

Agreement. -

1. In consideration of the covenants of the Railway Company and the faithful performance of the same, the County agrees, at its own expense, (but to be partially reimbursed as provided by Section 2 hereof), to purchase necessary right of way and construct and maintain the new highway between Lawrence and Eudora substantially as shown by red coloring upon said Exhibit "A", so that the new highway will be located entirely south of the property of the Railway Company.

2. In consideration of the covenants of the County here in before contained and the faithful performance of the same, the Railway Company agrees to pay to the County the sum of Eighteen Thousand, One Hundred Thirty-seven and no/100ths Dollars (\$18,137.00), representing fifty (50) percent of the difference between the net estimated cost of constructing the new highway (exclusive of paving and less Federal Aid to the extent of Three Thousand Dollars (\$3,000.00) per mile, and estimated cost of improving said present highway exclusive of paving. Nine Thousand Dollars (\$9,000.00) of said sum of Eighteen Thousand, One Hundred Thirty-seven and no/100ths Dollars (\$18,137.00) to be paid when all right of way for the new highway has been obtained, and the remaining Nine Thousand, One Hundred Thirty-seven and no/100ths (\$9,137.00) with out interest, to be paid within twenty (20) days after completion of necessary grading and bridging on the new highway.

3. This agreement shall be binding upon the parties hereto, their legal successors and assigns.

In witness whereof, the parties have caused this agreement to be executed in duplicate this day and year first above written.

The Atchison, Topeka and Santa Fe Railway Company.

By E. S. Engel.

Its vice President

Board of County Commissioners of Douglas County, Kansas.

By V. J. Kennedy.

Its Chairman

Attest E. C. Bessing. Co. Clerk.

Form Approved

H. W. Davis.

General Attorney

Lawrence, Kansas, November 19-1926.

To the Commissioners of Douglas County.

To County Court House, Lawrence, Kansas.

Gentlemen:

I propose to tear down and rebuild