

**DOCUMENT ROUTING FORM**

(2) ✓ 9/19/14 (L)

NAME OF DOCUMENT: **AMENDMENT / SUPPLEMENTAL AGREEMENT TO PRIVATE SIDETRACK AGREEMENT WITH CSX TRANSPORTATION, INC.**

Approved Comm. Mtg. on **SEP 3, 2014** CAM# **14-0936** ITEM: **CM-9**

Routing Origin:  CAO Also attached:  copy of CAR  copy of document

On 9/4/14, L. Blanco forwarded to: **RAFEELA PERSAUD, PUBLIC WORKS ENGINEERING**

1.) Approved as to Content: TSR for Hardeep Anand  
Department Director

Capital Improvements defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, fixtures) that add value and/or extend useful life, inc. major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, real.

Please Check the proper box: CIP FUNDED  YES  NO  
Capital Improvement Projects

2.) Approved as to Funds Available: by [Signature] Date: 9/5/14  
Finance Director

Amount Required by Contract/Agreement \$ 0 Funding Source: N/A

Dept./Div. PW/ENG Index/Sub-object N/A Project # N/A

3.) City Attorney's Office: Approved as to Form:# 2 Originals to City Mgr. By: CAO  
**Lynn Solomon** ✓

4.) Approved as to content: Assistant City Manager:  
By: [Signature] Stanley Hawthorne, Assistant City Manager  
By: [Signature] Susanne Torriente, Assistant City Manager

5.) City Manager: Please sign as indicated and forward 2 originals to Mayor.

6.) Mayor: Please sign as indicated and forward 2 originals to Clerk.

7.) To City Clerk for attestation and City seal.

**INSTRUCTIONS TO CLERK'S OFFICE**

7.) City Clerk: Maintains one original and forwards 1 original documents to:  
**RAFEELA PERSAUD, PUBLIC WORKS ENGINEERING**

Original Route form to Linda Blanco, CAO

2014 SEP - 5 PM 3:17  
CITY ATTORNEY'S OFFICE  
9/17

**SUPPLEMENTAL AGREEMENT**

THIS SUPPLEMENTAL AGREEMENT, made and effective as of 17<sup>th</sup> day of September, 2014, by and between CSX TRANSPORTATION, INC., a Virginia corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, hereinafter called 'Railroad,' and CITY OF FT. LAUDERDALE, whose mailing address is 100 North Andrews Ave., 6<sup>th</sup> Floor, Ft. Lauderdale, FL 33301 hereinafter called "Industry," WITNESSETH THAT:

WHEREAS, Railroad and Industry entered into a certain Private Sidetrack Agreement numbered CSX025677 and dated April 11<sup>th</sup>, 1996, detailing the construction, maintenance and use of certain private sidetrack facilities located at or near Ft. Lauderdale, in the County of Broward, State of Florida, hereinafter referred to as "the Agreement"; and

WHEREAS, it is the desire of Railroad and Industry to amend the Agreement to account for certain alterations and ownership rights to the track facilities.

NOW THEREFORE, in consideration of the mutual covenants and obligations herein contained, the parties agree this Supplemental Agreement will serve to amend the Agreement as follows:

- The "Plan" is hereby revised to reflect Drawing No. ADR04172014, dated April 17, 2014, attached hereto and made a part hereof.
- Reference to Track 102 is hereby deleted and the tracks covered by the agreement shall be Track labeled A and SV-4, as shown on the attached plan.
- Section 2., Ownership and Construction is hereby deleted and replaced with the following:

"The Sidetracks, as shown on the Plan, have been constructed. Railroad owns that portion of Track labeled SV-4 from its Point of Switch (hereinafter "P.S.") in connecting mainline track at Milepost SX-1008.18, Track Station 12784+03 = 0+00 to Track Station 2+86, and that portion of Track A from Track Station 1+30 = 0+00 to Track Station 1+27 (hereinafter collectively called "Railroad's Segment"), Industry owns the remainder of Track SV-4 and Track A (hereinafter, collectively, called "Industry's Segment")."

Except as provided for in this Supplemental Agreement, all other terms and conditions of the Agreement shall remain in full force and effect.

**[SIGNATURE PAGE IMMEDIATELY FOLLOWS]**

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly signed, sealed and delivered in duplicate.

**Witness for Railroad:**

\_\_\_\_\_

**CSX TRANSPORTATION, INC.**

By:

*Mark A. Gennette*

Print/Type Name: Mark A. Gennette

**Director**

Print/Type Title: Contract Management

**Witness for Industry:**

\_\_\_\_\_

**CITY OF FT. LAUDERDALE**

**See Attached City Signature Page**

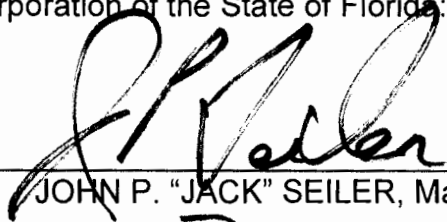
Who, by the execution hereof, affirms that he/she has the authority to do so and to bind the Industry to the terms and conditions of this Supplemental Agreement.

Print/Type Name: \_\_\_\_\_

Print/Type Title: \_\_\_\_\_

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first above written.

CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida:

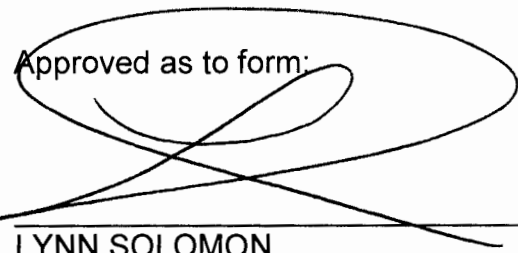
By   
JOHN P. "JACK" SEILER, Mayor

By   
LEE R. FELDMAN, City Manager

(CORPORATE SEAL)

ATTEST:

  
JONDA K. JOSEPH, City Clerk

Approved as to form:  
  
LYNN SOLOMON  
Assistant City Attorney



SX-1008  
12775+21

FDOT R/W

MAINLINE

FDOT R/W

TRK SV-4

TRK A

END OF FDOT O'SHIP  
TRK SV-4 2+86

END OF FDOT O'SHIP  
TRK A 1+27


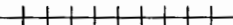


P.S. TRK A  
1+30 = 0+00


P.S. TRK SV-4  
12784+03 = 0+00  
SX- 1008.18

THIS RAILROAD VALUATION EXHIBIT IS A GRAPHICAL REPRESENTATION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES AND MEASUREMENT NOTATIONS SHOWN ARE APPROXIMATE.

THIS EXHIBIT WAS INTENDED TO BE PRESENTED IN COLOR.

- L E G E N D -

-  FDOT OWNERSHIP TRKS = 413'
-  INDUSTRY OWNED TRKS ON FDOT R/W = 498' +/-
-  INDUSTRY OWNED TRKS
-  FDOT RIGHT-OF-WAY BOUNDARY

	PROPERTY GROUP NETWORK SERVICES DEPARTMENT
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REVISIONS	TRACK TO SERVE
	CITY OF FORT LAUDERDALE
	BROWARD CO. - FT. LAUDERDALE, FL.

DIV: JACKSONVILLE SUB: MIAMI SCALE: NOT TO SCALE DATE: 04/17/2014 DRAWN: ADR	GIS VAL MAP  <span style="font-size: 2em;">04411</span>	DRAWING NO. ADR04172014 <hr/> CONTRACT NO. CSX025677
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