

City of Minot

THIRD EXTENSION OF 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, a municipal corporation (City) and Swanson & Warcup, Ltd., Grand Forks, North Dakota (Swanson & Warcup), collectively referenced herein as "Parties," effective September 21, 2021 and ending September 30, 2023 (hereinafter the "Original Agreement"); and

WHEREAS, pursuant to Section 13 of the Original Agreement, the City had the option to renew the Original Agreement for two (2) 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; and

WHEREAS, the City extended the Original Agreement for one (1) additional twelve-month period commencing October 1, 2023 and terminating September 30, 2024 (hereinafter the "First Extension"); and

WHEREAS, the City extended the Original Agreement for one (1) additional twelve-month period commencing October 1, 2024 and terminating September 30, 2025 (hereinafter the "Second Extension"); and

WHEREAS, the City now desires to renew and extend the Original Agreement upon the terms and conditions set forth herein for a third twelve-month period to maintain continuity and consistency in delivery of services and to allow Swanson & Warcup to continue to work towards completing all currently pending work that was authorized and assigned to them prior to September 30, 2023; and

WHEREAS, the City also desires to update its contact information listed in paragraph 11 of the Original Agreement and to confirm that Exhibit C found on pages 7-13 of the Original Agreement was in fact incorporated into the Original Agreement despite not being specifically mentioned in pages 1-4 of the Original Agreement; and

NOW, THEREFORE, the Parties agree as follows:

1. The Original Agreement shall be extended for one (1) additional twelve-month period commencing October 1, 2025 (Contract Extension Effective Date) and terminating September 30, 2026.
2. Swanson & Warcup shall continue to provide services to or on behalf of the City as summarized in Exhibit "A" to the Original Agreement but the work shall be limited to matters authorized and assigned to Swanson & Warcup after September 21, 2021.
3. Fee schedule for work completed during this extension shall be as shown on Exhibit B to the First Extension.
4. That the "Exhibit C - Community Development Block Grant Program Requirements" found on pages of 7-13 of the Original Agreement is incorporated into the Original Agreement as if fully set forth therein; and

5. Notice information for the City of Minot provided in paragraph 11 of the Original Agreement is hereby updated as follows:

City of Minot
Attn: City Attorney
Copy to: Finance Director
P.O. Box 5006
Minot, ND 58702-5006

6. All terms and provisions of the Original Agreement not amended hereby, either expressly or by necessary implication, shall remain in full force and effect. From and after the date of this Third Amendment, all references to the term "Agreement" in this Third Amendment or the Original Agreement shall include the terms contained in this Third Amendment.

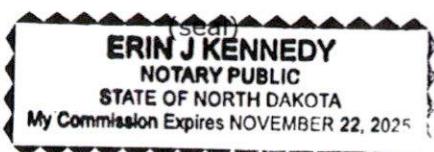
IN WITNESS WHEREOF, the Parties hereto have executed this Third Extension to the Original Agreement effective as of the Contract Extension Effective Date stated above.

SWANSON & WARCUP, LTD.

SIGNED: John A Warcup
NAME: J. John A Warcup
TITLE: Vice President

STATE OF NORTH DAKOTA)
COUNTY OF Grand Forks)
ss)

On this 7 day of October, 2025 before me personally appeared
John A. Warcup, known to me to be the person who is described in, and who
executed the within and foregoing instrument and who acknowledged to me that he
executed the same.



Notary Public, County, North Dakota.

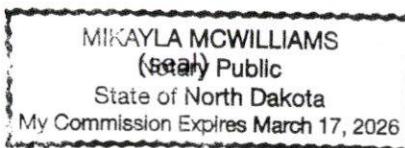
My Commission Expires: 11 22 25

CITY OF MINOT

Mark Jantzer, Mayor

STATE OF NORTH DAKOTA)
COUNTY OF Ward)
ss)

On this 13th day of October, 2025 before me personally appeared Mark Jantzer, known to me to be the person who is described in, and who executed the within and foregoing instrument and who acknowledged to me that he executed the same.



Notary Public, Ward County, North Dakota.

My Commission Expires: March 17, 2026