

**THIRD AMENDMENT TO THE INTERLOCAL AGREEMENT  
VRF PROJECT DEVELOPMENT AGREEMENT FOR THE  
TIERRA ESTE ROAD PROJECT**

**THIS THIRD AMENDMENT TO THE INTERLOCAL AGREEMENT** (the “Amendment”) is made and entered into effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between EL PASO COUNTY, TEXAS (the “County”) and the CAMINO REAL REGIONAL MOBILITY AUTHORITY (“CRRMA”), (each a “Party” and collectively, the “Parties”), for the purposes described herein.

**WITNESSETH:**

**WHEREAS**, the County and CRRMA entered into an Interlocal Agreement – VRF Project Development Agreement for the Tierra Este Road Project dated May 11, 2020 as revised by the First Amendment dated October 17, 2022 and the Second Amendment dated October 16, 2023 (collectively, the “Interlocal Agreement”), which provided funds necessary for the development of the Tierra Este Road Project (the “Project”); and

**WHEREAS**, the Parties now desire to further supplement the Interlocal Agreement to allow for the provision of additional utility coordination services and to provide additional funds from the County for such additional services that were not originally anticipated by the Interlocal Agreement but are now required for the successful completion of the Project.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements herein contained, the undersigned Parties agree as follows:

**1. Replacement of EXHIBIT “C-2”.** The parties hereby agree to delete **EXHIBIT “C-2”** from the Interlocal Agreement in its entirety and replace it with **EXHIBIT “C-3”**, which is attached hereto and incorporated herein for all purposes.

**2. Ratification.** Except as expressly amended by this Amendment, the Interlocal Agreement and its exhibits shall remain in full force and effect.

**3. Execution in Counterparts.** This Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall be considered fully executed as of the date first written above, when both Parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

**IN WITNESS WHEREOF**, the Parties have executed and attested this Amendment by their officers thereunto duly authorized.

**EL PASO COUNTY, TEXAS**

**CAMINO REAL REGIONAL  
MOBILITY AUTHORITY**

By: \_\_\_\_\_  
Ricardo Samaniego  
County Judge

By: \_\_\_\_\_  
Joyce A. Wilson  
Chair

**ATTEST:**

By: \_\_\_\_\_  
Monica L. Perez  
Board Secretary

**EXHIBIT “C-3”**

**TIERRA ESTE ROAD EXTENSION DESIGN/CONSTRUCTION  
PROJECT BUDGET**

<b>DESCRIPTION</b>	<b>TOTAL ESTIMATED COST</b>	<b>CRRMA PAYS WITH VRF FUNDS*</b>
<b>LAND</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>
<b>UTILITY RELOCATION</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>
<b>PERMITS &amp; SERVICES</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>
<b>ENGINEERING</b>	<b>\$ 4,449,656.22</b>	<b>\$ 4,449,656.22</b>
<b>CONSTRUCTION</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>
<b>MISCELLANEOUS</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>
<b>TOTAL</b>	<b>\$ 4,449,656.22</b>	<b>\$ 4,449,656.22</b>

NOTES:

1. The authority granted by the County for the CRRMA’s use of VRF funds anticipates the use of 2013 VRF bond proceeds. However, the CRRMA is also permitted to utilize 2017 VRF bond proceeds or VRF General Funds, as necessary.
2. The table above identifies anticipated uses by the Authority of available funds by category. However, the Authority is not limited in its use of funds by such categories and is expressly authorized to utilize funds from any category in the development of the Project, as needed; provided that the Authority coordinates all such uses with the County.
3. The funds identified above are inclusive of design, construction, and administrative expenses.

[END OF EXHIBIT]