

Redlined version of Changes to Contribution Agreement

Recital H is amended as follows:

H. The County and the Recipient now desire to enter into this Agreement providing for the transfer of up to One Million Four Hundred Thousand Dollars and No Cents (\$1,400,000.00) of the Road Appropriation to the Recipient [to advance] or reimburse the Recipient for certain capital costs incurred by the Recipient to complete the Road described in the Project Description attached hereto as **Exhibit A** (the “Project”), so long as such costs are consistent with the allowable uses for the Road Appropriation.

Section 1.3 is added as follows:

1.3 Disbursement Advance. Notwithstanding any provision of this Agreement, and upon receipt of a request from the Recipient, the County may in its sole discretion advance funds allocated under this Agreement to the Recipient if the County finds in its sole discretion that there are exigent circumstances justifying the advance. If the County advances funds under this section, the Recipient shall use all funds as required by law and be subject to the provisions of this Agreement.

Section 4.1(a)(1)(iii) is amended to read as follows:

(iii) in accordance with the timing outlined under Section 4.2(c)(1), below, proof of installation or completion of the Project Element or Elements to which the Request for Disbursement relates and for which Reimbursable Project Costs were incurred by the Recipient [and proof of acceptance of the completed Road by South Salt Lake]; and

Section 4.2(c)(1)(ii) is amended to read as follows:

(ii) within forty-five (45) days after receiving proof of payment on such invoices, proof of installation or completion of the Project Element or Elements to which the Request for Disbursement relates and for which Reimbursable Project Costs were incurred by the Recipient, [and proof of acceptance of the completed Road by South Salt Lake], disburse to the Recipient the remaining 5% of the amount of the Road Appropriation requested by the Recipient in the Request for Disbursement.

Section 4.2(f) is added to the Contribution Agreement as follows:

(f) Proof of Acceptance. Recipient shall provide proof of acceptance to County of the completed road upon receipt of the proof of acceptance from South Salt Lake. The Recipient’s duty under this subsection (f) is not a condition precedent to the County transferring funds under this Agreement.