

1088

(13)

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 5B the State plans to build an overpass to carry the highway over Hedding Road; and

WHEREAS, the construction will entail improvement to portions of the said Hedding Road; and

WHEREAS, it is impelling upon the County and the State to apportion the jurisdiction, control and maintenance of these improved facilities 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) After date of completion of said improvement assume or retain jurisdiction and control in those areas shown with single line hatching (including the area under the structures) on a map entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 295 SECT. 5B, JURISDICTIONAL LIMIT MAP, ROUTE 295 & HEDDING ROAD, MANSFIELD TOWNSHIP, BURLINGTON COUNTY, SCALE: 1" = 100', FEBRUARY, 1967".
- (b) Perform minor maintenance including ice control and snow removal 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) 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 the said overpass.

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.

BOARD OF CHOSEN FREEHOLDERS OF THE
COUNTY OF BURLINGTON

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

Attest:

Kenneth E. Street
Kenneth E. Street, Clerk

THE STATE OF NEW JERSEY

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

Attest:

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

APPROVED
AS TO FORM
[Signature]
DEPT. ATTY. GEN.
Date 11/7/68

Recommended
Date
Recommended <u>as</u>
Date <u>12/10/68</u>
Approved <u>[Signature]</u>
Date <u>12-11-68</u>

1087
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 5B the State plans to build an overpass to carry Kinkora Road over Route 295; and

WHEREAS, the construction will entail improvements to portions of the said Kinkora Road; and

WHEREAS, it is impelling upon the County and the State to apportion the jurisdiction, control and maintenance of these improved facilities 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) After date of completion of said improvement assume or retain jurisdiction and control in those areas shown with single line hatching on a map entitled, "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 295 SECT. 5B, JURISDICTIONAL LIMIT MAP, ROUTE 295 & KINKORA ROAD, MANSFIELD TOWNSHIP, BURLINGTON COUNTY, SCALE: 1"=100', FEBRUARY 1967".

(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) Perform ice control and snow removal functions in those areas specified in (a) above and that area of Kinkora Road that is bridged over 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.

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

Attest:

Jean G. Schwartz
Jean G. Schwartz, Acting Secy.
Department of Transportation

THE STATE OF NEW JERSEY

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

APPROVED
AS TO FORM
Thuy R. Runkle
DEPT. ATTY. GEN.
Date 11/8/68

Recommended
Date
Recommended
<u>as</u> <u>12/10/68</u>
Date
Approved
<u>JMS</u> <u>12-11-68</u>
Date