AMENDMENT 9 TO THE GENERAL COOPERATIVE AGREEMENT DATED MARCH 8, 2011

THIS AMENDMENT 9 to the General Cooperative Agreement ("Ninth Amendment") is made by the Boone County Regional Sewer District, a common sewer district organized pursuant to Chapter 204, RSMo, (hereinafter "District") and the City of Columbia, Missouri (hereinafter "City") as of the date of the last signatory noted below. District and City are each individually referred to herein as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, on March 8, 2011, the Parties entered into a General Cooperative Agreement (hereinafter "Agreement") relating to sewers in the Highway HH service area, Westwood Meadows Subdivision, El Ray Heights Subdivision, Cow Branch Watershed, Little Bonne Femme Pump Station, and Jerry Morris Subdivision; and

WHEREAS, on March 19, 2013, the Parties entered into Amendment 1 to the General Cooperative Agreement amending the Agreement relative to the "Waters Edge, Lakewood Villas, Lakewood Estates, Lakeland Acres and Pin Oak Subdivisions Service Area"; and

WHEREAS, on May 6, 2014, the Parties entered into Amendment 2 to the General Cooperative Agreement amending the Agreement relative to the "Abiline Acres Cooperative Agreement"; and

WHEREAS, on August 19, 2015, the Parties entered into Amendment 3 to the General Cooperative Agreement amending the Agreement relative to the "Midway Area Cooperative Agreement", and financial participation in the construction of the "Henderson Branch Sewer Extension"; and

WHEREAS, on April 5, 2016, the Parties entered into Amendment 4 to the General Cooperative Agreement amending the Agreement relative to the "Happy Hallow Estates"; and

WHEREAS, potential amendments 5 and 6 to the Agreement were not finally and fully executed; and

WHEREAS, on December 6, 2016, the Parties entered into Amendment 7 to the General Cooperative Agreement amending the Agreement relative to the "Arrowhead Lake Estates – University Estates" and payment of special and regular fees for sewer connection to the Cascades Pump Station; and

WHEREAS, on February 21, 2018, the Parties entered into Amendment 8 to the General Cooperative Agreement amending the Agreement relative to the "State Highway HH Cooperative Agreement" (2017); and

WHEREAS, the Parties desire to formally amend the Agreement to remove the portion of the Agreement relative to the "Midway Area Cooperative Agreement" and also sometimes referred to as the "BCRSD Midway Connection Agreement Map", and financial participation in the construction of the "Henderson Branch Sewer Extension" as included in the August 19, 2015 Amendment 3 to the General Cooperative Agreement.

AMENDMENTS

NOW, THEREFORE, in consideration of the mutual benefit to be derived by the Parties, the Parties, pursuant to paragraph 24 of the Agreement, agree to amend the GENERAL CONDITIONS and the SPECIAL CONDITIONS of the Agreement as follows:

REVISIONS TO THE GENERAL CONDITIONS

1. Section 1 is deleted in its entirety. In its place, a new section 1 is included, as follows:

    1. The scope of this agreement is limited to those geographic areas within the "Boundary of Area Covered by Agreement" on the attached Exhibits 1 through 8, Exhibit 10, Exhibit 13, and Exhibit 14, and which are entitled to "State Highway HH Cooperative Agreement" (2011); "Westwood Meadows Cooperative Agreement"; "El Rey Heights Cooperative Agreement"; "Cow Branch Watershed Cooperative Agreement"; "Little Bonne Femme Pump Station Cooperative Agreement"; "Jerry Morris Subdivision Cooperative Agreement"; "Water's Edge, Lakewood Villas, Lakewood Estates, Lakeland Acres and Pin Oak Subdivisions Service Area"; "Abiline Acres Connection Agreement"; "Happy Hollow Estates"; "Arrowhead Lake Estates – University Estates"; and "State Highway HH Cooperative Agreement" (2017).

REVISIONS TO THE SPECIAL CONDITIONS

2. Special conditions 9 and 10, as previously added to the Agreement through the August 19, 2015 Amendment 3 to the General Cooperative Agreement, are **deleted** in their entirety, henceforth shall have no force or effect, and are replaced in their entirety as follows:

    9. *Intentionally deleted.*

    10. *Intentionally deleted.*

3. All other terms of the Agreement, as amended, including all GENERAL CONDITIONS and SPECIAL CONDITIONS not amended by this Ninth Amendment, shall remain unchanged and in full force and effect.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment 9 to the General Cooperative Agreement by their duly authorized representatives as of the date of the last signatory written below.

CITY OF COLUMBIA, MISSOURI

By: _____
De'Carlon Seewood, City Manager

Date: _____

ATTEST:

By: _____
Sheela Amin, City Clerk

APPROVED AS TO FORM:

By: _____
Nancy Thompson, City Counselor/ek

BOONE COUNTY REGIONAL SEWER DISTRICT

By: _____

Printed Name: Tom Ratermann

Title: General Manager

Date: 12/7/23

ATTEST:

By: _____

Title: ~~Man~~ Assistant Secretary to Board

APPROVED AS TO FORM:

By: _____
Christopher Pieper, General Counsel