

ADOT File No.: IGA/JPA 11-037I  
**Amendment No. One**  
AG Contract No.: P001 2012 000034  
Project: Drainage & Roadway  
Improvements  
Section: Davis Road SR 80 to SR 191  
**Project No.: CCH-0(202)A**  
**TRACS No.: SS954 01R/01C**  
**TIP/STIP No.: SEAGO 2012 Amend #1**  
**Budget Source Item No.: LOCAL**

**AMENDMENT NO. ONE  
TO  
INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
COCHISE COUNTY

**THIS AGREEMENT** is entered into this date PLEASE DO NOT ENTER, 2012, to **AMEND, JPA 11-037I, executed March 6, 2012, the "Agreement,"** pursuant to the Arizona Revised Statutes §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and COCHISE COUNTY, acting by and through its BOARD OF SUPERVISORS (the "County"). The State and the County are collectively referred to as "Parties".

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The County is empowered by Arizona Revised Statutes § 11-251 to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the County.

**THEREFORE, in consideration of the mutual agreements expressed herein, the Parties agree to amend the original Agreement, as follows:**

**Federal funds have been authorized for Project SS954 and Project SS642, the County and the State agree to transfer \$100,000.00 from Project SS954, IGA/JPA 11-037, to Project SS642, IGA/JPA 11-052.**

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**III. MISCELLANEOUS PROVISIONS**

1. This Agreement shall become effective upon signing and dating of the Determination Letter by the State's Attorney General.
2. All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail, addressed as follows:

Arizona Department of Transportation  
 Joint Project Administration  
 205 S. 17<sup>th</sup> Avenue, Mail Drop 637E  
 Phoenix, Arizona 85007  
 (602) 712-7124  
 (602) 712-3132 Fax

**Cochise County  
 Community Development  
 Department**  
 Attn: Karen Lamberton, AICP  
 1415 Melody Lane, Building E  
 Bisbee, Arizona 85603  
 (520) 432-9240  
 (520) 432-9278 Fax  
 klamberton@cochise.az.gov

**For Financial Matters:**  
 Cochise County  
 Attn: Anissa Acedo  
 1415 Melody Lane, Building E  
 Bisbee, Arizona 85603  
 (520) 432-9300  
 (520) 432-9278 Fax  
 aacedo@cochise.az.gov

3. In accordance with Arizona Revised Statutes § 11-952(D) attached hereto and incorporated herein is the written determination of each party's legal counsel and that the parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form.

**EXCEPT AS AMENDED** herein, **ALL OTHER** terms and conditions of the original Agreement remain in full force and effect.

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**IN WITNESS WHEREOF**, the Parties have executed this Agreement the day and year first above written.

**COCHISE COUNTY**

**STATE OF ARIZONA**  
 Department of Transportation

By \_\_\_\_\_  
**RICHARD R. SEARLE**  
 Chairman of the Board

By \_\_\_\_\_  
**DALLAS HAMMIT, P.E.**  
 Senior Deputy State Engineer, Development

ATTEST:

By \_\_\_\_\_  
**KATIE A. HOWARD**  
 County Clerk

IGA/JPA 11-037I  
Amendment No. One

ATTORNEY APPROVAL FORM FOR THE COCHISE COUNTY

I have reviewed the above-referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the COCHISE COUNTY, an Agreement among public agencies which, has been reviewed pursuant to Arizona Revised Statutes §§ 11-951 through 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
County Attorney