

UPRR Project No.: 0464021

## SUPPLEMENTAL AGREEMENT

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**THIS SUPPLEMENTAL AGREEMENT** (the “Supplement”) is made as of the 16th day of May, 2025, by and between **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation (“Railroad”) and the **SAN BERNARDINO COUNTY**, a municipal corporation or political subdivision of the State of California, whose address is 385 North Arrowhead Avenue, San Bernardino, California 92415. (“Political Body”).

### RECITALS:

By instrument dated May 16, 2022, Railroad and the Political Body entered into a Public Highway Overpass Agreement identified as the Railroad’s Folder No. 2187-32, UPRR Audit No. S123510 (the “2022 Agreement”) covering the reconstruction, improvement, maintenance, and use of the existing structure that carries vehicular traffic traversing on Cedar Avenue over Railroad’s track(s) at Railroad’s Milepost 534.736, DOT 746980Y on its Alhambra Subdivision in or near Bloomington, San Bernardino County, California (the “Structure”) as shown on the Railroad Survey Print attached to the 2022 Agreement.

The Political Body has requested a Supplemental Agreement to extend the term of the Temporary Construction Area.

### AGREEMENT:

**NOW, THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:**

#### SECTION 1 - AMENDMENT OF THE 2022 AGREEMENT

Effective as of May 16, 2025 for and in consideration of **EIGHTY-NINE THOUSAND DOLLARS (\$89,000.00)**, the Railroad hereby grants to the Political Body the temporary construction areas on the Railroad’s property as shown on **Exhibit A-2** of the 2022 Agreement. The Political Body’s use of such property shall be subject to the terms and conditions of the 2022 Agreement and the obligation of the Political Body and its contractors to comply with such provisions. The temporary construction areas granted herein shall commence as of the effective date of the Supplement and continue for twenty-four (24) months, or until the project has been completed, whichever occurs earlier.

#### SECTION 2 - AGREEMENT SUPPLEMENTAL

This agreement is supplemental to the Original Agreement and the 2022 Agreement, as herein amended, and nothing herein contained shall be construed as amending or modifying the same except as herein specifically provided.

**IN WITNESS WHEREOF**, the parties hereto have caused this Supplement to be executed in duplicate as of the date first herein written.

**UNION PACIFIC RAILROAD COMPANY**  
*(Federal Tax ID No. 94-6001323)*

By \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

**SAN BERNARDINO COUNTY**

By \_\_\_\_\_

Printed Name: Dawn Rowe

Title: Chair, Board of Supervisors