

MODIFICATION
OF
UTILITY COOPERATIVE AGREEMENT
AMONG
THE CITY OF COLUMBUS
AND
MARBLE CLIFF QUARRY COMMUNITY AUTHORITY
AND
MARBLE CLIFF CANYON, LLC

This Modification of Contract made pursuant to Ordinance _____ passed and approved adopted by the City of Columbus, Ohio, is hereby made and entered into between the City of Columbus (the “City”) and Marble Cliff Quarry Community Authority (the “Authority”), and Marble Cliff Canyon, LLC (the “Developer”), each individually a “Party” and collectively the “Parties,” this _____ day of _____, 20____.

Whereas, pursuant to Ordinance No. 3095-2019 passed by the City of Columbus, the Parties entered into the Marble Cliff Quarry Utility Cooperative Agreement (the “Agreement”) on May 1, 2020 to set forth their cooperative arrangements for water and sewer service to certain real property comprising the Authority’s new community district (the “NCD”), which was depicted on Exhibit A to the Agreement; and

Whereas, the territory of the NCD was modified on [DATE] to include additional area; and

Whereas, it is necessary to modify the Agreement to adjust the boundaries delineated on Exhibit A attached thereto to align with the modified boundaries of the NCD.

Now Therefore, the Parties agree as follows:

1. Exhibit A of the Agreement is hereby replaced with modified Exhibit A attached hereto.
2. It is understood and agreed by and between the Parties that all terms and conditions of the Agreement shall remain binding and in full force and effect and that the only purpose of this Modification of Contract is to modify Exhibit A.

[SIGNATURE PAGE FOLLOWS]

MARBLE CLIFF QUARRY COMMUNITY
AUTHORITY

THE CITY OF COLUMBUS, OHIO

By: _____
Chair

By: _____
Director of Public Utilities,

MARBLE CLIFF CANYON LLC

Approved as to form: _____
City Attorney

By: _____
Mark Wagenbrenner, Authorized Member