

**FIRST AMENDMENT TO THE
EXTRATERRITORIAL WASTEWATER SERVICES AGREEMENT**

**BETWEEN THE CITY OF RIALTO
AND
COLTON JOINT UNIFIED SCHOOL DISTRICT**

1. PARTIES AND DATE.

This First Amendment to the Extraterritorial Wastewater Services Agreement ("First Amendment") is made and entered into this July 28, 2002, by and between the City of Rialto ("City") and *Colton Joint Unified School District* ("CJUSD"). City and CJUSD are sometimes individually referred to as "Party" and collectively as "Parties" in this First Amendment.

2. RECITALS.

2.1 Agreement. City and CJUSD entered into that certain Services Contract Agreement dated *October 28, 2014*, ("Agreement"), whereby City agreed to provide wastewater collection and treatment services to the CJUSD.

2.2 Amendment. City and CJUSD desire to amend the Services Contract Agreement for the first time to include services to the property at 10750 Laurel Avenue in Bloomington, California and identified as Assessor's Parcel Number 0256-031-21 as an additional parcel . The Assessor's Parcel Numbers 0256-031-01, 0256-031-02, 0256-031-03 and 0256-031-21, are identified on the Exhibit "A" and shown on Exhibit "B"; said property is located outside of the incorporated boundaries of the City of Rialto within San Bernardino County.

3. TERMS.

3.1 "Property". The first Recital of the Agreement, defining the term "Property," shall be amended to add Assessor's Parcel Number 0256-031-21 to read as follows:

"WHEREAS, Owner represents that it holds lawful title to parcels of land identified by San Bernardino County Assessor's Parcel Numbers 0256-31-01, 0256-31-02, 0256-31-03 and 0256-31-21, located at 10750 Laurel Avenue, Bloomington (the "Property"), as identified on Exhibit "A" and shown on Exhibit "B"; said Property is located outside of the incorporated boundaries of Rialto within San Bernardino County; and"

3.2 Exhibits "A and "B". Exhibits "A" and "B" of the Agreement shall be replaced in their entirety with Exhibits "A" and "B", respectively, attached to this Agreement, which are amended to include Assessor's Parcel Number 0256-031-21.

3.3 Continuing Effect of Agreement. Except as amended by this First Amendment, all provisions of the Agreement shall remain unchanged and in full force and

effect. From and after the date of this First Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this First Amendment.

3.4 Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this First Amendment.

3.5 Counterparts. This First Amendment may be executed in duplicate originals, each of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

3.6 Corporate Authority. The persons executing this First Amendment on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this First Amendment on behalf of said party, (iii) by so executing this First Amendment, such party is formally bound to the provisions of this First Amendment and (iv) the entering into this First Amendment does not violate any provision of any other agreement to which said party is bound.

[SIGNATURES ON FOLLOWING PAGE]

CITY OF RIALTO

**COLTON JOINT UNIFIED SCHOOL
DISTRICT**

By: _____

Deborah Robertson
Mayor

By: _____

Signature

Dr. Frank Miranda

Printed Name

Attest:

Superintendent

Title

By: _____

Barbara McGee
City Clerk

By: _____

Signature

Approved as to Form:

Printed Name

By: _____

Eric S. Vail.
Interim City Attorney

Title

****Two signatures are required if a
corporation****

Exhibit "A"

Properties located at 10750 Laurel Avenue in Bloomington, California, described by the San Bernardino County Assessor's Office as:

