

12-Ora-405 KP 17.4 (PM 10.8)

Widening of the Fairview Road

Overcrossing and southbound

Fairview Road on ramp

12208 – 0F9301

District Agreement No. 12-540 A-1

AMENDMENT No. 1 TO AGREEMENT

This AMENDMENT No. 1 TO AGREEMENT, ENTERED INTO EFFECTIVE ON
_____ 2007, is between the STATE OF CALIFORNIA, acting by and through
its
Department of Transportation referred to herein as STATE, and

CITY OF COSTA MESA,

a body politic and a municipal

corporation of the

State of California, referred to herein as

CITY.

RECITALS

1. The parties hereto entered into an Agreement (District Agreement No. 12-540) on February 2, 2007, said Agreement defining the terms and conditions of a project to construct State highway improvements consisting of widening the Fairview Road overcrossing on Interstate 405 (I-405) and widen the southbound I-405/SR-73 on-ramp, referred to herein as "PROJECT".
2. It has been determined that PROJECT will not be constructed prior to the termination date of said Agreement.

IT IS THEREFORE MUTUALLY AGREED:

1. The termination date specified in Section III Article 17 of the original agreement shall now be December 31, 2010, instead of December 31, 2008.
2. All other terms and conditions of said Agreement (District Agreement No. 12-540) shall remain in full force and effect.
3. This Amendment No. 1 to Agreement is hereby deemed to be a part of District Agreement No. 12-540.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
WILL KEMPTON
Director of Transportation

CITY of COSTA MESA

Mayor

By: _____
JIM BEIL
Deputy District Director
Capital Outlay Program

By: _____

APPROVED AS TO FORM AND PROCEDURE:

ATTESTED:

By: _____
Attorney
Department of Transportation

By: _____
JULIE FOLCIK
City Clerk

CERTIFIED AS TO FINANCIAL TERMS
AND CONDITIONS

APPROVED AS TO FORM

By: _____
Accounting Administrator

By: _____
KIMBERLY HALL BARLOW
City Attorney

CERTIFIED AS TO FUNDS

By: _____
NEDA SABER
District Budget Manager