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# AMENDMENT TO CHAPTER 28E AGREEMENT FOR CONTINUED EMERGENCY RESPONSE SERVICES FOR THE BENEFIT OF ELKHART TOWNSHIP

Amendment to Chapter 28E Agreement by and between the City of Ankeny, Iowa, hereafter referred to as "the City", and Polk County, hereafter referred to as "the County", effective as of the date set forth below:

WHEREAS, the City and the County have entered into a Chapter 28E Agreement, which is on file with Iowa Secretary of State and recorded on December 14, 2006 in the records of the Polk County Recorder at Book 11992 and Page 170 through 181, hereafter referred to as "the Agreement"; and

WHEREAS, the City and the County desire to modify the Agreement due to its scheduled termination on June 30, 2011.

NOW THEREFORE, in consideration of the mutual undertakings hereby provided, the City and the County hereby agree as follows:

1. Section 13 of the Agreement shall be deleted and replaced with the attached Section 13.
2. Section 14 of the Agreement shall be deleted and replaced with the attached Section 14.
3. The parties shall approve this Amendment by resolution of their respective board or council, which shall authorize the execution of this Amendment. This Amendment will then be filed in, and become effective when filed, in the Office of the Iowa Secretary of State in accordance with Chapter 28E of the Code of Iowa.
4. Except as so amended, the Agreement shall remain in full force and effect.

**CITY OF ANKENY, IOWA**

_____ _____

**Mayor** **Date**

This instrument was acknowledged before me on _____, 2010 by _____ as Mayor of the City of Ankeny.

_____

Signature of Notary

**POLK COUNTY, IOWA**

_____ _____

**Chair, Polk County Board of Supervisors** **Date**

State of Iowa )
County of Polk) ) ss

This instrument was acknowledged before me on _____, 2010 by _____ as the Chairperson of the Board of Supervisors of Polk County, Iowa.

_____

Signature of Notary

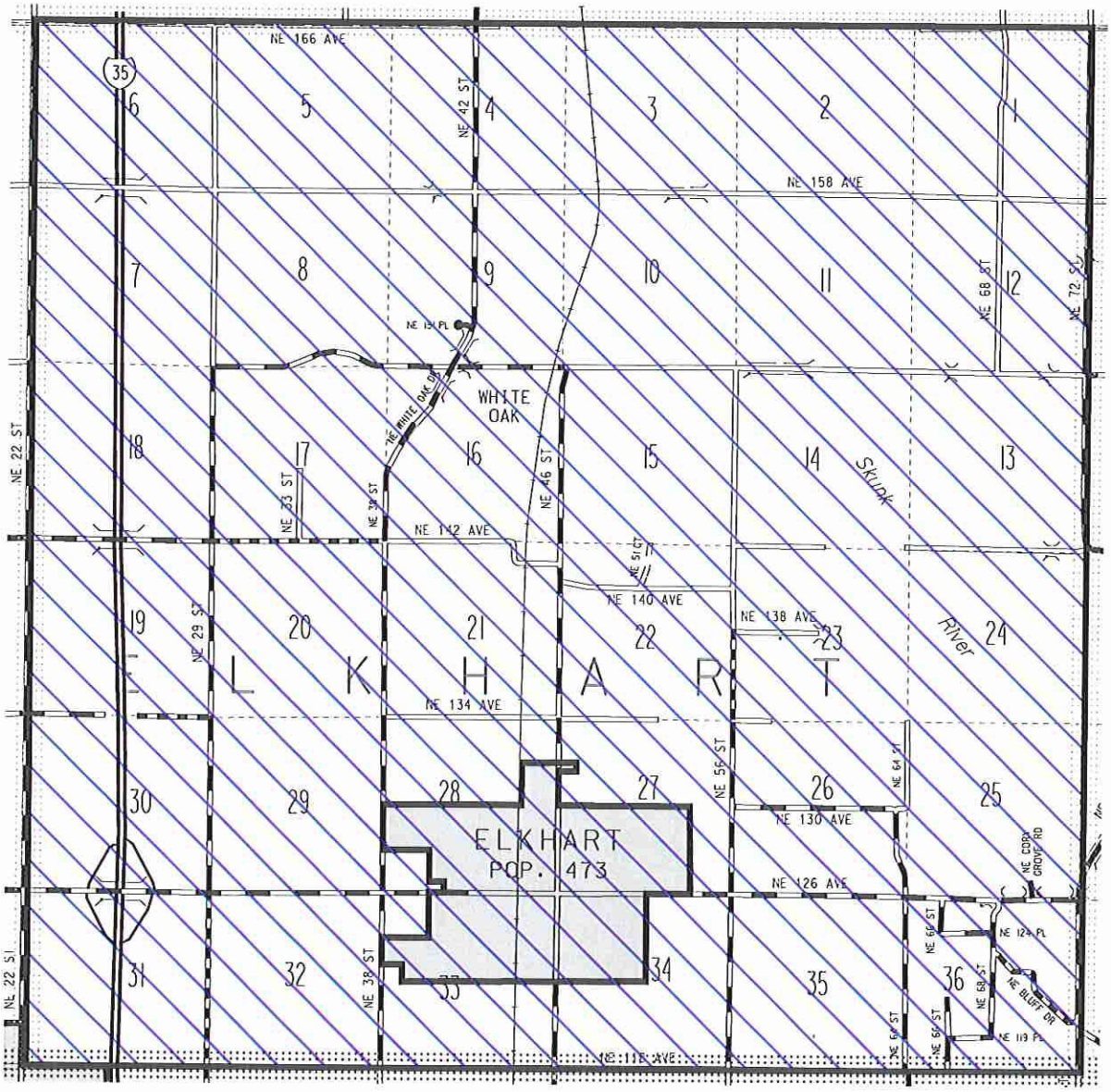
**13. Term of Agreement.**

This Agreement shall be in effect beginning July 1, 2011 and continue thereafter until such time as one of the parties wishes to amend or terminate the Agreement pursuant to Sections 12 and 14 of this Agreement.

**14. Termination.**

In the event that any public entity that is a party to this Agreement shall desire to withdraw or terminate this Agreement, a written notice of withdrawal shall be completed and delivered to all other parties to this Agreement by hand delivery or certified mail by the first day of the month which is at least sixty (60) days prior to the proposed date of termination.

# EXHIBIT "A"
# "SUBSTITUTED MAP"
# ELKHART TOWNSHIP (T81N R23W)

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