

Memorandum of Understanding

This agreement is between Ride The Ducks Of Seattle, LLC, dba Seattle Duck Tours, a limited liability company, and its agents, officers and employees (hereinafter "Ride the Ducks"), and the City of Seattle ("City") and its agents, officers and employees. In consideration of the mutual promises and covenants contained herein, Ride the Ducks and the City agree as follows:

Definitions

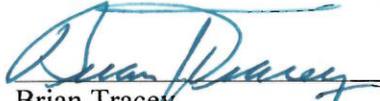
For purposes of this agreement:

"Amphibious tour vehicle" means any amphibious vehicle, that has been modified by the addition of seats to transport passengers for hire, including, but not limited to: 1) any DUKW amphibious vehicle, manufactured by General Motors Corporation during the years 1942 to 1945, 2) any such vehicle modified for touring purposes by Amphibious Vehicle Manufacturing known as a "Stretch Duck", inclusive; any amphibious vehicle manufactured by Amphibious Vehicle Manufacturing known as a "Truck Duck," or 3) any other similar vehicle.

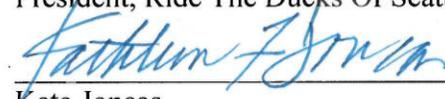
Agreement

1. Ride the Ducks agrees that it will not allow any driver of any amphibious tour vehicle to engage in tour narration while such vehicle is in motion on any public highway in the Seattle city limits.
2. Ride the Ducks agrees that it shall operate its amphibious tour vehicle tours only on the route and alternative routes described in Appendix A to this agreement.
3. The City and Ride the Ducks recognize that construction activity, special events and other unanticipated occurrences will at times require deviation from the routes described in Appendix A. When route deviations are necessary, whenever possible, Ride the Ducks will notify the City via the designated Seattle Department of Transportation contact.
4. At times Ride the Ducks operates charter tours that originate and terminate at locations other than described in Appendix A. All efforts will be made by Ride the Ducks to return to routes described in Appendix A in a timely manner.
5. Upon a written request by either party, the parties shall arrange to meet within a reasonable time for the purpose of reviewing this Memorandum of Understanding to determine if changes or updates are needed, including, but not limited to, addressing a possible new route for Ride the Ducks once the planned new ramp location in South Lake Union is completed.

So Agreed:

 Date: 7/13/16
Brian Tracey

President, Ride The Ducks Of Seattle, LLC

 Date: 01/13/14
Kate Joncas

Deputy Mayor, City of Seattle

Appendix A



City of Seattle

Edward B. Murray, Mayor

Department of Transportation

Scott Kubly, Director

January 13, 2016

Brian Tracey
Ride the Ducks
516 Broad Street
Seattle, Washington 98109

SUBJECT: RIDE THE DUCKS ROUTE REVIEW

SDOT has reviewed the proposed route provided by Ride the Ducks in conjunction with the pending Memorandum of Agreement between Ride the Ducks and the City.

The route consisted of a single inbound and outbound route as well as a route from vehicle storage to the Ride the Ducks facility at 5th Avenue and Broad Street including spot route variations. The review consisted of evaluation of size and weight restrictions and collision history. The Department found no size or weight restrictions on the proposed route that would prevent the Ride the Ducks "Truck Duck" vehicles from operating. As a reminder, all non-arterial streets in the City have a weight restriction of 10,000 pounds, unless traveling on that street is where the origin or destination lies. The collision history along Ride the Ducks' proposed route does not indicate a substantially increased risk for collision over other potential routes, so long as the vehicles are maintained and operated in a safe and prudent manner.

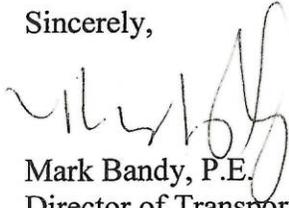
In addition to the routes, we reviewed the training guide used by Ride the Ducks to advise drivers to use additional caution at specific locations. The Department would encourage Ride the Ducks to include additional driver information regarding the use of caution around bicycle and pedestrian activity at the following locations:

Fremont Ave N and N 34th Street
Troll Ave N and N 34th Street
Stone Way N and N 34th Street
Dexter Ave N and N Galer Street
Dexter Ave N and N Comstock Street
Dexter Ave N and N Highland Street
Alaskan Way and Marion Street

Brian Tracy
January 13, 2016
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Future and alternate 'charter' routes have not been reviewed at this time. "Stretch Duck" vehicles have also not been considered in this review as these vehicles have not been cleared to return to service by the Washington Utilities and Transportation Commission. The National Transportation Safety Board investigation into the Ride the Ducks collision on the Aurora Bridge is also still in progress. The Department's evaluation of the route is subject to change pending the outcome of these investigations.

