

AMENDMENT TO AGREEMENT

Dated _____

By and Between

CUYAHOGA COUNTY

And

THE CITY OF BROOKLYN, OHIO

This Amendment to Agreement ("Amendment") made as of _____, 2012 between CUYAHOGA COUNTY, OHIO (hereinafter called "County") and THE CITY OF BROOKLYN, OHIO (hereinafter referred to as "Grantee"), each a political subdivision of the State of Ohio.

WHEREAS, the County and the Grantee entered into the Memphis Industrial Parkway Project Grant Agreement, Contract # AG1000261-01, dated July 28, 2010 (hereinafter called the "Agreement") whereby the Grantee was awarded \$50,000.00 in funds for the support of activities related to the Project, as defined in the Agreement; and

WHEREAS, Section 1.03 of the Agreement, "Timetable for Project Activities," requires the Grantee to commence the Project by September 1, 2010 and complete the Project by February, 15, 2012 (the "Completion Date"); and

WHEREAS, while the Project was commenced in accordance with the Agreement, the Grantee has requested an additional 167 days to complete the Project and the County intends to grant such request.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the County and the Grantee hereby agree as follows:

1. Except as herein specifically amended, all capitalized terms used herein shall have the same meanings as in the Agreement.
2. Section 1.03 "Timetable for Project Activities" of the Agreement shall be and is hereby amended to read as follows:

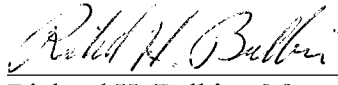
"The Grantee shall commence the Project by September 1, 2010, and the Project shall be undertaken and completed in such a manner and sequence as to assure its completion by July 31, 2012 (the "Completion Date"). The term of this agreement shall commence on the Effective Date and terminate on the Completion Date, unless otherwise extended by agreement of the parties. (the "Term")",

3. Except as herein specifically amended, all of the terms and provisions contained in the Agreement are hereby ratified and confirmed and this Amendment is hereby incorporated into the Agreement as if fully rewritten therein. In the event of a conflict between the provisions of the Agreement and the provisions of this Amendment, this Amendment shall control.


By entering into this amendment, the parties agree to conduct this transaction by electronic means by agreeing that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The parties also agree to be bound by the provisions of chapters 304 and 1306 of the Ohio revised code as they pertain to electronic transactions, and to comply with the electronic signature policy of the County.

IN WITNESS WHEREOF, the County and Grantee have caused this Amendment to be executed the day, month and year first above written.

CITY OF BROOKLYN, OHIO


By: 
Richard H. Balbier, Mayor

The legal form and correctness of
this Amendment is hereby approved.
CITY OF BROOKLYN LAW DIRECTOR

By 

COUNTY OF CUYAHOGA, OHIO

Edward FitzGerald, County Executive

By: 
Edward FitzGerald, County Executive

2012-02-29 09:15:30