

FIFTH 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 Agreement entered into as of the 20th day of July, 2000, 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.

WITNESSETH:

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

Whereas, as required by law, the County and the City have entered into agreements setting out the projects to receive funding from these taxes and, have further agreed on a schedule of funding setting out the amount of money to be received by each project and a schedule upon which the money will be disbursed, and

Whereas, the County and the City are mutually agreed to provide increased funding for one project and to fund additional projects with said tax revenues, and

Whereas, to effect this change the County and the City agree to amend the September 5, 1995, Revised Interlocal Agreement.

Now therefore in consideration of the mutual covenants and promises contained herein, the County and the City agree that the Revised Interlocal Agreement of September 5, 1995, as amended December 3, 1996, May 1, 1997, October 9, 1998, and September 7, 1999, is amended as follows:

1. Paragraph 4 is amended to add new subparagraphs as follows:
 - H. Yates Mill Pond County Park
 - I. American Tobacco Trail
2. Paragraph 8 is amended by deleting the amount Twelve Million One Hundred Thousand Dollars (\$12,100,000) and substituting therefore the amount Fourteen Million One

Hundred Thousand Dollars (\$14,100,000). Disbursement of the additional Two Million Dollars (\$2,000,000) authorized by this Amendment shall be disbursed directly to the City according to the attached Schedule, and the City shall use said funds only for the purpose stated herein.

3. A new paragraph, Paragraph 11.2 is added to read as follows:

11.2 The amount of One Million Dollars shall be disbursed for the Yates Mill Pond County Park. The Yates Mill Pond County Park consists of a project for preservation of the County's cultural heritage by restoring a working grist mill and developing a park adjacent to the mill. It is anticipated that the Yates Mill Pond County Park project will be constructed by December of 2002. Disbursement of funds retained in the Yates Mill Pond County Park Reserve Fund shall be made directly to the County according to the attached Schedule, and the County shall use said funds only for the purpose stated herein.

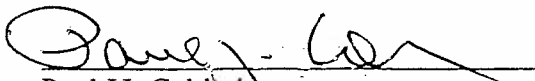
It is agreed that if the City is requested to extend utilities to the project, the County will pay, or will cause to be paid, the cost of such extensions, and such payments may be made from the funds allocated by this paragraph.

4. A new paragraph, Paragraph 11.3 is added to read as follows:

11.3 The amount of One Million Dollars shall be disbursed for the American Tobacco Trail project. The American Tobacco Trail project consists of purchase of land rights and construction of an active sports trail for walking, biking and horseback riding. It is anticipated that the American Tobacco Trail project will be constructed by December of 2002. Disbursement of funds retained in the American Tobacco Trail Reserve Fund shall be made directly to the County according to the attached Schedule, and the County shall use said funds only for the purpose stated herein.

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

CITY OF RALEIGH



Paul Y. Coble
Mayor

Attest:



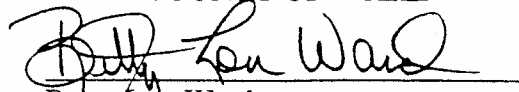
Doreen Smith
Clerk

Approved as to Form:



City Attorney

COUNTY OF WAKE



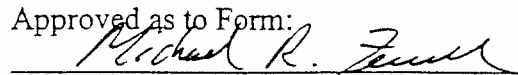
Betty Lou Ward
Chairman

Attest:



Clerk

Approved as to Form:



County Attorney

