

**AMENDMENT NO. 1 TO  
TEXAS COMMUNITY DEVELOPMENT PROGRAM  
CONTRACT NO. 729859  
TEXAS DEPARTMENT OF RURAL AFFAIRS  
AND THE  
COUNTY OF WISE**

STATE OF TEXAS

COUNTY OF TRAVIS

Section 1.

The Texas Department of Rural Affairs, an agency of the State of Texas, hereinafter referred to as "Department", and the County of Wise, hereinafter referred to as "Contractor", do hereby contract and agree to amend their original contract, as initially executed by the Executive Director of the Department effective September 15, 2009, for the performance of community development activities.

Section 2.

The parties hereto agree to amend the contract identified in Section 1 above so that Exhibit A, Performance Statement, is revised to read hereafter as given in the Performance Statement attached to this amendment, hereinafter referred to as Exhibit A, and hereby made a part of this amendment. Exhibit A consists of two (2) pages.

Section 3.

The parties hereto agree that this amendment shall become effective on December 1, 2010.

Section 4.

The parties hereto agree that this amendment shall require no change to previously approved funding.

Section 5.

The parties hereto agree that all of the terms of the contract identified in Section 1 above shall remain in effect and shall continue to govern except to the extent that they conflict with the terms of this amendment.

Section 6.

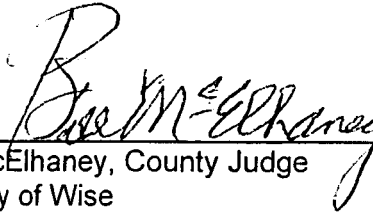
The parties hereto agree that nothing in this amendment shall be construed as authorizing any violation of federal, state or local laws or regulations as they pertain to the contract identified in Section 1 above.

*[Handwritten signature]*  
12/14/10

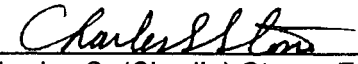
Section 7.

By the signing of this amendment, the parties hereto expressly understand and agree that this amendment shall become a part of the contract identified above in Section 1 above as though it were set forth word for word therein.

WITNESS OUR HANDS EFFECTIVE DECEMBER 1, 2010.

  
\_\_\_\_\_  
Bill McElhane, County Judge  
County of Wise

Approved and accepted on behalf of the Texas Department of Rural Affairs.

  
\_\_\_\_\_  
Charles S. (Charlie) Stone, Executive Director  
Texas Department of Rural Affairs

This contract amendment is not effective unless signed by the Executive Director of the Texas Department of Rural Affairs, or his/her authorized designee.

**AMENDMENT NO. 1**

**EXHIBIT A**

**CONTRACT NO. 729859**

**PERFORMANCE STATEMENT**

**COUNTY OF WISE**

Contractor shall carry out the following activities in the target area identified in its 2009/2010 Community Development Fund application. The persons to benefit from the activities described in this Performance Statement must be receiving service or a benefit from the use of the new or improved facilities and activities for the contract obligations to be fulfilled. The Contractor shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in Exhibit B, Budget.

Water Facilities

Contractor shall assist Walnut Creek SUD in extending water service to seventeen (17) households (of which thirteen (13) are of low-to-moderate income) along County Road 3592. Construction shall consist of the installation of approximately seventeen thousand two hundred and seventy linear feet (17,270 l.f.) of six-inch (6") and eight-inch (8") water line, gate valves, boring, water line connects, new meter services and gravel drive and road repair. Water line construction shall take place in the following locations:

STREET	FROM	TO
County Road 3592	County Road 3591	end of road
County Road 3591	County Road 3585	County Road 3592
County Road 3593	County Road 3592	end of road

These activities shall benefit fifty-two (52) persons, of which forty-one (41) or seventy-nine (79%) are of low to moderate income.

Rehabilitation of Private Properties (Water Service)

Contractor shall assist Walnut Creek SUD in providing first-time public water service to thirteen (13) households, of which thirteen (13) are of low-to-moderate income on County Road 3592. Construction shall consist of the installation of thirteen (13) new residential meter-to-house water service lines and payment of all related connection fees for low to moderate income residents. TxCDBG funds may not be utilized to pay for the cost of water yard lines on properties occupied by households that do not qualify as low-to-moderate income households.

These activities shall benefit forty-one (41) persons, of which forty-one (41) or one hundred percent (100%) are of low to moderate income.

Engineering

Contractor shall ensure that the amount of the Department funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services does not exceed the amount specified for engineering in Exhibit B, Budget.

*Done*  
12/20/11

Administration

Contractor shall ensure that the amount of the Department funds expended for all eligible project-related administration activities, including the required annual program compliance and fiscal audit does not exceed the amount specified for administration in Exhibit B, Budget.

*Priscilla*