

## **SUPPLEMENTAL AGREEMENT**

DOT 795353H, Keller Hicks Road  
MP 739.86, Choctaw Subdivision  
Keller, Texas

---

**THIS SUPPLEMENTAL AGREEMENT** (the “Supplement”) is made as of \_\_\_\_\_, by and between UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (“**Railroad**”) and the CITY OF KELLER, TEXAS (“**Agency**”), to be addressed at 1100 Bear Creek Pkwy, Keller, TX 76244.

### **RECITALS**

By instrument dated 5/18/2023 Union Pacific Railroad Company and the Agency entered into an agreement for engineering services identified by the UPRR Project Number 743173 (**the “Agreement”**).

The Agency has requested a Supplemental Agreement to include an addendum for additional funding to memorialize overages for engineering services as shown on the Exhibit Addendum attached hereto.

### **AGREEMENT**

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

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

Railroad amends the Agreement to include the attached Exhibit Addendum.

The Agreement is amended to include an Estimate to cover additional engineering services in the amount of One Hundred and Four Thousand Dollars (\$104,000.00) as shown on the Exhibit Addendum, attached hereto and hereby made a part thereof to the Agreement, which shall be, and hereby is amended to include the attached Exhibit Addendum.

#### **SECTION 2 - EFFECTIVE DATE**

This Supplemental Agreement shall be effective as of the instrument date above.

SECTION 3 - **AGREEMENT SUPPLEMENTAL**

This agreement is supplemental to the 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.

**CITY OF KELLER, TEXAS**

**UNION PACIFIC RAILROAD COMPANY,  
a Delaware Corporation**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

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

Tiecy Cotton  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Manager I, Industry & Public Projects  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# Exhibit C Addendum

To Agreement

Railroad's Estimate

**EXHIBIT C-1**

**ESTIMATE OF FORCE ACCOUNT WORK  
BY THE  
UNION PACIFIC RAILROAD COMPANY**

DESCRIPTION OF WORK: Engineering and other related services for work to be performed within railroad right of way. This includes project and construction management during construction activities in railroad right of way. All necessary railroad services will be billed at actual cost.

**DATE:**

**3/20/2026**

**LOCATION:**

**Keller, TX**

**DOT: 795353H**

**SUBDIVISION**

**Choctaw**

**STATE:**

**TX**

<b>DESCRIPTION</b>	<b>Project Cost</b>	<b>UP %0</b>	<b>Agency % 100</b>	<b>TOTAL</b>
<b>UPRR Track &amp; Signal Construction</b>				
Labor & Materials	\$ 104,000	\$ -	\$ 104,000.00	\$ 104,000
<b>TOTAL PROJECT:</b>	<b>\$ 104,000</b>	<b>\$ -</b>	<b>\$ 104,000.00</b>	<b>\$104,000</b>

**TOTAL ESTIMATED COST:**

**\$104,000**

**THE ABOVE FIGURES ARE ESTIMATES ONLY AND SUBJECT TO FLUCTUATION.  
IN THE EVENT OF AN INCREASE OR DECREASE IN THE COST OR QUANTITY OF  
MATERIAL OR LABOR REQUIRED, THE RAILROAD WILL BILL FOR ACTUAL  
COSTS AT THE CURRENT RATES EFFECTIVE THEREOF.**

**\*\*Digital Observation (\*If Required\*) = This will be assessed when determined to be required by UPRR\*\***

Flagging is NOT included in this estimate. Agency's are instructed to follow Union Pacific's Third Party Flagging Policy.

Please utilize the following link to Union Pacific's Third Party Flagging Policy:

[https://www.up.com/real\\_estate/third-party-flagging/index.htm](https://www.up.com/real_estate/third-party-flagging/index.htm)