



**COBB COUNTY
DEPARTMENT OF TRANSPORTATION
AMENDMENT TO
COBB FRAMEWORK AGREEMENT**

**Project No. X2402
AMENDMENT NO. 1**

WHEREAS, the City of Smyrna (“CITY”) entered into a Cobb Framework Agreement (“CFA”) with Cobb County, Georgia (“COUNTY”) on August 10, 2017, for services associated with, Project No. X2402 Windy Hill Boulevard Project (“PROJECT”); and

WHEREAS, Section 14 of the CFA provides that any agreement with regard to future funding of the PROJECT and associated responsibilities of the COUNTY and the CITY shall be accomplished through an amendment to the CFA executed by the COUNTY and the CITY; and

WHEREAS, the CITY and the COUNTY desire to provide additional construction funding for the construction phase of the PROJECT; and

NOW THEREFORE, for and in consideration of Ten Dollars (\$10.00), and the mutual benefits and obligations flowing each to the other, the receipt and sufficiency of which is hereby acknowledged, the CITY and the COUNTY hereby agree to amend the CFA as follows:

1. Section 9 shall be amended by adding the following language:

The COUNTY’s construction contribution shall be increased from Eighteen Million and no/100 Dollars (\$18,000,000.00) to twenty-three million and no/100 dollars (\$23,000,000.00)

2. Section 14 shall be amended by adding the following language:

The COUNTY’s total project contribution shall be increased from twenty million dollars (\$20,000,000.00) to twenty-five million dollars (\$25,000,000.00).

3. Exhibit B shall be modified to reflect that the COUNTY’s maximum financial obligation for both Construction and Utility Relocations combined is \$23,000,000.00 as per the terms of the CFA, and that the COUNTY’s maximum financial contribution to the entire project including Preliminary Engineering, Utility Relocation and Construction combined is \$25,000,000.00 as per the terms of the CFA.

This Amendment No. 1 in no way modifies or changes the original Agreement of which it becomes a part, except as specifically stated herein.

This Amendment No. 1 shall become effective on the date the last party hereto executes it.

(Remainder of Page Intentionally Left Blank)

RECOMMENDED FOR APPROVAL:

CITY OF SMYRNA, GEORGIA

By: _____

Printed Name: Derek Norton

Title: Mayor, City of Smyrna, Georgia

Date: June 3, 2021

[ATTACH CORPORATE SEAL]

COBB COUNTY, GEORGIA

By: _____

Printed Name: Lisa N. Cupid

Title: Chairwoman, Board of Commissioners

Date: _____

[AFFIX COUNTY SEAL]

ATTEST:

Heather K. Peacon- Corn, City Clerk

APPROVED TO FORM BY:

County Attorney's Office