

**FUNDING AGREEMENT FOR ROUTE 71 and ROUTE 72
WARREN COUNTY REVERSE COMMUTE SERVICE
PUBLIC TRANSIT SERVICE**

This Funding Agreement is entered into this 30 day of May, 2001 by and between Southwest Ohio Regional Transit Authority ("SORTA/Metro"), a regional transit authority and political subdivision of the State of Ohio, and the City of Mason, Ohio.

The parties have agreed upon the following funding arrangement for the continuation of Route 71 and Route 72 Warren County Reverse Commute transit bus service. SORTA/Metro will continue to provide transit services as described in Appendix A, attached hereto, and in consideration thereof, the City of Mason will reimburse SORTA/Metro for certain costs associated with the provision of such service.

1. Service to be Provided. SORTA/Metro agrees to provide the public transit service as described in Appendix A, attached hereto. It is agreed by and between the parties that the public transit service provided under this Agreement shall be regular Metro service in all respects and shall be open to the public at all times. SORTA/Metro reserves the sole right and discretion to schedule and operate the service according to its policies and procedures and in the manner in which it deems most efficient. Except for the payment(s) described in this Agreement, City of Mason shall have no liability or responsibility for transit service provided under this Agreement. The parties expressly agree that the public transit service provided under this Agreement is not "charter" service of any kind.

2. Consents. To the extent necessary to operate the service provided under this Agreement, City of Mason hereby consents and grants to SORTA/Metro permission to enter upon and operate its transit buses and support vehicles upon any property owned or occupied by City of Mason. If the consent or permission of third parties is required, City of Mason will secure same, to the satisfaction of SORTA/Metro, prior to the commencement of the service provided under this Agreement.

3. Term. The public transit service subject to and described in this Agreement shall be for an initial term of one (1) year, commencing on November 1, 2000, and shall thereafter automatically renew for like terms unless and until either party gives notice of cancellation in the manner set forth below.

4. Payment. City of Mason agrees to reimburse SORTA/Metro according to the terms and schedule set forth in Appendix A, attached hereto. Cost estimates are for the initial term only. Not later than sixty (60) days prior to the expiration of the initial and each

succeeding term, SORTA/Metro will provide to City of Mason an updated funding amount for the next term. Payments should be directed to the following address:

SORTA/Metro
Accounting Department
1014 Vine St., Suite 2000
Cincinnati, OH 45202

Attn.: Ms. Cathy Hugenberg, Director

5. Termination. This Agreement may be terminated by either party, with or without cause, upon ninety (90) days written notice to the other. In the event this Agreement is terminated by SORTA/Metro, City of Mason agrees that its sole and exclusive remedy shall be limited to a *pro rata* refund of any payments made but not yet earned under this Agreement.

6. Notices. All notices required under this Agreement shall be directed to the parties as follows:

For SORTA/Metro:

For City of Mason:

Mr. Ted Meyer
Manager, Planning & Scheduling
SORTA/Metro
1401 Bank St.
Cincinnati, OH 45214

SCOT. F. LAHRMER

CITY Manager.


IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed by its authorized officers or officials on the dates set forth below.

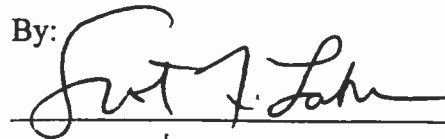
**SOUTHWEST OHIO REGIONAL
TRANSIT AUTHORITY**

CITY OF MASON, OHIO

By:

By:





Title GENERAL MANAGER

Title CITY Manager

Date 7/30/01

Date: 5/30/01

**FUNDING AGREEMENT FOR ROUTE 71 AND ROUTE 72
WARREN COUNTY REVERSE COMMUTE SERVICE
PUBLIC TRANSIT SERVICE**

APPENDIX A

Description of Service:

Route 72, the Kings Island Express, is a public transit route providing weekday peak period reverse commute express bus service between Warren County and downtown Cincinnati. The areas served by this route include Mason, Deerfield Township and northeastern Hamilton County. Five (5) reverse commute express bus trips are operated each weekday morning from downtown Cincinnati to Warren County. Each weekday evening five (5) reverse commute express bus trips are operated from Warren County to downtown Cincinnati. Effective March 5, 2001, four (4) reverse commute express bus trips will be operated each weekday peak period. The scheduled Warren County arrivals are between 7:15 a.m. and 10:00 a.m. The scheduled Warren County departures are between 3:00 p.m. and 6:00 p.m.

SORTA/Metro also operates peak direction express service and additional reverse commute service on this route. Nine (9) peak direction trips operate each morning from Warren County to downtown Cincinnati. Nine (9) peak direction trips operate each afternoon from downtown Cincinnati to Warren County. Under the auspices of the JobBus program, three (3) additional reverse commute trips are operated each weekday peak period. In the morning the three JobBus trips arrive in Warren County between 6:00 a.m. and 7:15 a.m. In the evening the three JobBus trips leave Warren County between 6:00 p.m. and 7:30 p.m. Eight (8) reverse commute trips are also operated each morning and afternoon on weekends and major holidays between Warren County and downtown Cincinnati as part of the JobBus program. The Route 71 and Route 72 peak direction service and the JobBus service are funded separately and are not governed by this agreement. The cost figure contained in this Appendix does not include any cost associated with either of these services.

The reverse commute bus service that is governed by this agreement does not operate on weekends or major holidays. The route is operated with full size buses (40 to 47 passenger seats). The fare on Route 72 is \$1.50. SORTA/Metro's special fares apply to this route. This includes, but is not limited to, the elderly and handicapped discount, the summer clean air fare and other promotional fares. Valid monthly passes and transfers may be used for boarding.

SORTA/Metro will not significantly alter the routing, schedule or fare of this service, as may be deemed necessary by SORTA/Metro, without consent from Mason.

Initial Payment Terms and Payment Schedule:

The funding amount due to SORTA/Metro for the initial term of this agreement (November 1, 2000 through October 31, 2001) is thirteen thousand dollars (\$13,000).

Initials:

For SORTA/Metro



Date

7/30/01

For the City of Mason



Date

5/30/01