

**FIRST AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT
BETWEEN PINAL COUNTY AND THE CITY OF APACHE JUNCTION
DEFINING RESPONSIBILITY FOR ROAD MAINTENANCE OF SUPERSTITION
MOUNTAIN DRIVE, SOUTH MOUNTAIN VIEW ROAD, AND SOUTHERN AVENUE**

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) dated the ____ day of _____, 2020, is made by and between PINAL COUNTY, a political subdivision of the State of Arizona (“Pinal”) and CITY OF APACHE JUNCTION, an Arizona municipal corporation (“Apache Junction”), both collectively referred to as the “Parties” or individually as a “Party”.

RECITALS

- A) County and Apache Junction are Parties to the “Intergovernmental Agreement Defining Responsibility for Road Maintenance of Superstition Mountain Drive, South Mountain View Road and Southern Avenue” dated February 28, 2018 (the “Agreement”).
- B) The Parties desire to amend the Agreement by including North Mountain View Road and Jacob Waltz Street.

AGREEMENT

- 1. All provisions of the Agreement are hereby incorporated by this reference into this First Amendment. The provisions of the Agreement shall continue in full force and effect except as specifically amended by this First Amendment.
- 2. Section 1 of the Agreement shall be revised to read as follows:

For public safety and welfare of the public, the Parties hereto agree to maintain portions of paved and unpaved roadways known as:

Exhibit A – Superstition Mountain Drive – US 60 to approximately 300’ north
Exhibit B – Mountain View Road – US 60 to 32nd Avenue
Exhibit C – Southern Avenue – Delaware Drive to Ironwood Drive
Exhibit D – Southern Avenue – Mariposa Road to Tomahawk Road
Tomahawk Road – US 60 to approximately 615’ north
Exhibit E – Jacob Waltz Street – Mountain View Road to Nodak Road
Mountain View Road – Tepee Street to Singletree Street

- 3. Section 4 of the Agreement shall be revised to read as follows:

Pinal County agrees to provide regular and routine roadway maintenance on the portions of the roadways depicted in Exhibits A, B, D (Tomahawk Road) and E lying within the City of Apache Junction jurisdiction. This includes:

Exhibit A – Superstition Mountain Drive – US 60 to approximately 300’ north
Exhibit B – Mountain View Road – US 60 to 32nd Avenue

Exhibit D – Tomahawk Road – US 60 to approximately 615' north
Exhibit E – Jacob Waltz Street – Mountain View Road to Nodak Road
Mountain View Road – Tepee Street to Singletree Street

Furthermore, Pinal County agrees for those roads depicted in Exhibit E to provide the below:

- A. Peace officer patrols (including 911 calls)
 - B. Noise complaints
 - C. PM-10 air quality
 - D. Illegal dumping within easement
 - E. Indemnify the City as communicated in section six of the Agreement.
4. This Agreement may be cancelled for conflict of interest without further obligation penalty, in accordance with A.R.S. § 38-511.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

PINAL COUNTY

CITY OF APACHE JUNCTION

Recommended by:

Recommended by:

Scott Bender Date
Director
Department of Public Works

Mike Wever Date
Director
Public Works Department

Approved and Accepted:

Approved and Accepted:

By: _____
Chairman Date
Board of Supervisors

By: _____
Jeff Serdy Date
Mayor
City of Apache Junction

Attest:

Attest:

By: _____
Clerk of the Board Date

By: _____
Jennifer Peña Date
City Clerk
City of Apache Junction

APPROVAL AS TO FORM

I hereby state that I have reviewed the proposed Intergovernmental Agreement, between Pinal County and the Town of Florence pursuant to A.R.S. § 11-952, and declare the Agreement to be in proper form and within the powers and authority granted to their respective governing bodies under the laws of the State of Arizona.

