

October 6, 2025

Via Email: klc@hpwclaw.com

Town of Erie
c/o Kendra Carberry
645 Holbrook Street
Erie, CO 80516

Re: Amendment to Engagement Letter and Legal Services Agreement

Dear Ms. Carberry:

This letter will serve as a proposed Amendment to the August 12, 2025, Engagement Letter and Legal Services Agreement (“LSA”) between Lyons Gaddis, P.C. (“Firm”) and the Town of Erie (“Erie”).

The Firm and Erie hereby agree that Paragraphs 2, 3 and 5 of the LSA shall be replaced in its entirety with the following paragraph:

2. Description of Legal Services: The Firm understands that it has been retained to represent the Town’s interests with regard to waters rights matters, and to assist in the review and analysis of construction contracts and related matters referred to us by the Town. We intend to perform these legal services in a professional manner and will keep the Town informed of all material developments in a reasonable and timely fashion. We will strive to provide our best judgment in light of the law and the particular facts made known to us. In this regard, we ask that Town communicate any information to us fully and candidly. Also, we ask that Town work with us to continuously monitor and discuss the matter so that we can agree on a course of action that best achieves the Town’s goals.

3. Supervising Attorney: The attorney with principal responsibility for supervising the work for the Town’s water rights matters will be Peter Johnson, and the attorney with primary responsibility for supervising the work for the Town’s review

October 6, 2025

Page 2

and analysis of construction contracts and related matters will be John Chmil. However, our goal is to provide quality legal services to the Town in a cost-effective manner. As a result, the Firm reserves the right to assign other lawyers in the Firm to represent the Town, if in the Firm's reasonable judgment that becomes necessary or will otherwise benefit the Town. The Firm also reserves the right to assign various tasks to Firm staff (e.g., paralegals, law clerks), as appropriate.

5. **Fee Arrangement:** The current billing rate for Peter Johnson is \$330.00 per hour; and the current billing rate for John Chmil is \$316.00 per hour, and the current billing rate for paralegals and law clerks is \$155.00 per hour. The Firm generally raises its rates at the beginning of each calendar year and reserves the right to increase and/or modify the above-stated rates over time; provided, however, that the Firm will provide the Town with advance notice of any rate changes. The Firm's monthly billing statement will reflect the current rates in effect at the time the service was performed.

- - - End of Amended Paragraphs 2, 3 and 5 - - -

If Erie agrees to this Amendment to the LSA, please sign in the space provided below and return this Amendment to the LSA to me by email at pjohnson@lyongaddis.com.

Thank you.

Sincerely,



Peter C. Johnson, Esq.

Town of Erie

By: _____

Date: _____

Its: _____