RESOLUTION NO.: 2015- [REDACTED]
SUBJECT: Amendment of 1998 IGA with the El Paso County Board of County Commissioners
EFFECTIVE DATE: May 27, 2015

RESOLUTION OF THE EL PASO COUNTY BOARD OF HEALTH

WHEREAS, on April 6, 1998, the El Paso County Board of Health entered into an
Intergovernmental Agreement Between the El Paso County Department of Health and
Environment and El Paso County, State of Colorado (“Agreement”), which Agreement was
recorded in the records of the El Paso County Clerk and Recorder at Reception No. 098052834; and

WHEREAS, the Agreement provides for the Parties to provide a number of services to each
other for their mutual benefit and the benefit of the public; and

WHEREAS, certain provisions of the Agreement refer to a 1998 Lease Agreement between the
El Paso County Department of Health and Environment and El Paso County for premises located
at 301/305 S. Union Boulevard, Colorado Springs CO, which Lease Agreement was recorded in
the records of the El Paso County Clerk and Recorder at Reception No. 098052833; and

WHEREAS, pursuant to Resolution No. 15 - ____ adopted on May 27, 2015 the El Paso
County Board of Health has terminated the 1998 Lease Agreement; and

WHEREAS, in order to remove any cloud on the title for the property located at 301/305 S.
Union Boulevard the Parties to the Agreement wish to amend the Agreement to terminate any
provisions related to the property or the prior lease. The Board of County Commissioners will
also need to approve amendment of the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the El Paso County Board of Health hereby
approves the First Amendment to Intergovernmental Agreement Between the El Paso County
Department of Health and Environment and El Paso County, State of Colorado, attached hereto
as Exhibit A and incorporated herein by reference.

MOVED, SECONDED AND ADOPTED BY THE EL PASO COUNTY BOARD OF
HEALTH AT ITS REGULAR MEETING HELD ON MAY 27, 2015.

EL PASO COUNTY BOARD OF HEALTH

BY: [SIGNED]
President

ATTEST: [SIGNED]
Secretary
EXHIBIT A
(FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT AND EL PASO COUNTY, STATE OF COLORADO)
FIRST AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT BETWEEN
THE EL PASO COUNTY DEPARTMENT OF
HEALTH AND ENVIRONMENT AND
EL PASO COUNTY, STATE OF COLORADO

This First Amendment to Intergovernmental Agreement Between the El Paso County Department of Health and Environment and El Paso County, State of Colorado ("Amendment") is entered into this 21st day of May, 2015, ("Effective Date"), by and between El Paso County Public Health, by and through the El Paso County Board of Health ("Public Health") and El Paso County, Colorado, acting by and through the Board of County Commissioners of the County of El Paso, State of Colorado, by and through the Board of County Commissioners of El Paso County, Colorado ("County"). Public Health and the County may be referred to herein individually as a Party and may be collectively referred to herein as the Parties.

RECITALS

WHEREAS, on April 6, 1998, the Parties entered into an Intergovernmental Agreement Between the El Paso County Department of Health and Environment and El Paso County, State of Colorado ("Agreement"), which Agreement was recorded in the records of the El Paso County Clerk and Recorder at Reception No. 098052834; and

WHEREAS, the Agreement provides for the Parties to provide a number of services to each other for their mutual benefit and the benefit of the public; and

WHEREAS, certain provisions of the Agreement refer to a 1998 Lease Agreement between Public Health (formerly the El Paso County Department of Health and Environment or "Health Department") and the County for premises located at 301/305 S. Union Boulevard, Colorado Springs CO, which Lease Agreement was recorded in the records of the El Paso County Clerk and Recorder at Reception No. 098052833; and

WHEREAS, pursuant to Resolution No. 15 - 07 adopted on May 27, 2015 the El Paso County Board of Health has terminated the 1998 Lease Agreement; and

WHEREAS, in order to remove any cloud on the title for the property located at 301/305 S. Union Boulevard the Parties wish to amend the Agreement to terminate any provisions related to the property or the prior lease.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Incorporation of Recitals and Identifying Information. The Parties agree that the above-stated Recitals shall be incorporated into this Amendment as if fully stated herein.
2. **1998 Lease Agreement.** The Agreement is hereby amended to terminate all rights and obligations of each Party with respect to the premises located at 301/305 S. Union Boulevard, Colorado Springs, CO, with a legal description as depicted in Exhibit 1, attached hereto and incorporated herein by this reference, or the 1998 Lease Agreement executed by the Parties in connection therewith.

