged, Colleyville and Euless hereby agree to amend the Interlocal Agreement between the City of Colleyville and the City of Euless dated April 2, 2008, and amended July 7, 2009, as follows:

1. Paragraph (6) of Section II. OBLIGATIONS OF THE PARTIES is hereby deleted and replaced by the following:
  6. The Heritage Avenue improvements are anticipated to be completed on the behalf of Euless by Glade 121, L.P. in conjunction with the construction of the Glade Parks Development in Euless. The City of Euless may utilize other alternative financing mechanisms for the installation of public infrastructure to serve the Glade Parks Development including a portion of Heritage Avenue extending to Red River Drive (approximately 1730 feet from Glade Road). Depending upon the economic conditions, this portion of Heritage Avenue shall commence construction on or before December 31, 2012. Euless and Colleyville may agree to amend or extend this Interlocal Agreement as necessary.
2. All other provisions of the Interlocal Agreement between the City of Colleyville and the City of Euless dated April 2, 2008, and amended July 7, 2009, are not changed and remain in effect.

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**City of Colleyville, Texas**

By: \_\_\_\_\_

Mayor  
City of Colleyville

(Seal)

ATTEST: \_\_\_\_\_

City Secretary  
City of Colleyville

APPROVED AS TO FORM:

By: \_\_\_\_\_  
City Attorney  
City of Colleyville

**City of Euless, Texas**

By: \_\_\_\_\_  
Mary Lib Saleh  
Mayor  
City of Euless

(Seal)

ATTEST: \_\_\_\_\_  
Susan Crim, TRMC  
City Secretary  
City of Euless

APPROVED AS TO FORM:

By: \_\_\_\_\_  
City Attorney  
City of Euless