

SUPPLEMENTAL AGREEMENT NUMBER 3

PROJECT NO. ENH-55(160), STATE CONTROL NO. 12879  
CITY OF LINCOLN PARKS & RECREATION DEPARTMENT  
STATE OF NEBRASKA, DEPARTMENT OF ROADS  
JAMAICA NORTH TRAIL – PHASE 2

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between the City of Lincoln Parks & Recreation Department, hereinafter referred to as the "City", and the State of Nebraska, Department of Roads, hereinafter referred to as the "State",

WITNESSETH:

WHEREAS, the parties hereto entered into an Original Agreement (YL0723) executed by the City March 21, 2007, and by the State April 23, 2007, and Supplemental Agreement #1 executed by the City February 10, 2009 and the State March 9, 2009, and Supplemental Agreement #2 executed by the City January 6, 2010 and the State January 28, 2010, providing for the construction of Project No. ENH-55(160), and

WHEREAS, it now becomes necessary to increase the maximum federal funding amount outlined due to additional hours required to prepare and revise the environmental documents, meet new requirements as outlined in the LPA Guidelines Manual, and coordinate design and agreements with the BNSF Railway, and

WHEREAS, it is the desire of the City that the project be constructed under the designation of Project No. ENH-55(160), as evidenced by the Resolution of the City Council dated the \_\_\_\_\_ day of \_\_\_\_\_, 2010. Attached and identified as EXHIBIT "A" and made a part of this agreement, and

NOW THEREFORE, in consideration of this fact, the parties hereto agree as follows:

SECTION 1. The State agrees to reimburse the City, using Federal Funds, for 65 percent of the actual eligible cost of the improvement up to a maximum of \$514,134. This is an increase of federal funding of \$14,134.

SECTION 2. Except as specifically amended by this Supplemental Agreement, all terms and conditions of the agreement executed by the City March 21, 2007, and by the State April 23, 2007, and Supplemental Agreement #1 executed by the City February 10, 2009 and the State March 9, 2009, and Supplemental Agreement #2 executed by the City January 6, 2010 and the State January 28, 2010, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

City of Lincoln

\_\_\_\_\_  
City Clerk

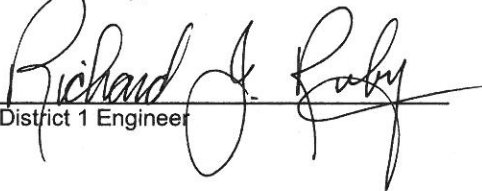
\_\_\_\_\_  
Mayor

EXECUTED by the State this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

STATE OF NEBRASKA  
DEPARTMENT OF ROADS  
Jim Wilkinson, P.E.

\_\_\_\_\_  
Local Projects Division Engineer

RECOMMENDED:  
Richard Ruby, P.E.

  
\_\_\_\_\_  
District 1 Engineer

RESOLUTION

SUPPLEMENTAL PROJECT PROGRAM AGREEMENT NO. YL0723,  
SUPPLEMENT NUMBER 3

City of Lincoln, Nebraska

Resolution No. \_\_\_\_\_

**Whereas:** The City of Lincoln and Nebraska Department of Roads (NDOR) have previously executed a Project Program Agreement for a Transportation Project for which the City of Lincoln would like to obtain Federal Funds;

**Whereas:** The City of Lincoln understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

**Whereas:** The City of Lincoln and NDOR wish to enter into a Supplemental Project Program Agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

**Be it Resolved:** by the City Council of the City of Lincoln, Nebraska that Chris Beutler, Mayor of the City of Lincoln is hereby authorized to sign the attached Supplemental Project Program Agreement Number YL0723, Supplement Number 3 between the City of Lincoln and the NDOR.

The City of Lincoln is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Program Agreements.

NDOR Project Number ENH-55(160),  
NDOR Control Number 12879,  
Jamaica North Trail – Phase 2

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at Lincoln, Nebraska.

The City Council of the City of Lincoln

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Council Member \_\_\_\_\_  
Moved the adoption of said resolution  
Member \_\_\_\_\_ Seconded the Motion  
Roll Call: \_\_\_ Yes \_\_\_ No \_\_\_ Abstained \_\_\_ Absent  
Resolution adopted, signed and billed as adopted

Attest:

City Clerk Signature \_\_\_\_\_