

**AMENDMENT TO CAPITAL IMPROVEMENTS AGREEMENT
(Sand Springs River City Park and Expressway Corridor Project)**

THIS AMENDMENT TO CAPITAL IMPROVEMENTS AGREEMENT (this "Amendment") is entered into as of _____, 2016, by and between the BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA (the "Board") and the CITY OF SAND SPRINGS, 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 March 14, 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. Section 1.29 of the Agreement is hereby amended and restated in its entirety as follows:

"1.29. "Maximum Amount of Advances" means \$2,511,019.00."

4. Section 18 of the Agreement is hereby amended by deleting from the seventh line thereof "(2.20%)" and inserting thereat "(5.52%)."

5. 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.

6. 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.

“Contracting Party”

CITY OF SAND SPRINGS, OKLAHOMA

Date: _____

By _____

Name _____

Title _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

“Board”

**BOARD OF COUNTY COMMISSIONERS OF
TULSA COUNTY**

By _____

Name _____ Karen Keith

Title _____ Chairman