

AGENDA ITEM

FORT BEND COUNTY FY 2009
COMMISSIONERS COURT AGENDA REQUEST FORM
Return Completed Form to: Agenda Coordinator, County Judge's Office

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Date Submitted: MAY 19 2009
Court Agenda Date: ~~May 26, 2009~~ 6.2.09
Department: Parks
Phone Number: 281 642 3716.

SUMMARY OF ITEM: Take all appropriate action on agreement between Fort Bend County and the Galveston District, Corps of Engineers to renew Park and Recreation Lease No. DACW64-1-87-34 Cinco Ranch Park, Buffalo Bayou and Tributaries Flood Control Project, Barker Dam, Texas which extends the term of the lease until November 30,2037.
Pct. 3
RENEWAL AGREEMENT/APPOINTMENT: YES X NO
REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES X NO
List Supporting Documents Attached: Yes

FINANCIAL SUMMARY:
BUDGETED ITEM: YES NO
FUNDNG SOURCE: Accounting Unit: Account Number:
REQUIRES AUDITOR TO CERTIFY FUNDS: YES NO

Instructions to submit Agenda Request Form:
• Completely fill out agenda form: incomplete forms will not be processed.
• Agenda Request Forms may be submitted by e-mail, fax, or inter-office mail, and all back-up information must be provided by Wednesday at 2:00 p.m. to all those listed below.
• All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.
DISTRIBUTION:
Original Form Submitted with back up to County Judge's Office (✓ when completed)
If by E-Mail to ospindon@co.fort-bend.tx.us If by Fax to (281) 341-8609
Distribute copies with back-up to all listed below. If by fax, send to numbers below:
x Auditor (281-341-3774) x Comm. Pct. 1 (281-342-0587)
x Budget Officer (281-344-3954) x Comm. Pct. 2 (281-403-8009)
 Facilities/Planning (281-633-7022) x Comm. Pct. 3 (281-242-9060)
x Purchasing Agent (281-341-8642) x Comm. Pct. 4 (281-980-9077)
 Information Technology (281-341-4526) County Clerk (281-341-8697)
 Other: x County Atty (281-341-4557)

RECOMMENDATION / ACTION REQUESTED:
Special Handling Requested (specify):

b-4-09 3 origis. ret. to Mike Davis at Parks



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1229
GALVESTON, TEXAS 77553-1229

May 6, 2009

Real Estate Division

SUBJECT: Supplemental Agreement No. 1 to Park and Recreation Lease No. DACW64-1-87-34, Cinco Ranch Park, Buffalo Bayou and Tributaries Flood Control Project, Barker Dam, Texas

Mr. Michel Davis
Director, Parks and Recreation Department
Fort Bend County
P.O. Box 509
Fresno, Texas 77575

Dear Mr. Davis:

Please reference your recent telephone conversations with Ms. Joy Smith of my staff. We are enclosing three copies of Supplemental Agreement No. 1 (SA#1) to Park and Recreation Lease No. DACW64-1-87-34, which extends the term of the lease until November 30, 2037.

Please have the County Judge sign and date all copies of SA#1 and return them to this office to be signed on behalf of the Government. Please furnish a copy of the Commissioners Court Resolution. A preaddressed envelope is enclosed for your convenience. A fully executed copy of the supplemental agreement will be returned to you for your records.

Please call Ms. Smith at 409-766-3144 if you have any questions. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Orlando Rosas".

Orlando Rosas
Chief, Real Estate Division

Enclosures

**SUPPLEMENTAL AGREEMENT NO. 1
TO
LEASE NO. DACW64-1-87-34**

**BUFFALO BAYOU AND TRIBUTARIES FLOOD CONTROL PROJECT, TEXAS
BARKER DAM
FORT BEND COUNTY, TEXAS**

THIS SUPPLEMENTAL AGREEMENT NO. 1 to PUBLIC PARK AND RECREATION LEASE NO. DACW64-1-87-34 is made between the **SECRETARY OF THE ARMY**, party of the first part and hereinafter called the Government, and **FORT BEND COUNTY, TEXAS**, party of the second part and hereinafter called the Lessee.

WITNESSTH

WHEREAS, a lease was entered into for a twenty-five (25)-year term beginning 01 December 1987 and ending 30 November 2012 between the Government and Fort Bend County, Texas, for public park and recreation purposes on approximately 1,961 acres of land in Barker Reservoir, more particularly described in Exhibits A and B of the Lease Contract No. DACW64-1-87-34, and hereinafter referred to as the Original Lease; and

WHEREAS, the Lessee has requested that the Original Lease be extended for an additional twenty five (25) years, and the Government is willing; and

NOW THEREFORE, the parties hereto do hereby amend the Original Lease, in the following respect and in this only:

THAT the term of the Original Lease is extended, and in the granting clause, the words "ending 30 November 2012" are deleted and "ending 30 November 2037" substituted therefore.

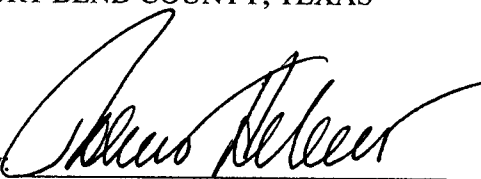
It is understood that all other terms and conditions of the Original Lease shall remain in full force and effect. The effective date of this Supplemental Agreement No. 1 is the date of execution by the Government.

IN THE WITNESS WHEREOF, I have hereto set my hand by authority of the Secretary of the Army this _____ day of _____ 2009.

ORLANDO ROSAS
Chief, Real Estate Division
U.S. Army Engineer District
Galveston, Texas

THIS SUPPLEMENTAL AGREEMENT NO. 1 is accepted and executed by the Lessee this _____ day of June _____ 2009.

FORT BEND COUNTY, TEXAS

By: 
ROBERT ~~HEBERT~~ HEBERT
County Judge

Attest: 
DIANNE WILSON
County Clerk

