

**SECOND AMENDMENT TO ECCV-SMWSA BARR LAKE  
PIPELINE ENLARGEMENT AGREEMENT**

THIS SECOND AMENDMENT (“Second Amendment”) to the ECCV-SMWSA Barr Lake Pipeline Enlargement Agreement is made, entered into, and effective as of the 30th day of March, 2020 by and between the SOUTH METRO WATER SUPPLY AUTHORITY (“Authority”) and the EAST CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT (“ECCV”), individually referred to herein as a “Party” and collectively as the “Parties.”

**RECITALS**

**WHEREAS**, the Parties entered into the ECCV-SMWSA Barr Lake Pipeline Enlargement Agreement dated as of March 25, 2005 (the “Agreement”), as amended by that First Amendment to the ECCV-SMWSA Barr Lake Pipeline Enlargement Agreement dated as of January 1, 2020 (the “First Amendment”); and

**WHEREAS**, the Parties desire to amend the Agreement, as amended by the First Amendment; and

**WHEREAS**, in accordance with Section 7.4 of the Agreement, the Agreement may not be amended, modified, or changed except by a written agreement signed by the Parties.

**NOW THEREFORE**, in consideration of the mutual covenants and stipulations hereinafter set forth, the sufficiency of which is hereby acknowledged, the parties do hereto agree to amend the Contract as follows:

**TERMS**

**1. TERM.** Section 6 of the First Amendment is hereby amended and restated in its entirety as follows:

The Parties hereby agree that the Authority shall have until June 30, 2020 to make the Final Payment to ECCV (the “Payment Date”). Should the Authority fail to make the Final Payment to ECCV on or before the Payment Date, the Authority’s capacity in the Pipeline shall remain at the Current Capacity.

**2. FULL FORCE AND EFFECT.** Except as expressly modified by this Second Amendment, all other provisions of the Agreement, as amended by the First Amendment, shall remain in full force and effect.

**[The remainder of this page left intentionally blank.]**

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment, effective as of the day and year first above written.

EAST CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT

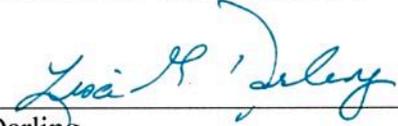
By:   
David J. Kaunisto

Its: District Manager

ATTEST:

By:   
Its: District Secretary

SOUTH METRO WATER SUPPLY AUTHORITY

By:   
Lisa Darling

Its: Executive Director