

AMENDMENT 2 TO AGREEMENT #27176-A

THIS AMENDMENT modifies Agreement #27176-A, by and between the Orosi Public Utility District (“**Orosi PUD**” or “**OPUD**”) and the County of Tulare through its Office of Emergency Services (“**COUNTY**”), effective November 2, 2016, with reference to the following:

- 1. Term:** Item 2 is modified to read “This Agreement shall terminate at 11:59:59 P.M. local time on November 1, 2017, unless mutually extended by the parties; provided that each party hereto shall have the right to terminate this Agreement without cause upon providing written notice to the other party at least ten (10) days prior to the effective date of termination.”
- 2. Delivery and Cost of Water to COUNTY.** Item 3, Paragraph (a) is modified to read “Orosi PUD will make available to COUNTY up to ten thousand (10,000) gallons per day of water for delivery from the effective date of this Agreement, through November 1, 2017, pursuant to a written schedule mutually approved by the parties managerial staff.” Paragraph (f) is modified to read “Notwithstanding any other provision within this Agreement, Orosi PUD shall not be obligated under this Agreement to supply any water to COUNTY after November 1, 2017, unless this Agreement is extended in a writing signed by both parties. No notice shall be required from Orosi PUD prior to discontinuing to supply water under the terms of this Agreement.” Paragraph 3(a)(i) is added to read “COUNTY shall reimburse Orosi PUD for the actual cost of repair, replacement and/or reasonable maintenance of Orosi PUD hydrants, meters and/or related equipment and facilities furnished to COUNTY under this Agreement, for damages or wear occurring as a proximate result of the performance of this Agreement.”

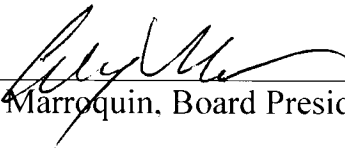
NOTWITHSTANDING THE ABOVE, all other terms of the Agreement, including previously approved Addenda, Amendments, and Exhibits, shall remain in full force and effect.

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THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

OROSI PUBLIC UTILITY DISTRICT

COUNTY OF TULARE

By: 
Alex Marroquin, Board President

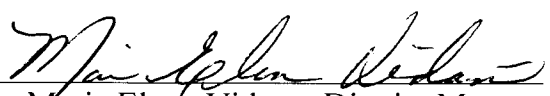
By: _____
Pete Vander Poel, Chairman of the Board

Dated: March ____, 2017

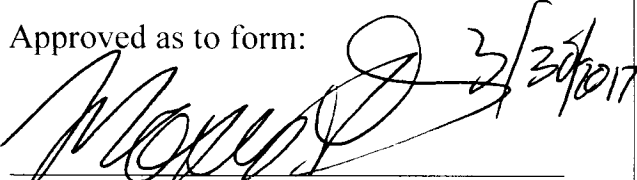
Dated: March ____, 2017

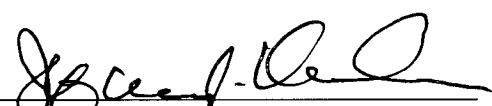
Attest:

Attest:


Maria Elena Vidana, District Manager

Michael C. Spata, Clerk of the Board

Approved as to form:  3/30/2017
Moses Diaz, District General Counsel

Approved as to form: 
County Counsel or Deputy