

**SECOND AMENDMENT TO CONTRACT FOR PURCHASE AND SALE
AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK, COLORADO BY AND THROUGH ITS
WATER ACTIVITY ENTERPRISE AND THE ARAPAHOE COUNTY WATER AND WASTEWATER
AUTHORITY RELATED TO THE CHERRY CREEK PROJECT WATER AUTHORITY**

This Second Amendment to Contract for Purchase and Sale Agreement ("2nd Amendment") is made _____, 2020 between **TOWN OF CASTLE ROCK BY AND THROUGH THE TOWN OF CASTLE ROCK WATER ENTERPRISE** ("Buyer"), and the **ARAPAHOE COUNTY WATER AND WASTEWATER AUTHORITY** ("Seller").

WHEREAS, Buyer and Seller entered into the Contract for Purchase and Sale Agreement ("Agreement") dated March 5, 2020.

WHEREAS, Buyer and Seller entered into the First Amendment to the Contract for Purchase and Sale Agreement ("1st Amendment") dated May 5, 2020.

WHEREAS, Buyer and Seller desire to extend the diligence period to allow Buyer additional time to investigate the Assets.

Now, therefore, Buyer and Seller agree as follows:

1. Paragraph 6 of the Agreement (but not subparagraphs of paragraph 6) shall be amended and restated as follows:

6. CLOSING. Subject to the satisfaction of the terms and conditions in this Agreement, the purchase and sale provided for in this Agreement ("Closing") will take place at a location to be determined by Buyer and Seller no later than March 3, 2021. At Closing, the following actions shall occur.

2. Paragraph 12 of the 1st Amendment (but not subparagraphs of paragraph 12) shall be amended and restated as follows:

12. DUE DILIGENCE. Buyer shall have until December 15, 2020 to conduct a due diligence review of the Assets ("Diligence Period").

3. All other provisions of the Agreement and 1st Amendment shall remain in full force and effect. In the event of any conflict between the Agreement, the 1st Amendment and this 2nd Amendment, the provisions of this 2nd Amendment shall control.

SELLER:

ARAPAHOE COUNTY WATER AND
WASTEWATER AUTHORITY, a water authority
of the State of Colorado



Steve Witter, General Manager

Date: 10/28/2020

BUYER:

TOWN OF CASTLE ROCK, COLORADO, a
Colorado home rule municipality,

**BY AND THROUGH ITS WATER ACTIVITY
ENTERPRISE**

By:

Jason Gray, Mayor

Date: _____

ATTEST:

By:

Lisa Anderson, Town Clerk

APPROVED AS TO FORM:

Michael Hyman, Town Attorney

APPROVED AS TO CONTENT:

Mark W. Marlowe
Director Castle Rock Water