3. **No Other Changes to Agreement.** The Parties agree and understand that no other provisions of the Agreement described herein are affected or changed by this Amendment, and all provisions of said Agreement continue to apply with full force and effect to the Parties.

4. **Recording.** The Parties agree that this Amendment shall be recorded in the records of the El Paso County Clerk and Recorder's Office.

IN WITNESS of the foregoing provisions, the Parties have executed and delivered this Amendment as of the Effective Date.

EL PASO COUNTY PUBLIC HEALTH

[Signature]

President

ATTEST: [Signature]

Secretary

STATE OF COLORADO  )   S.S.
COUNTY OF EL PASO  )

The foregoing instrument was acknowledged before me this 27th day of May 2015, by James Terbush, MD as President of the El Paso County Board of Health, and as attested to by Dan Martindale, its Secretary.

Witness my hand and official seal.

[Notary Public Seal]

My Commission Expires: 10/30/2018
BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: ____________________________
    Dennis Hisey, Chair

ATTEST:

By: ____________________________
    Clerk & Recorder

APPROVED AS TO FORM:

By: ____________________________
    Office of the County Attorney

STATE OF COLORADO  )
COUNTY OF EL PASO  ) S.S.

The foregoing instrument was acknowledged before me this ______ day of ________,
2015, by __________________________, as ______________________ of the Board of County
Commissioners, and as attested to by ______________________, Clerk & Recorder.

Witness my hand and official seal.

________________________________
    Notary Public

My Commission Expires: ______________
EXHIBIT 1

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 17 AND THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE CORNER COMMON TO SECTION 16, 17, 20 AND 21, TOWNSHIP 14 SOUTH, RANGE 66 WEST;
THENCE NORTH 0 DEGREES 14 MINUTES 01 SECONDS EAST, A DISTANCE OF 60 FEET ON A LINE BETWEEN SECTION 16 AND 17;
THENCE SOUTH 89 DEGREES 20 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 174.57 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF UNION BOULEVARD;
THENCE NORTH 02 DEGREES 13 MINUTES 54 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY OF UNION BOULEVARD A DISTANCE OF 362.37 FEET TO THE POINT OF BEGINNING,
SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE CHATEAU SUBDIVISION
RECORDED DECEMBER 4, 1970 AT RECEIPTION NO. 768237 IN PLAT BOOK P2 AT PAGE 4;
THENCE CONTINUE NORTH 02 DEGREES 13 MINUTES 54 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY OF UNION BOULEVARD A DISTANCE OF 620.37 FEET TO A POINT IN COMMON WITH THE SOUTHWEST CORNER OF THE I.T.U.N.P.P. SUBDIVISIONRecorded April
20, 1971 AT RECEIPTION NO. 795512 IN PLAT BOOK R2 AT PAGE 21;
THENCE SOUTH 87 DEGREES 46 MINUTES 06 EAST ALONG THE SOUTH BOUNDARY OF THE I.T.U.N.P.P. SUBDIVISION FOR A DISTANCE OF 620.11 FEET;
THENCE SOUTH 02 DEGREES 14 MINUTES 56 SECONDS WEST FOR A DISTANCE OF 620.30 FEET TO A POINT THAT IS IN COMMON WITH THE NORTHEAST CORNER OF THE CHATEAU SUBDIVISION;
THENCE NORTH 87 DEGREES 46 MINUTES 26 SECONDS WEST ALONG THE NORTH BOUNDARY OF THE CHATEAU SUBDIVISION FOR A DISTANCE OF 619.92 FEET TO THE POINT OF BEGINNING.