

**AMENDMENT NUMBER 1**  
**AGREEMENT FOR MAINTENANCE OF STATE HIGHWAYS**  
**IN THE CITY OF OAKLAND**

This Amendment Number 1 (“AMENDMENT”) to the "Agreement for Maintenance of State Highways in the City of Oakland" (“AGREEMENT”) is made and entered into by and between the State of California, acting by and through the Department of Transportation, hereinafter referred to as “STATE”, and the City of Oakland, hereinafter referred to as "CITY". CITY and STATE together are hereinafter referred to as “PARTIES”.

**WITNESSETH:**

WHEREAS, AGREEMENT was executed on August 23, 1991; and

WHEREAS, AGREEMENT by its terms provides that it may be amended at any time upon mutual consent of PARTIES; and

WHEREAS, PARTIES now desire to amend AGREEMENT

WHEREAS, CITY desires to install new traffic signals systems, intersection improvements and signages on Route 580 at Kuhnle Avenue and Keller Avenue interchanges under Encroachment Permit No. \_\_\_\_\_, and

WHEREAS, CITY desires to construct bike lane facility and sidewalk modification on Route 77 at East 12 Street Overcrossing under Encroachment Permit No. \_\_\_\_\_, and

NOW, THEREFORE, PARTIES agree to amend AGREEMENT as follows:

1. AGREEMENT shall be amended in accordance with the attached page number 10 of Exhibit A. This page shall be substituted for like numbered page in said AGREEMENT, and shall cancel and supersede previously like numbered page, becoming a part of said AGREEMENT for all purposes.
2. AGREEMENT shall be amended in accordance with the attached Section H. DELEGATION OF MAINTENANCE in said AGREEMENT. This section shall be substituted like section in said AGREEMENT, and shall cancel and supersede previously like section becoming a part of said AGREEMENT for all purposes.
3. STATE costs and expenses assumed under the terms of this Agreement Amendment, if any, are conditioned upon the passage of the annual State of California Budget by the Legislature, the allocation of funding by the Legislature, the allocation of funding by the California Transportation Commission as appropriate, and the encumbrance of funding to the District office of STATE.

4. This AMENDMENT to AGREEMENT shall become effective on \_\_\_\_\_ and shall remain in full force and effect. In other respects, AGREEMENT shall remain in full force and effect.

**CITY OF OAKLAND**

**STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION**

\_\_\_\_\_  
City Administrator

ATTEST:

By:

\_\_\_\_\_  
LEAH BUDU                      DATE  
Deputy District Director  
Maintenance District 4

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney