

**CITY OF CENTENNIAL
OPEN SPACE FUND GRANT
FIRST AMENDMENT TO GRANT FUNDING PARTICIPATION AGREEMENT EXTENDING
TERM AND AMENDING FUNDING AMOUNT BETWEEN THE CITY OF CENTENNIAL,
COLORADO AND THE PARKER JORDAN METROPOLITAN DISTRICT**

Funding Recipient: PARKER JORDAN METROPOLITAN DISTRICT

Funding Recipient Business Address: Parker Jordan Metropolitan District
Attn: Bob Blodgett, District Manager
8390 East Crescent Parkway, Suite 500
Greenwood Village, Colorado 80111

Project Name: Parker Jordan Trail and Open Space Enhancements ("**Project**")

THIS FIRST AMENDMENT TO GRANT FUNDING PARTICIPATION AGREEMENT ("*First Amendment*") extending term and amending amount of funding between the City of Centennial, Colorado and the Parker Jordan Metropolitan District is entered into by and between the **PARKER JORDAN METROPOLITAN DISTRICT ("*District*")** and the **CITY OF CENTENNIAL, COLORADO ("*City*")**, collectively referred to as the "Parties."

WHEREAS, the Parties entered into a Grant Funding Participation Agreement with an effective date of July 7, 2010 ("Funding Agreement") pursuant to the authorization for such agreement set forth in City Council Resolution 2010-R-64; and

WHEREAS, in accordance with Section 3 thereof, the term of the Funding Agreement expires on April 30, 2012; and

WHEREAS, recognizing that the Project shall require a greater time for completion than allowed by the Funding Agreement, the Parties desire to amend the Funding Agreement to extend the term thereof; and

WHEREAS, Section 3(A) of the Funding Agreement provides that the Funding Agreement is subject to extension if mutually agreed upon in writing by the Parties; and

WHEREAS, the Parties desire to amend the Funding Agreement to increase the Funding Amount by an additional \$300,000 so that the second phase of construction of the Project may proceed to completion as planned; and

WHEREAS, the City has budgeted and appropriated for 2010 an additional \$300,000 for this Project as part of its 2010 Revised Open Space budget to meet its obligations under the Funding Agreement and this First Amendment.

NOW THEREFORE, the Parties agree that:

1. Section 3(A) of the Funding Agreement is hereby amended to provide that the term thereof shall expire on October 31, 2012, provided that the City Council budgets and appropriates the amount needed under the Funding Agreement for the 2012 fiscal year. If the Council fails to budget and appropriate the necessary funds to meet the City's

obligations under the Funding Agreement in the resolution approving the 2012 budget, this First Amendment and the Funding Agreement shall automatically expire on December 31, 2011.

2. Section 1(A) of the Funding Agreement is hereby amended to read in full as follows to reflect the additional funding commitment to the Project from the City's Open Space fund.

1. **City Funding Commitment.**

- A. **Aggregate Funding Maximum.** The City shall provide the following maximum aggregate dollar amount from its Open Space Fund for the Project subject to paragraph 1(C) of this Agreement:

- 107 acre Trail and Enhancements:**

- \$300,000 Centennial Arapahoe County Share-back Funds
 - \$300,000 Centennial Arapahoe County Share-back Funds
 - \$359,402 Great Outdoors Colorado Grant Funds
 - \$959,402 (subtotal)

- Broncos Parkway Trailhead:**

- \$ 8,500 Centennial Arapahoe County Share-back Funds
 - \$967,902** ("Funding Amount")

3. No other terms, conditions or obligations of the Parties as set forth in the Funding Agreement shall be amended or waived as a result of the execution of this First Amendment.

IN WITNESS WHEREOF, the Parties have set their hands and seals the day and year first written above.

CITY OF CENTENNIAL, COLORADO

Date: 10/28/11

By: Cathy A. Noon
Cathy A. Noon, Mayor

Approved as to Form:

[Signature]
By: City Attorney's Office

ATTEST:

Brenda J. Madison
City Clerk or Deputy City Clerk

DEPARTMENT OF ORIGINATION: Planning and Development

FINANCE DEPARTMENT REVIEW:

Finance has reviewed this agreement and the funds:

- are appropriated and available for this agreement.
- are not available for this agreement.

By: Gawn Priddy

Budgeted Item/Account: 0400300400 | 7900 - 30

DEPARTMENT/POSITION RESPONSIBLE FOR ADMINISTRATION OF CONTRACT:

Planning and Development

FUNDING RECIPIENT:

PARKER JORDAN METROPOLITAN DISTRICT

Date: _____

By: Norman Sheldon
Name:

ATTEST:

[Signature]
Asst. Secretary