Mark J. Langlitz, Pinal County Attorney

Richard J. Stern, Apache Junction City Attorney

Date

Date

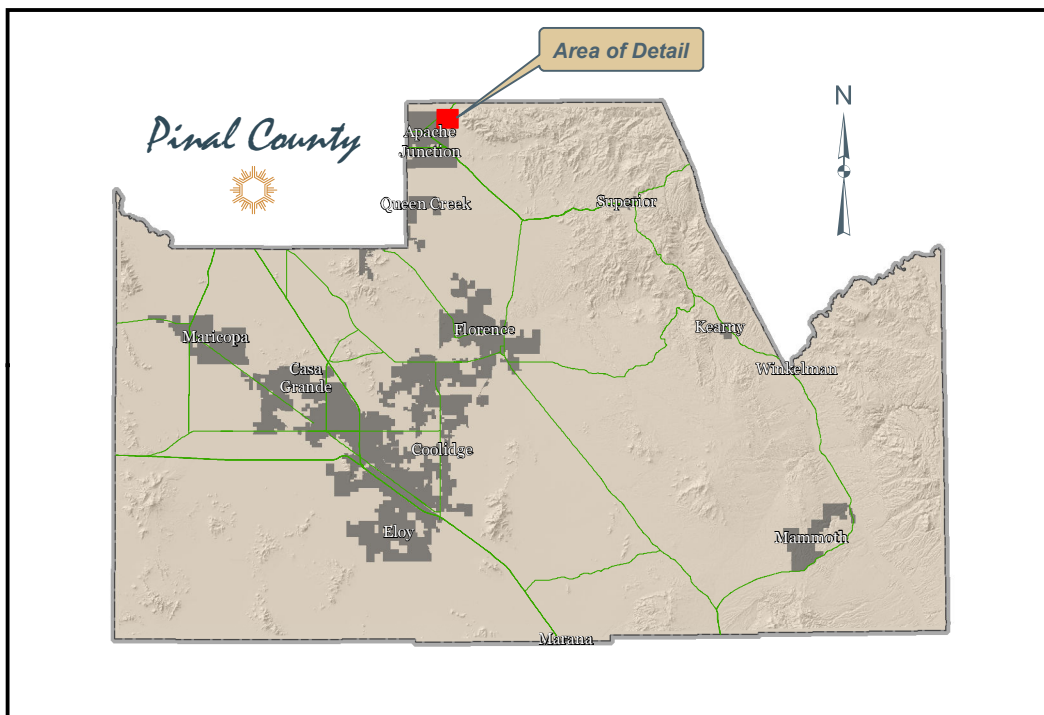
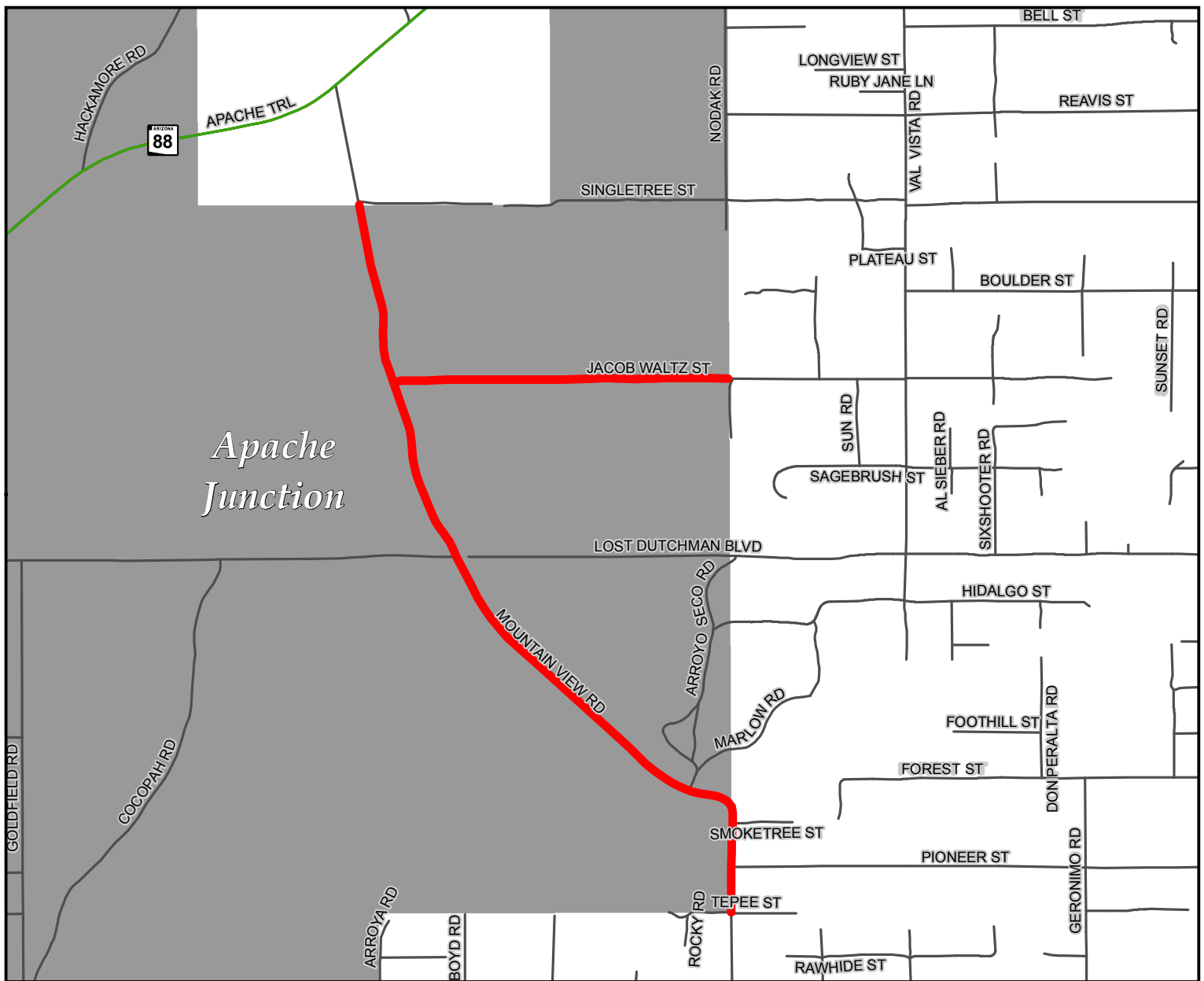







Exhibit - E County Maintained Roadway

-  Jacob Waltz - Mtn View to Nodak Rd
-  Mountain View - TeePee St to Singletree St
-  Street Centerline
-  Highway / Interstate
-  City/Town Boundary



PINAL COUNTY
WIDE OPEN OPPORTUNITY