

**FIRST AMENDMENT TO FIRE SERVICES AGREEMENT
BETWEEN THE CITY OF CHARLOTTESVILLE AND ALBEMARLE COUNTY**

THIS FIRST AMENDMENT to the Fire Services Agreement (“First Amendment”) is made and entered into this 1 day of November, 2017, and executed in duplicate originals by the CITY OF CHARLOTTESVILLE, VIRGINIA, a municipal corporation of the Commonwealth of Virginia, and the COUNTY OF ALBEMARLE, a political subdivision of the Commonwealth of Virginia.

WHEREAS, the City and the County entered into a Fire Services Agreement (“Agreement”) between the City of Charlottesville and Albemarle County, dated June 6, 2014, governing the provision of fire services for both localities; and

WHEREAS, Section 7.2 of the 2014 Agreement provides that the parties may amend or supplement the Agreement at any time by mutual written agreement; and

WHEREAS, Section 3 of the Agreement provides for an option to extend the Agreement for an additional term of five years.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. Execution to Extend Agreement

Section 3 (“Term”) of the Agreement is hereby amended to delete the requirement that an agreement to extend the Agreement past the original Termination Date of June 30, 2018, must be executed one year prior to expiration. Any agreement to extend the provision of fire services for one additional five-year term—for which this First Amendment provides herein and satisfies by its execution—is valid if made in writing any time before the Termination Date.

2. Option to Extend Agreement

Section 3 (“Term”) of the Agreement allows that, unless terminated as otherwise provided in the Agreement, “the parties may extend the Agreement for one (1) additional five (5) year term, through June 30, 2023, at which time the Agreement shall terminate.” The parties hereby agree to extend the Agreement for an additional term of five years, expiring June 30, 2023. Any additional agreement for a provision of fire services between the parties after that date must be executed in a separate written agreement.

3. Survival of Terms

Except as expressly amended in this First Amendment, the terms and conditions in the Agreement shall remain in full force and effect. The parties agree and acknowledge that Section 3.2 of the Agreement applies to the extended term created by this First Amendment.

WITNESS the following signatures:

CITY OF CHARLOTTESVILLE

City Manager

Date

Approved as to form:

City Attorney

ALBEMARLE COUNTY, VIRGINIA

County Executive

Date

Approved as to form:

County Attorney
