

**SIXTEENTH AMENDMENT
TO THE REVISED INTERLOCAL AGREEMENT
BETWEEN
WAKE COUNTY AND THE CITY OF RALEIGH
RELATING TO ROOM OCCUPANCY AND PREPARED FOOD
AND BEVERAGE TAX REVENUES**

This Amendment entered into this the 4th day of May, 2009, by and between the County of Wake, North Carolina, hereinafter referred to as County, and the City of Raleigh, North Carolina, hereinafter referred to as City, pursuant to the provisions of Article 20 of Chapter 160A of the North Carolina General Statutes, and in accordance with the requirements of Chapter 594 of the Session Laws of North Carolina and Chapter 458 of the 1995 Session Laws of North Carolina (the Enabling Acts).

W I T N E S S E T H:

WHEREAS, the County has levied room occupancy and prepared food and beverage taxes as allowed by law, and

WHEREAS, the County and the City entered into an agreement entitled ARevised Interlocal Agreement Between Wake County and the City of Raleigh Regarding use of Countywide Room Occupancy and Prepared Food and Beverage Taxes@ dated September 5, 1995, (ARevised Agreement@) setting out the projects to receive funding from these taxes; and,

WHEREAS, the County and the City have amended the Revised Interlocal Agreement from time to time, and it was the Fifteenth Amendment thereof which was executed for the purpose of accelerating the financial allocation to the North Carolina Museum of Natural Sciences for its Green Square project and delaying funding to the Cary Aquatic Center as set forth in Attachment 1 to the Fifteenth Amendment dated September 30, 2008; and,

WHEREAS, that due to the completion of a privately developed aquatic facility, the Town of Cary no longer considers the aquatic center as contemplated in the Tenth and Fifteenth Amendments to be a priority, but instead has proposed to build and upgrade facilities at existing Town of Cary sports venues; and,

WHEREAS, the County and the City, with the consent of the Town of Cary, agree that the funding schedule previously approved as Attachment 1 to the aforementioned Fifteenth Amendment only needs modification as to the projects proposed and does not affect the schedule of funding otherwise, and that the Attachment should be amended accordingly;

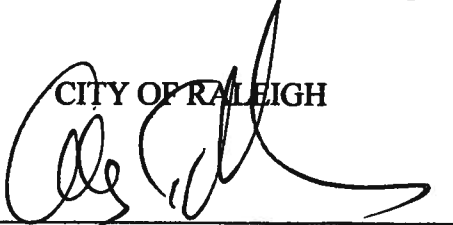
NOW THEREFORE in consideration of the mutual covenants and promises contained herein, the County and the City agree to this Sixteenth Amendment to the Revised Interlocal Agreement Between Wake County and the City of Raleigh Regarding use of Countywide Room

Occupancy and Prepared Food and Beverage Taxes as follows:

1. The County and the City agree to delete reference to a Cary Aquatics Facility and replace that reference as indicated in Attachment 1 to this agreement and dated May 2009 with the new construction and upgrades for the WakeMed Soccer Park, the USA Baseball Complex, and the Cary Tennis Park.
2. The remaining provisions of the Fifteenth Amendment are unaffected and remain in full effect.
3. All other terms of the November 20, 2007 Fourteenth Amendment by the County and the City and the September 5, 1995, Revised Interlocal Agreement, as amended from time to time, shall remain in the same force and effect.

IN WITNESS WHEREOF, this Amendment is executed the day and year first above written pursuant to resolutions adopted by the governing boards of the County and the City.

CITY OF RALEIGH

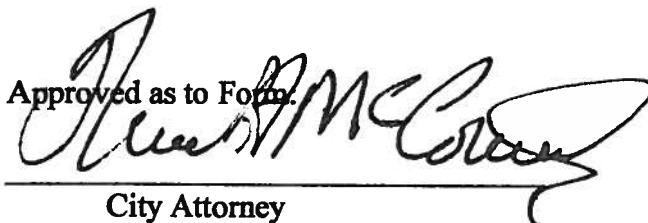


Charles C. Mecker
Mayor

Attest:


Clerk

Approved as to Form:


City Attorney

COUNTY OF WAKE

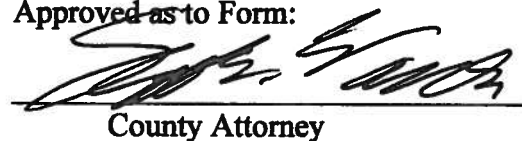


Harold H. Webb
Chairman

Attest:


Clerk

Approved as to Form:


County Attorney

MAJOR FACILITIES -- PROJECTS TO BE FUNDED FROM 15% UNCOMMITTED FUNDS (Revised May 2009)

Fiscal Year	NC Art Museum	Cary Sports Facilities*	NC Museum of Natural Sciences	St Augustine's College Track	NC Ballet	Falls Whitewater Park	RBC Center Capital Improvements**
2007	5,100,000		1,200,000	100,000	50,000	150,000	150,000
2008	900,000		700,000	100,000	100,000		100,000
2009	1,000,000		700,000	100,000	100,000		100,000
2010	1,000,000		900,000	100,000			100,000
2011	1,000,000		900,000	100,000			100,000
2012	1,000,000		800,000	100,000			100,000
2013	1,000,000	400,000	200,000	100,000			100,000
2014	1,000,000	1,000,000	200,000	100,000			100,000
2015	1,000,000	1,000,000	400,000	100,000			100,000
2016	1,000,000	1,300,000		100,000			100,000
2017	1,000,000	1,700,000					100,000
2018		2,600,000					100,000
2019		2,000,000					200,000
2020							200,000
2021							500,000
2022							600,000
TOTAL	\$15,000,000	\$10,000,000	\$6,000,000	\$1,000,000	\$250,000	\$150,000	\$26,000,000

*Facilities include \$5.8 Million for WakeMed Soccer Park, \$3.2 million for USA Baseball, and \$1 million for Cary Tennis Park

** RBC Center Agreement calls for amounts of up to \$1,500,000 annually if funds are available in the early years, with later year reduced. Maximum commitment of \$26 million



City Of Raleigh
North Carolina

June 16, 2009

Ms. Susan J. Banks, CMC
Wake County
P. O. Box 550
Raleigh, NC 27602

Dear Susan:

Enclosed is an executed original of the Sixteenth Amendment to the Interlocal Agreement between Wake County and the City of Raleigh relating to the Room Occupancy and Prepared Food and Beverages. This Amendment was approved by the City of Raleigh on May 5, 2009 and Wake County on May 4, 2009.

If you have questions, please feel free to contact me at 996-3040.

Sincerely,

Gail G. Smith
City Clerk

jt/smith13

Enclosure

cc: Perry James, Chief Financial Officer
Russell Allen, City Manager