

**AMENDMENT NO. 1
TO WASTE WATER TREATMENT FACILITY CONTRACT
BETWEEN THE REGIONAL METROPOLITAN UTILITY AUTHORITY AND
THE BROKEN ARROW MUNICIPAL AUTHORITY
OF MARCH 16, 2016**

The AMENDMENT NO. 1 to the Waste Water Treatment Facility Contract (the "First Amendment") is made effective as of this 25th day of January, 2017, by and between the Regional Metropolitan Utility Authority, an Oklahoma public trust, together with its successors and assigns ("RMUA"), and the Broken Arrow Municipal Authority, an Oklahoma public trust, together with its successors and assigns ("BAMA").

WITNESSETH:

WHEREAS, on March 16, 2016, RMUA and BAMA entered into a Waste Water Treatment Facility Contract (the "Contract"); and

WHEREAS, the term of the contract was for one year; and

WHEREAS, RMUA and BAMA are in the process of negotiating a comprehensive new agreement for the treatment of waste water; and

WHEREAS, rather than expediting approval of the new agreement, it is reasonable and necessary to amend the Contract and provide for a two-year term.

NOW, THEREFORE, in consideration of the covenants and mutual obligations set out herein and in the Contract, and other consideration, the sufficiency of which the parties hereby acknowledge, the parties hereto hereby covenant and agree to the following Amendment:

**ARTICLE A
AMENDMENT TO CONTRACT**

A.1 Amendment to Article VIII, Section 8.01, Term of Contract: Article VIII, Section 8.01 is hereby deleted in its entirety and replaced with the following:

Section 8.01. TERM OF CONTRACT. This Contract shall continue in force and effect for a period of two (2) years from the effective date of this Contract.

**ARTICLE B
CONTINUING TERMS OF CONTRACT**

B.1 Except as amended hereby, all terms of the Contract remain in full force and effect without modification or change. The Contract, as amended by this First Amendment, is in all respects ratified and confirmed, and the Contract, as so amended by this Amendment, shall be read, taken and constructed as one and the same instrument.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties hereto acting under authority of their respective governing bodies have caused this Amendment to be duly executed on the date first above written.

ATTEST:

THE BROKEN ARROW MUNICIPAL AUTHORITY

Secretary

Chairman

APPROVED AS TO FORM:

Attorney
Broken Arrow Municipal Authority

ATTEST:

THE REGIONAL METROPOLITAN UTILITY
AUTHORITY

Secretary

Chairman

APPROVED AS TO FORM:

Special Attorney for The Regional
Metropolitan Utility Authority