

**SECOND AMENDMENT TO CAPITAL IMPROVEMENTS AGREEMENT  
(Jenks Public Park and Parking Project)**

THIS SECOND AMENDMENT TO CAPITAL IMPROVEMENTS AGREEMENT (this "Amendment") is entered into as of \_\_\_\_\_, 2018, by and between the BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA (the "Board") and the CITY OF JENKS, OKLAHOMA, a municipal corporation (the "Contracting Party").

**WITNESSETH:**

WHEREAS, the Board and the Contracting Party have heretofore entered into that certain Capital Improvements Agreement (the "Agreement"), dated April 4, 2016; as amended by Amendment to Capital Improvements Agreement dated October 23, 2016 and

WHEREAS, the Board and the Contracting Party now desire to amend the Agreement.

NOW, THEREFORE, for and in consideration of the premises, the Board and the Contracting Party hereby agree as follows:

1. The words and terms not expressly defined herein and used herein with initial capitalization where rules of grammar do not otherwise require capitalization shall have the meanings set forth in the Agreement.

2. Exhibit "A" attached to the Agreement is hereby amended and restated in its entirety as follows:

"Construction of the following improvements located in Jenks, Oklahoma:

- A. Park at 220 E. "A" Street that includes a stage, green space, public restrooms, bike racks and approximately 32 public parking spaces;
- B. Public parking at 312 E. "B" Street providing approximately 15 parking spaces;
- C. Public parking lot at 110 W. "A" Street that provides approximately 50 parking spaces; and
- D. The above locations and at the alley north of Main Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets, which includes installation of

removable bollards, lighting improvement, pavement improvements, sidewalk installation and upgrades and landscaping.

- E. Roadway improvements to the alley north of Main Street between 1<sup>st</sup> Street and 2<sup>nd</sup> Street and installation of curb and gutter to connect to the Downtown Commons Park”

3. The Board and the Contracting Party acknowledge and agree that the Agreement, as amended hereby, is in full force and effect and is hereby ratified and confirmed.

4. This Amendment may be executed in as many counterparts as may be required and all counterparts shall collectively constitute a single instrument. An executed copy of this Amendment delivered by facsimile shall have the effect of an original executed instrument.

EXECUTED as of the date first set out above.

ATTEST:

“Contracting Party”

\_\_\_\_\_  
City Clerk

**CITY OF JENKS, OKLAHOMA**

APPROVED AS TO FORM:

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

\_\_\_\_\_  
City Attorney

“Board”

**BOARD OF COUNTY COMMISSIONERS OF  
TULSA COUNTY**

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title Chairman