

**CITY CLERK
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**C-6266-2
12/30/2011**

**TOWING AGREEMENT
AMENDMENT NO. 2**

This Amendment to Towing Agreement is made this 30th day of December, 2011, by and between the City of Glendale, an Arizona municipal corporation ("City") and DV Towing, LLC, an Arizona limited liability company, authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and Contractor previously entered into a Towing Agreement, Contract No. C-6266, dated November 27, 2007, ("Agreement"); and
- B. City and Contractor entered into a Settlement Agreement dated February 23, 2009 and extended the term of the Agreement through December 31, 2010 and provided for two additional one-year renewals;
- C. City and Contractor previously renewed the Agreement for a one-year period from January 1, 2011 to December 31, 2011 pursuant to Contract Amendment No. One (1) dated October 6, 2010;
- D. City and Contractor wish to renew the Agreement for an additional one-year period, subject to and strictly in accordance with the terms of this Amendment.

AGREEMENT

In consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Contractor hereby agree as follows:

- 1. **Recitals.** The recitals set forth above are not merely recitals, but form an integral part of this Amendment.
- 2. **Term.** The term of the Agreement is renewed for a one-year period from January 1, 2012 to December 31, 2012.
- 3. **Ratification of Agreement.** City and Contractor hereby agree that except as expressly provided herein, the provisions of the Agreement shall be, and remain in full force and effect and that if any provision of this Amendment conflicts with the Agreement, then the provisions of this Amendment shall prevail.

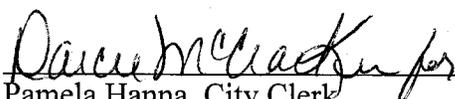
[Signatures to appear on following page.]

CITY OF GLENDALE, an Arizona
municipal corporation



Ed Beasley, City Manager

ATTEST:



Pamela Hanna, City Clerk (SEAL)

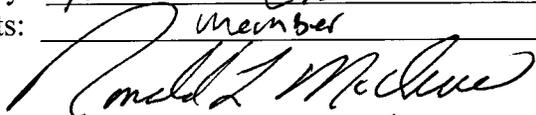
APPROVED AS TO FORM:



Craig Tindall, City Attorney

DV TOWING, LLC, an Arizona limited
liability company, authorized to do business
in Arizona



By: Nathan Larkin
Its: Member

MEMBER LLC