

**RIGHT OF ENTRY FIFTH EXTENSION**

WHEREAS, The Mayor and Aldermen of the City of Savannah, Georgia ("City") and the Central of Georgia Railroad Company ("Company") have entered into an Environmental Right of Entry Agreement, made as of December 27, 2001 ("Agreement"), amended to extend through January 15, 2005 ("First Extension"), amended a second time to extend to January 15, 2008 ("Second Extension"), amended a third time to extend to January 15, 2013 ("Third Extension"), and amended a fourth time to extend to January 15, 2018.

WHEREAS, the parties to the Agreement desire to extend the term of the Agreement a fifth time to and including January 15, 2023; and

The parties, acknowledging mutual consideration and intending to be legally bound agree as follows:

1. This extension permits the Company to conduct soil, groundwater and surface water investigation activities.
2. The term of the Agreement is extended to and includes January 15, 2023
3. In the event of any inconsistency or ambiguity between the provisions of the Agreement and those of this extension, the provisions of this Amendment shall prevail. However, except as expressly modified by this Extension, the terms and conditions of the Agreement shall continue in full force and effect.

Each of the parties therefore has caused this Extension to be executed by its duly authorized representative.

**MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH**

By: \_\_\_\_\_  
City Manager

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Notary Public

**CENTRAL OF GEORGIA RAILROAD COMPANY**

By: \_\_\_\_\_

\_\_\_\_\_  
Witness

Title: Vice President

\_\_\_\_\_  
Notary Public