

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (the "Amendment") is made this _____ day of _____, 2019 (the "Effective Date"), by and among the Town of Erie, Colorado, a Colorado municipality with an address of 645 Holbrook Street, P.O. Box 750, Erie, Colorado 80516 (the "Town"), and Hoffmann, Parker, Wilson & Carberry, P.C. a Colorado corporation with an address of 511 16th Street, Suite 610, Denver, CO 80202 (the "Town Attorney") (each a "Party" and collectively the "Parties").

WHEREAS, the Parties entered into a Professional Services Agreement dated June 26, 2018 (the "Agreement"); and

WHEREAS, the Parties wish to amend the Agreement as set forth in this Amendment.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the sufficiency of which is mutually acknowledged, the Parties agree as follows:

1. Section 1 of the Agreement is hereby amended by the addition of the following new Subsection e.:

e. In addition to the foregoing, pursuant to C.R.S. § 31-25-104(2)(c), the Town Attorney shall act as legal advisor to the Town of Erie Urban Renewal Authority ("TOEURA").

2. Section 4 of the Agreement is hereby amended by the addition of the following new Subsection c.:

c. Special Fees. For litigation work performed by the Town Attorney and for work performed by the Town Attorney for TOEURA, the Town Attorney shall be compensated at an hourly rate of \$250 per hour for attorneys and \$95 per hour for paralegals, payable within 30 days of billing. Such special fees may be changed upon agreement of both Parties.

3. The remainder of the Agreement shall remain unchanged and in full force and effect.

WHEREFORE, the Parties have executed this Agreement as of the Effective Date.

TOWN OF ERIE, COLORADO

Jennifer Carroll, Mayor

ATTEST:

Jessica Koenig, Town Clerk

TOWN ATTORNEY
