

CCO Form: UT05
Approved: 05/01 (BDG)
Revised: 09/22 (BDG)
Modified:

County: Boone

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
SECOND SUPPLEMENTAL MASTER REIMBURSABLE UTILITY AGREEMENT**

THIS SECOND SUPPLEMENTAL MASTER REIMBURSABLE UTILITY AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Columbia (hereinafter, "City").

WITNESSETH:

WHEREAS, on September 16th, 1996, the City and Commission entered into a Master Reimbursable Utility Agreement related to the relocation of utilities within the boundaries of the City of Columbia (hereinafter, "Original Agreement") and on November 19th, 2014 the Commission and the City executed the First Supplemental to the Original Agreement; and

WHEREAS, the parties desire to further revise the Original Agreement with this Second Supplemental Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the parties agree as follows:

(1) ADDITION OF PARAGRAPH (21): The following paragraph is hereby added to the Original Agreement.

(21) BETTERMENT OF UTILITIES: The City may invest in betterment of their facility in situations where the City elects to improve the quality of the impacted facility above and beyond the typical standards or capacity required for typical in kind relocation. The expenses related to the betterment will be 100% the responsibility of the City for both design and construction. The City will reimburse the Commission for any expenses related to betterments payable to the "Missouri Highways & Transportation Commission – Credit State Road Fund".

(2) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this Second Supplemental Master Reimbursable Utility Agreement or the First Supplemental Master Reimbursable Utility Agreement, the Original Agreement between the parties shall remain in full force and effect and the unaltered provisions of the Original Agreement and First Supplemental Master Reimbursable Utility Agreement shall extend and apply to this Second Supplemental Master Reimbursable Utility Agreement.

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

Executed by the City on _____(DATE).

Executed by the Commission on _____(DATE).

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF COLUMBIA

By _____

By _____
De'Carlton Seewood, City Manager

Title _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____
Sheela Amin, City Clerk

Approved as to Form:

Approved as to Form:

By: _____
Commission Counsel

By: _____
Nancy Thompson, City Counselor

Ordinance No. _____

CERTIFICATION: I certify that this Second Supplemental Master Reimbursable Utility Agreement is within the purpose of the appropriations to which it is to be charged, account numbers **55516388-604990-SW545, 37688366-604990-E0224, 27288343-604990-W0308**, and that there is an unencumbered balance to the credit of such account sufficient to pay therefor.

By: _____
Matthew Lue, City Finance Director