

(9)

THIS AGREEMENT, made this 6th day of December One Thousand Nine Hundred Sixty-eight between THE BOARD OF CHOSEN FREEHOLDERS of the County of Burlington, hereinafter called the County and the STATE OF NEW JERSEY acting through its Commissioner of Transportation, hereinafter called the State;

WHEREAS, in the construction of Route 295, Section 3B & 4A, the State plans to build an underpass with turning facilities at Burlington-Mount Holly Road; and

WHEREAS, the said construction will utilize a portion of existing Burlington-Mount Holly Road; and

WHEREAS, it is impelling upon the County and the State to apportion the jurisdiction, control and maintenance of this improved facility in an equitable manner.

NOW, THEREFORE, this agreement witnesseth that for and in consideration of the mutual covenants contained herein, the County and the State agree as follows:

FIRST, the County agrees to:

- (a) Upon date of completion of said project, assume or retain jurisdiction and control in those newly constructed areas as shown with single line hatching on a map entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 295, SECTION 3B & 4A, JURISDICTIONAL LIMIT MAP, BURLINGTON-MOUNT HOLLY ROAD, BURLINGTON TWP., BURLINGTON COUNTY, SCALE: 1" = 100', MARCH 1968."
- (b) Perform minor maintenance functions in those areas specified in (a) above for a period of five years from date of completion of said improvement after which time the County will perform complete maintenance functions.
- (c) Assist the State when requested with ice control and snow removal functions in that area of Burlington-Mount Holly Road shown plain (not hatched nor shaded in any manner) on the said map including that area under Route 295.
- (d) Notify the State of any major maintenance obviously needed in those areas specified in (a) above prior to the end of the said five year period.

SECOND, the State agrees to:

- (a) Assume jurisdiction, control and maintenance in those areas shown plain (not hatched nor shaded in any manner) on the said map within the right of way of Route 295.

(b) Perform major maintenance functions in those areas specified in part FIRST item (a) either on its own initiative or upon notice from the County until the end of said five year period; after which date all maintenance will be performed by the County.

(c) Perform complete structural maintenance of said bridge.

IN WITNESS WHEREOF, the County has had this instrument signed, had it attested, and the State has caused the same to be done on its part.

APPROVED
AS TO FORM
Philip Rannelle
DEPT. ATTY. GEN.
Date 5/1/68

THE BOARD OF CHOSEN FREEHOLDERS OF THE
COUNTY OF BURLINGTON

Attest:

Kenneth E. Street
Kenneth E. Street, Clerk

By *Fred C. Norcross, Jr.*
Fred C. Norcross, Jr., Director

Recommended
Date
Recommended <i>up</i> <i>12/10/68</i>
Date
Approved <i>grw</i> <i>12-11-68</i>
Date

THE STATE OF NEW JERSEY

Attest:

Jean G. Schwartz
~~XXXXXXXXXXXXXXXXXXXX~~
Department of Transportation
Jean G. Schwartz, Acting Secretary

By *David J. Goldberg*
David J. Goldberg
Commissioner of Transportation