

CCO Form: AC10-A
Approved: 05/94 (MLH)
Revised: 01/15 (MWH)
Modified:

Sponsor: City of Lee's Summit
Project No. 11-109A-2

CFDA Number: CFDA #20.106
CFDA Title: Airport Improvement Program
Federal Agency: Federal Aviation Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
AMENDMENT TO STATE BLOCK GRANT AGREEMENT**

AMENDMENT #4

THIS AGREEMENT AMENDMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Lee's Summit (hereinafter, "Sponsor").

WITNESSETH:

WHEREAS, the parties entered into an Agreement executed by the Sponsor on May 23, 2011, and executed by the Commission on June 3, 2011, (hereinafter, "Original Agreement") under which the Commission granted the sum not to exceed One Hundred Sixty Two Thousand Eighty Hundred Seventy Three Dollars (\$162,873) to the Sponsor to assist with Land Acquisition for Runway 18/36 Extension; and

WHEREAS, the parties entered into an Amendment #1 executed by the Sponsor on April 8, 2013, and executed by the Commission on April 17, 2013, (hereinafter, "Amendment #1") under which the original project time period was extended from June 30, 2012 to December 31, 2013; and

WHEREAS, the parties entered into an Amendment #2 executed by the Sponsor on January 14, 2014, and executed by the Commission on March 21, 2014, (hereinafter, "Amendment #2") under which the Commission granted the sum not to exceed Two Million Eight Hundred Twenty-Five Thousand Five Hundred Seventy-Five Dollars (\$2,825,575) and extended the project time period from December 31, 2013 to December 31, 2014 to allow for completion of the project; and

WHEREAS, the parties entered into an Amendment #3 executed by the parties on October 1, 2014, (hereinafter, "Amendment #3") under which the Commission granted the sum not to exceed One Hundred Thirty-Six Thousand Nine Hundred Fifty-Three Dollars (\$136,953) to the Sponsor to assist with Land Acquisition for Runway 18/36 Extension and extended the project time period from December 31, 2014 to December 31, 2015 to allow for completion of the project; and

WHEREAS, the Commission previously approved funds for Land Acquisition for Runway 18/36 Extension; and

WHEREAS, the level of funding originally approved is not sufficient to cover the costs associated with Land Acquisition for Runway 18/36 Extension.

WHEREAS, the Commission has sufficient funds to increase the grant amount for Land Acquisition for Runway 18/36 Extension.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) ADDITIONAL GRANT: The Commission grants to the Sponsor an additional sum not to exceed Two Million Two Hundred Thirty-Two Thousand Seven Hundred Eighty-Nine Dollars (\$2,232,789) for Land Acquisition for Runway 18/36 Extension subject to the following conditions:

(A) The Sponsor shall provide matching funds of not less than One Hundred Twenty-Four Thousand Forty-Four Dollars (\$124,044) toward the project in addition to those previously committed by the Sponsor in the Original Agreement, Amendment #2, and Amendment #3. The amount of matching funds stated above represents fifty percent (50%) of the estimated local match required for the eligible project costs. The remaining One Hundred Twenty-Four Thousand Forty-Four Dollars (\$124,044) will be paid with funds from a grant provided under the Commission's airport aid program pursuant to section 305.230.4(1), RSMo.

(B) The project will be carried out in accordance with the assurances (Exhibit 1) given by the Sponsor to the Commission as specified in Amendment #3.

(C) This Amendment shall expire and the Commission shall not be obligated to pay any part of the costs of the project unless this grant amendment has been executed by the Sponsor on or before November 30, 2016, or such subsequent date as may be prescribed in writing by the Commission.

(D) Based upon the revised project schedule, the original project time period of December 31, 2015, will be extended to December 31, 2017, to allow for completion of the work. Paragraph (1)(E) of Amendment #3 is hereby amended accordingly.

(E) All other terms and conditions of the Original Agreement, Amendment #1, Amendment #2, and Amendment #3 entered into between the parties shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below:

Executed by the Sponsor this ____ day of _____, 20__.

Executed by the Commission this ____ day of _____, 20__.

**MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION**

CITY OF LEE'S SUMMIT

By _____

Title _____

Title _____

By _____

Secretary to the Commission

Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title _____

Ordinance No. _____
(if applicable)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as attorney for the Sponsor do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing grant Agreement under the laws of the State of Missouri. Further, I have examined the foregoing grant Agreement and the actions taken by said Sponsor and Sponsor's official representative have been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said state and the Airport and Airway Improvement Act of 1982, as amended. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said grant constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

CITY OF LEE'S SUMMIT

Name of Sponsor's Attorney (typed)

Signature of Sponsor's Attorney

Date _____