

**AMENDMENT TO EMINENT DOMAIN LEGAL SERVICES AGREEMENT
BETWEEN THE CITY OF MINOT, NORTH DAKOTA AND SWANSON AND
WARCUP, LTD, GRAND FORKS, NORTH DAKOTA**

WHEREAS, the parties entered into a Contract for the Provision of Eminent Domain Legal Services between the City of Minot, North Dakota and Swanson & Warcup, Ltd., Grand Forks, North Dakota effective July 1, 2017 and ending June 30, 2018 (hereinafter the “Agreement”);

WHEREAS, pursuant to section 13 of the Agreement, the City of Minot had the option to renew the Agreement for two additional twelve-month periods upon the same terms and conditions except pricing which shall be agreed by the parties at the time of renewal or extension;

WHEREAS, the Agreement was extended for two twelve-month periods;

WHEREAS, the City now desires to extend the Agreement to allow continuity and consistency in delivery of services and so Swanson & Warcup can complete all currently pending work that was authorized and assigned prior to June 30, 2021;

WHEREAS, the parties agree to extend the Agreement until September 30, 2023 due to the need for continuity and consistency in delivery of the services set forth in the Agreement upon the terms and conditions set forth herein.

Now, therefore, the parties agree as follows:

1. The Agreement is hereby extended for a period commencing July 1, 2021 and terminating September 30, 2023.
2. Swanson & Warcup, Ltd. shall continue to provide services to or on behalf of the City of Minot, North Dakota as summarized in Exhibit “A” of the Agreement but the work shall be limited to matters authorized and assigned to Swanson & Warcup, Ltd. prior to June 30, 2021.
3. City of Minot agrees to pay Swanson & Warcup, Ltd. For all services provided pursuant to this contract at the rates detailed in Exhibit “B” attached to this Amendment.
4. All terms and provisions of the Agreement not amended hereby, either expressly or by necessary implication, shall remain in full force and effect. From and after the date of this Amendment, all references to the term “Agreement” in this Amendment or the original Agreement shall include the terms contained in this Amendment.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment to the Agreement effective as of July 1, 2021.

Signature page follows

EXHIBIT "B"
FEE SCHEDULE

The following fee schedule is agreed to by Swanson & Warcup, Ltd. and the City of Minot:

Senior Attorney (more than two years of experience)	\$230.00/hr.
Associate Attorney (two or fewer years of experience)	\$210.00/hr.
Paralegal	\$140.00/hr.
Acquisition/Relocation Specialist	\$140.00/hr.
Research Assistant	\$ 95.00/hr.
Clerical Service	\$ 85.00/hr.

