

**SANTA FE COUNTY
AMENDMENT NO. 4
TO MEMORANDUM OF AGREEMENT
BETWEEN SANTA FE COUNTY AND THE CITY OF SANTA FE
FOR THE TRAILS AND OPEN SPACE PROJECTS**

THIS AMENDMENT is entered into on this 9th day of, September 2009, by and between **Santa Fe County**, hereinafter referred to as "the County" and the **City of Santa Fe**, a New Mexico political municipality with a principle address of 200 Lincoln Avenue, Santa Fe, New Mexico 87504, hereinafter referred to as "the City".

WHEREAS, on September 14, 2004 the County entered into the Memorandum of Agreement with the City of Santa Fe for the joint regional trails project ("Agreement") for a County expenditure of \$270,000; and

WHEREAS, Article 3, "EFFECTIVE DATE AND TERM", of the original Agreement allows the parties to extend the original term of the Agreement in writing by mutual agreement of parties; and

WHEREAS, Amendment No. 1 extended the term of the original Agreement through June 30, 2007; and

WHEREAS, Amendment No. 2 extended the term of the original Agreement through June 30, 2009 to allow for on-going work and progression of this joint project; and

WHEREAS, Amendment No. 3 added the Santa Fe Rail Trail to the joint regional trails project and increased compensation under the original Agreement in the amount of \$1,060,000; and

WHEREAS, the Community Service Department is requesting an extension of the term of the Agreement through June 30, 2011 and an increase in compensation in the amount of \$200,000 for the Santa Fe Rail Yard Park project .

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Article 2, "METHOD OF FUNDING", is amended to read as follows:

A. The total compensation to be paid under the Memorandum of Agreement shall not exceed a total amount of \$1,530,000.

B. The County shall compensate the City in the following amounts:

1. Arroyo Chamisa Trail – original amount: \$45,000	Amended amount:	\$ 160,000
	Total:	\$ 205,000
2. Foothills Trail System	Total:	\$ 65,000
3. Santa Fe Rail Yard Park - original amount: \$160,000	Amended amount:	\$ 470,000
	Amended amount:	\$ 200,000
	Total:	\$ 830,000
4. Santa Fe Rail Trail	Total:	\$ 430,000
		<u>\$1,530,000</u>

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2. All other provisions of the original Memorandum of Agreement, not amended, replaced or superseded by Amendment Nos. 1, 2, 3 or by this Amendment No. 4 shall remain in full force and effect.

SANTA FE COUNTY:

Michael Amaya
Michael Amaya, Chairman
Santa Fe Board of County Commissioners

ATTEST

Valerie Espinoza
Valerie Espinoza
Santa Fe County Clerk



APPROVED AS TO LEGAL FORM

Stephen C. Ross
Stephen C. Ross,
Santa Fe County Attorney

08.07.2008
Date

FINANCE DEPARTMENT APPROVAL

Teresa Martinez
Teresa Martinez
Santa Fe County Finance Director

6/14/09
Date

CITY OF SANTA FE:

David Coss
David Coss
Mayor

ATTEST

Yolanda Y. Vigil
Yolanda Y. Vigil
City Clerk
comty 9-9-09

APPROVED AS TO LEGAL FORM

Frank D. Katz
Frank D. Katz,
Santa Fe City Attorney

8/18/09
Date

FINANCE DEPARTMENT APPROVAL

David Millican
David Millican
Santa Fe City Finance Director

9/11/09
Date