Sincerely,



Mark Bandy, P.E.
Director of Transportation Operations

cc: Scott Kubly, Seattle Department of Transportation
Ian Warner, Law Department

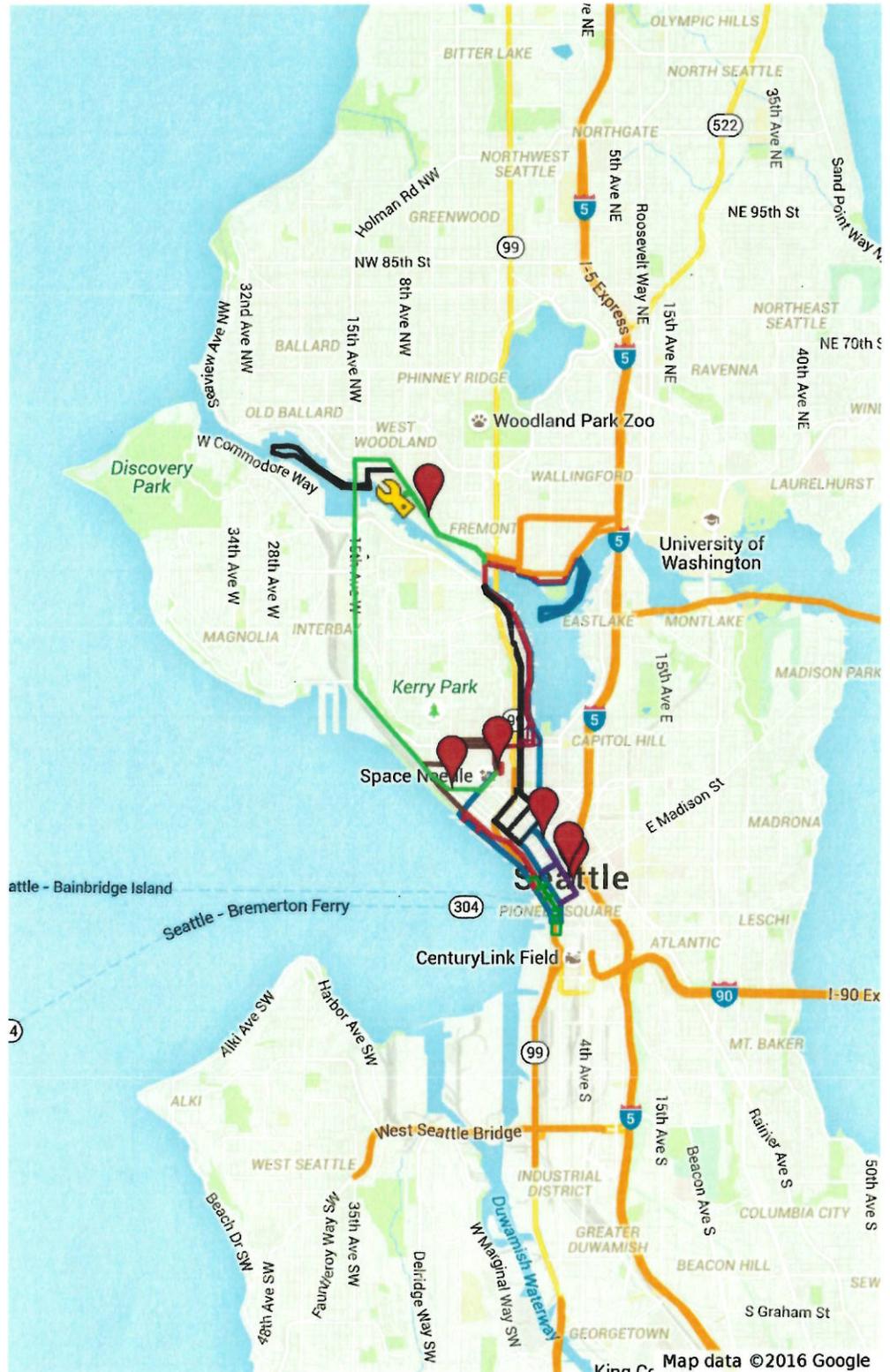
2015 Route and Detours

Official Tour Route

-  Seattle Center T-Booth
-  Westlake Center T-Booth
- 
- 5th & Broad Departure
(Tentative)
-  Broad St. to Alaskan Way
-  Alaskan Way
-  1st Ave. S to 1st Ave
-  Westlake Center Ducks
-  Westlake Ducks (Departure)
-  Virginia St.
- 
- Westlake Ave (Virginia to
Denny)
- 
- Westlake Ave. to Fremont
Bridge
-  Fremont Bridge
-  N. 34th St.
-  N. Northlake Way
-  Lake Union Tour Route
-  Westlake Ave
-  Northlake (Return)
-  N. 34th St. (Return)
-  Westlake Ave. N. (Return)
- 
- 9th Ave. N & Mercer St.
(Return)
-  5th Ave. N. (Return)

Alternate (Trains)

- 
- Elliott Ave to Western Ave.
"Train"
-  Clay St. "Train Alternate"
-  Wall St. "Train Alternate #2"
- 



The Official Route with ALL additional detours

Map data ©2016 Google

Western Ave. to Yesler Way

"Train Alternate #3"

 Continue along Alaskan Way

Alternate (Ferry Release or Gameday Traffic)

 Spring St.

 Marion St.

 S. Washington St.

 S. Main St.



University St. to Western Ave.

 King St.

Alternate (1st Ave. Jammed)

 Cherry St. to 4th Ave.

 Seattle Public Library

 Rainier Club

 University St. to 4th Ave.

Alternate (5K or Broad St. closure)

 SC to Mercer ST.



Mercer St. to Queen Anne Ave.

 Queen Anne to Harrison St.

 Harrison St. to Elliott Ave. W



Elliott Ave. W. through the Olympic Sculpture Park



Roy St. addition (Mercer is congested)

Alternate Virginia St. Closed



1st to Blanchard, Blanchard to Westlake Ave.

 Westlake Ave.

Alternate Possible Westlake Closures

 1st Ave.

-  Virginia St.
-  Blanchard St. to Westlake
- 
- Blanchard, 7th, Dexter (NO 99)
-  Battery, Denny, Dexter

Alternate Mercer/Westlake
Congestion

-  Westlake, 9th
-  Westlake, Westlake
-  8th to 9th
-  8th, Roy, Dexter

Restricted Boat Ramp Access

-  Right and Pacific
-  N 40th St.

Maintenance Facility to Route/
Salmon Bay For Foul Weather

-  Maintenance Facility
-  Main RTDS Fuel Station
- 
- Main: To and From
Fremont/Route
- 
- Secondary: To and From
Maint. Facility
-  Alternate RTDS Fuel Station
- 
- Ballard Route for Foul Weather
on LK Union