

SUPPLEMENTAL AGREEMENT

THIS SUPPLEMENTAL AGREEMENT, made and entered into this 1st day of April, 2005, by and between the Nashville & Eastern Railroad Corporation, a Tennessee corporation, hereinafter referred to as Lessor, and METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY, hereinafter referred to as Lessee, WITNESSETH:

WHEREAS, by an agreement dated April 1, 1987, the Lessor granted certain rights to the Lessee and the Lessee assumed certain responsibilities.

WHEREAS, said agreement shall be amended as herein set forth:

NOW, THEREFORE, in consideration of the rights, it is mutually agreed that, effective April 1, 2005, said agreement, dated April 1, 1987, shall be amended as follows:

1.) The rental to be paid by Lessee to Lessor as set forth in said agreement, shall be increased to One Thousand Five Hundred Fifty Dollars and 82/100 (\$1,550.82) per year, plus sales tax, if applicable.

2.) Changes: Increase (\$114.88) Based On Beginning CPI 515.0 / December 2001 and Current CPI 554.2 / December 2004, (Fee From \$1,435.94 To \$1,550.82) Annually - Sewer Line. This Fee Is To Be Adjusted Every Three Years. - Base C.P.I. 554.2 / December 2004 - (Next Scheduled Increase - April 1, 2008)

EXCEPT, as hereby amended, said agreement dated April 1, 1987, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Supplemental Agreements in duplicate the day and year first above written.

WITNESSES FOR LESSOR: NASHVILLE & EASTERN RAILROAD CORPORATION

\_\_\_\_\_  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATED: \_\_\_\_\_

ATTEST: METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY

\_\_\_\_\_  
Metropolitan Clerk  
Dated: \_\_\_\_\_  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATED: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_  
Metropolitan Attorney Finance Department