

**THIRD AMENDMENT TO GRANT AGREEMENT BETWEEN COUNTY OF NEVADA
AND OAK TREE PARK AND RECREATION DISTRICT**

THIS AMENDMENT is executed this 9th day of May, 2017 by and between OAK TREE PARK AND RECREATION DISTRICT, hereinafter referred to as "Park District" and COUNTY OF NEVADA, hereinafter referred to as "County". Said Amendment will renew and amend the prior agreement between the parties entitled Park and Recreation Mitigation Fees FY 2012/13 Grant Agreement executed on June 11, 2013 by Resolution No. 13-199 and amended on August 12, 2014 by Resolution No.14-383 and on March 22, 2016 by Resolution 16-117.

WHEREAS, Park District needs additional time to complete construction of the pavillon project at the Oak Tree Community Park; the specific use area authorized in the grant agreement executed by Resolution No. 13-199 and amended by Resolution No.14-383 and Resolution 16-117. The Use Permit was approved on September 22, 2016 but the OTRPD is still behind in completing the Pavilion and other associated aspects of the project that utilizes the Mitigation Funding. Obtaining the Use Permit took much effort and more time than the District estimated. Since the Use Permit was approved the OTRPD started finalizing the design and siting of the Pavilion and met with engineers to discuss the design and make appropriate changes. The design and the actual location of both the pavilion and associated ADA parking spaces has been finalized. The OTRPD is contacting contractors and volunteers and is in the process of receiving bids for the project. The final site design and Use Permit approval was a major hurdle for the OTRPD and the Park now finds it is necessary to extend the implementation schedule for the Pavilion project. Therefore, Park District is requesting an additional twelve months beyond the expiration date of May 12, 2017 to complete the pavilion project which requires a contract amendment; and

WHEREAS, the parties desire to amend their agreement to provide an additional twelve months for the Park District to complete the Oak Tree Community Park Pavilion project; and

NOW, THEREFORE, the parties hereto agree as follows:

1. This amendment shall be effective as of May 9, 2017.

2. That paragraph 2 shall be changed to the following: ORGANIZATION shall obtain all approvals for and shall execute the Project so that within sixty-three (63) months after the Effective Date of this Agreement, or by May 12, 2018, the Project shall be completed to the satisfaction of, and accepted by, the COUNTY and the ORGANIZATION, and shall be ready and available for public use; provided, however, that said timeframe may be extended by mutual written agreement of the parties. Any funds not utilized by ORGANIZATION within this timeframe shall be retained by COUNTY and may be reallocated to other qualifying projects.

3. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

APPROVED AS TO FORM:
COUNTY COUNSEL

By:_____

COUNTY OF NEVADA

By:_____
Chair of the Board
of Supervisors

ATTEST:

By:_____
Julie Patterson-Hunter
Clerk of the Board of Supervisors

OAK TREE PARK AND RECREATION
DISTRICT:

By:_____