

**AMENDMENT NUMBER 01
TERMINATION
COOPERATIVE IMPROVEMENT AGREEMENT
Peninsula Crossing Trail - North Portland Road Section
Swift Highway (OR 120)**

The State of Oregon, acting by and through its Department of Transportation, hereinafter referred to as "ODOT," METRO, acting by and through its as the Portland Urbanized Area Metropolitan Planning Organization, hereinafter referred to as "Metro," and the City of Portland, acting by and through its elected officials, hereinafter referred to as "CITY", entered into an Agreement on February 3, 2000. Said Agreement covers the design and construction of Segment 3 of the Peninsula Crossing Trail along the east side of N. Portland Road on ODOT right of way completing the bike pedestrian link between the Columbia Slough and N. Marine Drive (Swift Highway).

It has now been determined by State and METRO that the Agreement referenced above, shall be terminated in its entirety. The reason for this termination is as follows:

At the time of execution, ODOT stated in the Agreement that it was in the process of transferring the right of way on or impacted by the Project, Swift Highway (OR 120), to the CITY. This process has now been finalized between CITY and ODOT by Jurisdictional Transfer Agreement No. 770, executed March 4, 2008, and by the Jurisdictional Transfer Document, signed May 2, 2008. The portion of the Project that was on ODOT right of way has now been passed to CITY by the jurisdictional transfer. Agreement number 16769 is hereby terminated in its entirety.

This Amendment may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

Signature Page to Follow

City of Portland, by and through its
elected officials

By _____
Commissioner of Public Safety

Date _____

By _____
CITY Auditor

Date _____

APPROVED AS TO FORM

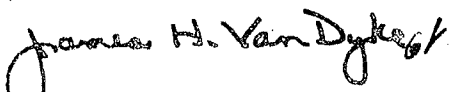
By _____
City Attorney

Date _____

CITY Contact:

Name/Title: Jeff Smith
Address: 1120 SW 5th Ave Suite 800
Phone: 503-823-7083
Email: jeff.smith@portlandoregon.gov

APPROVED AS TO FORM


CITY ATTORNEY

STATE OF OREGON, by and through
its Department of Transportation

By _____
Region 1 Manager

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Assistant Attorney General

Date: _____

ODOT Contact:

Basil Christopher
R1 Bike/Ped. Coordinator
123 N.W. Flanders Street
Portland, OR 97209

Metro, an Oregon municipal corporation

By _____
Executive Officer

Date _____

APPROVED AS TO FORM:

By _____
Assistant Metro Attorney

Date: _____

Metro Contact:

Mel Huie, Principal Planner
Metro
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Portland, OR 97232
503-797-1731
Mel.huie@oregonmetro.gov