

**AGREEMENT AMENDING THE CITY OF EUREKA WATERFRONT TRAIL RAIL-WITH-TRAIL CORRIDOR
MANAGEMENT PLAN BETWEEN THE CITY OF EUREKA AND THE NORTH COAST RAILROAD AUTHORITY**

This Agreement (“Agreement”) is made and entered into this __ day of May, 2018, between the City of Eureka (“City”) and North Coast Railroad Authority (“NCRA”).

RECITALS

1. The City and NCRA are parties to an agreement for the City of Eureka Waterfront Trail Rail-with-Trail Corridor Management Plan.
2. The purpose of this agreement is to amend the City of Eureka Waterfront Trail Rail-with-Trail Corridor Management Plan agreement to extend the coverage of the Plan within NCRA’s railroad corridor one mile south of the Hikshari’ Trail.

AGREEMENT

In consideration of the mutual covenants, agreements and conditions contained herein, the parties hereto agree to amend the Agreement as follows:

1. **Page 1-3, Corridor Management Plan, Paragraph 1** of the City of Eureka Waterfront Trail Rail-with-Trail Corridor Management Plan agreement is hereby amended to read as follows:

“The California Coastal Trail extends the length of the state, from Oregon to the border of Mexico. Through the City of Eureka, the trail parallels formerly active railroad tracks largely along Waterfront Drive from Eureka Slough through to Tooby Road, approximately 7.8 miles. The railroad has been inactive for nearly fifteen years and is managed by the North Coast Railroad Authority (NCRA). NCRA plans to use the rail again and prefers a trail design for rail-with-trail (RWT), as opposed to placing the trail directly on top of the former rail line.

The Waterfront Trail Rail-With-Trail Corridor Management Plan addresses potential management and safety issues along the proposed trail, including avoiding user conflicts, effective directional and interpretive signage, risk management, property arrangements, rules and regulations, and a trail maintenance plan.

The City of Eureka Waterfront Trail Rail-With-Trail (RWT) project includes the design and construction of a Class I trail entirely within the City’s Right-of-Way or the Right-of-Way of the North Coast Railroad Authority (NCRA), with the exception of privately owned parcels (Security National and Schneider). The City of Eureka proposes to construct an approximately 7.8 mile multi-use trail from Eureka Slough to Tooby Road parallel to Highway 101, Waterfront Drive and Railroad Avenue (the Study Area)...”

2. Except as expressly modified by this Agreement, the Zoo Membership Program agreement remains in full force and effect. In the event of a conflict between this Agreement and the Zoo Membership Program agreement, this Agreement shall govern. Capitalized terms used but not defined herein shall have the meanings given to them in the Zoo Membership Program agreement.

IN WITNESS WHEREOF, City and NCRA have executed this Agreement amending the City of Eureka Waterfront Trail Rail-with-Trail Corridor Management Plan between the City of Eureka and North Coast Railroad Authority as of the day and year first above written.

NORTH COAST RAILROAD AUTHORITY:

By:

MITCH STOGNER
Executive Director

CITY OF EUREKA:

Attest:

PAMELA J. POWELL
City Clerk

Approved as to form:

Approved for Administration:

CYNDY DAY-WILSON
City Attorney

GREG L. SPARKS
City Manager