

AMENDMENT TO INTERLOCAL AGREEMENT

THIS AMENDMENT is made and entered into by and between the CITY OF LINCOLN-LANCASTER COUNTY RAILROAD TRANSPORTATION SAFETY DISTRICT (hereinafter the "District") and the CITY OF LINCOLN, NEBRASKA, a political subdivision of the State of Nebraska (hereinafter the "City").

WHEREAS, the District and the City entered into an Interlocal Agreement for the purpose of installing or improving street medians at street crossings and/or installing directional horns where required at the BNSF railroad tracks at 70th Street, 44th Street, Adams Street and 33rd Street in the City of Lincoln, Nebraska, for the purpose of creating a quiet zone within the City as recommended by the Lincoln BNSF Railroad Quiet Zone Study conducted by the Kirkham Michael Engineering firm and as approved and adopted by the Board of Directors of the District at a special meeting of the District held on February 20, 2007 (hereinafter the "Quiet Zone Project"); and

WHEREAS, said Interlocal Agreement was executed by the District on March 13, 2007, and by the City on April 11, 2007, pursuant to Resolution #84324; and

WHEREAS, the District and the City desire to amend said Interlocal Agreement;

NOW, THEREFORE, pursuant to the Interlocal Operation Act, *Neb. Rev. Stat. § 13-801, et seq.* the District and the City do hereby amend the above-described Interlocal Agreement by deleting in its entirety the provisions of paragraph 4 and substituting therefor the following:

4. Budget & Finance. The District has previously approved the expenditure of \$259,000 for the Quiet Zone Project and does hereby approve an additional \$108,000 for the Quiet Zone Project. The District for the year 2009/2010 shall contribute up to the total of \$367,000 of such allotted funds to be applied for the Quiet Zone Project improvements. The City shall not be responsible for the contribution of any funds for the Quiet Zone Project improvements.

In all other respects, the above-described Interlocal Agreement is hereby reaffirmed and ratified.

Executed by the DISTRICT this 16th day of June, 2009.

Attest:

Deb Sharr
Chairperson

CITY OF LINCOLN LANCASTER COUNTY
RAILROAD TRANSPORTATION SAFETY
DISTRICT

Roger A. Fjord
Executive Director

Executed by the CITY this _____ day of _____, 2009.

Attest:

City Clerk

Chris Beutler, Mayor