

**THIRD AMENDMENT TO CAPITAL IMPROVEMENTS AGREEMENT
(ROUTE 66 PROJECT #3)**

THIS AMENDMENT TO CAPITAL IMPROVEMENTS AGREEMENT (this "Amendment") is entered into as of _____, 2019, by and between the BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA (the "Board") and the CITY OF TULSA, 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 December 30, 2009, as amended by Amendment to Capital Improvements Agreement dated as of May 21, 2014, and as amended by Second Amendment to Capital Improvements Agreement dated as of May 11, 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 6.6 of the Agreement is hereby amended and restated in its entirety as follows:

"6.6. Date after which Advances Cease. Notwithstanding anything herein to the contrary, the Board shall have no duty to make or cause the making of Advances hereunder to the Contracting Party after June 30, 2021."

3. Exhibit "A" of the Agreement is hereby amended and restated in its entirety as follows:

DESCRIPTION OF PROJECT:

The project consists of planning, marketing, designing, acquiring real property and right-of-way, relocating utilities, rehabilitating existing infrastructure and construction of enhancements at various points along the approximate 26 miles of historic Route 66 (including both the 1926-1932 route and the 1932-1973 route) including, but not limited to, signage, sidewalks, intersections, landscaping, streetscaping, gateways and buildings. Components included in the project are Redfork Streetscaping,

Gateways, Southwest Boulevard Improvements, the "Route 66 Experience" building, Avery Park Southwest, building façade improvements, neon signs improvements, Historic Route 66 Village Sign, Information Road Signs, the Traffic Circle, architectural street lighting, Route Signage and 11th and Yale Intersection improvements.

4. 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.

5. 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:

City Clerk

"Contracting Party"

CITY OF TULSA, OKLAHOMA

APPROVED AS TO FORM:

City Attorney

By _____
Name _____
Title _____

"Board"

**BOARD OF COUNTY COMMISSIONERS OF
TULSA COUNTY**

By _____
Name _____
Title _____ Chairman