0256-031-01
S T L AND W CO S B L LOT 471 EX ST 16.93 AC M/L

0256-031-02
S T L AND W CO S B L LOT 471 EX ST 16.93 AC M/L

0256-031-03
S T L AND W CO S B L SW 1/4 LOT 463 EX ST 4.69 AC

0256-031-21
Parcel Map 6198 Parcel 2

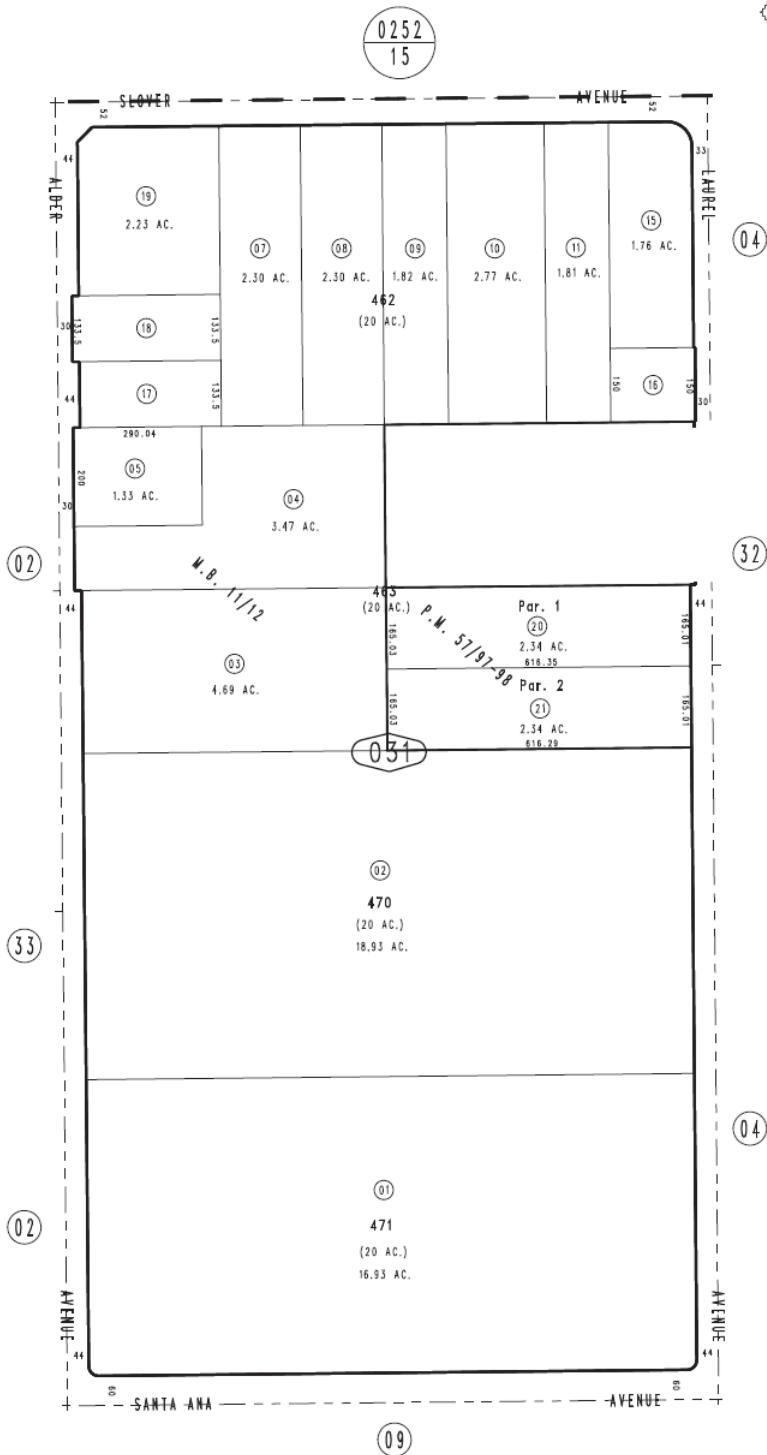
Exhibit "B"

THIS MAP IS FOR THE PURPOSE
OF AD VALOREM TAXATION ONLY.



Ptn. Semi-Tropic Land & Water Co. Sub., S.B.L.
M.B. 11/12

Colton Jt. Unified
Tax Rate Area
64027



January 2004

Parcel Map No. 6198, P.M. 57/97-98

Ptn. NW 1/4, Sec. 28
T.S., R.5W.
Assessor's Map
Book 0256 Page 03
San Bernardino County

REVISED
02/27/11 KA
07/11/11 RC
09/25/13 KC-MC