

**PROJECT AGREEMENT
GRADE CROSSING PROTECTIVE FUND**

Docket: TR-061600

Commission Approval Date: January 10, 2007

A. PARTIES OF THE AGREEMENT

This project grant agreement (agreement) is entered into between the Washington Utilities and Transportation Commission (UTC), P.O. Box 47250, Olympia, Washington 98504-7250 and the city of Burlington 900 E. Fairhaven, Burlington, Washington, and shall be binding upon the agents and all persons acting by or through the parties.

B. PURPOSE OF AGREEMENT

This agreement sets out the terms and conditions by which a grant is made from the Grade Crossing Protective Fund. The grant is administered by the UTC to the grantee for Docket TR-061600, identified above.

C. DESCRIPTION OF PROJECT

TR-061600 involves a proposal by the grantee to install 368 linear feet of six foot high chain link fencing in the area of Lily Lane and Gilkey Road.

D. PERIOD OF PERFORMANCE

The project reimbursement period shall begin on January 10, 2007, and end June 30, 2007. No expenditure made before or after this period is eligible for reimbursement unless incorporated by written amendment into this agreement.

E. PROJECT FUNDING

Total grant funding awarded by the UTC for this project shall not exceed \$6,000. The UTC shall not pay any amount beyond that approved for funding of the project. The grantee shall be responsible for all total project costs that exceed this amount.

F. RIGHTS AND OBLIGATIONS

All rights and obligations of the parties to this agreement are subject to this agreement and its attachments, including the grantee's application, commission order, and the general provisions, all of which are attached and incorporated into this agreement.

Except as provided, no alteration of any of the terms or conditions of this agreement will be effective unless provided in writing. All alterations must be signed by both parties.

The grantee has read, fully understands, and agrees to be bound by all terms and conditions in these documents.

G. COMPLIANCE WITH APPLICABLE STATUTES, RULES, AND WUTC POLICIES

This agreement is governed by, and the grantee shall comply with, all applicable state and federal laws and regulations, including RCW 81.53.281, commission's rules in 480-62 (WAC), and the commission's order in this matter which are incorporated by this reference as if fully set forth.

H. PROJECT GRANT AGREEMENT REPRESENTATIVE

All written communications sent to the grantee under this agreement will be addressed and delivered to:

City of Burlington
~~The Northwest Railway Museum~~
Chal Martin, P.E.
Public Works Director
City of Burlington
900 East Fairhaven Ave.
Burlington, Washington 98233

Utilities and Transportation Commission
Pam Smith
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

These addresses shall be effective until receipt by one party from the other of a written notice of any change.

I. ENTIRE AGREEMENT

This agreement, along with all attachments, constitutes the entire agreement of the parties. No other understandings, oral or otherwise, regarding this agreement shall exist or bind any of the parties.

J. EFFECTIVE DATE

This agreement for Docket TR-061600 shall be effective upon signing by all parties.

State of Washington
Utilities and Transportation Commission

By: Candice J. Shaskle
[Executive Secretary]

Date: 1-10-2007

The City of Burlington

By: See attached signature page

Date: _____

Title: _____

Approved as to form:

By: _____ /s/
Assistant Attorney General




ENGINEERING ❖ PUBLIC WORKS


900 E. Fairhaven Avenue
Burlington WA 98233-1904

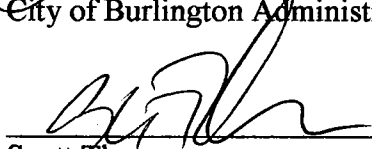
(360) 755-9715 Fax: 755-0783

e-mail (Chal): cmartin@ci.burlington.wa.us
e-mail (Mike): mharmon@ci.burlington.wa.us
e-mail (Scott): skidder@ci.burlington.wa.us

The City of Burlington approves the Project Agreement Grade Crossing Protective Fund Grant.


Roger "Gus" Tjeerdma 2-12-07
City of Burlington Mayor Date


Jon Aarstad 2-12-07
City of Burlington Administrator Date


Scott Thomas 2-12-07
City of Burlington Attorney Date


Rick Patrick 2-12-07
City of Burlington Finance Director Date