

1370 THIS AGREEMENT, made this 6th day of December 16

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 5C & 7A, the State plans to build an underpass at West Burlington Street; and

WHEREAS, the said construction entails improvements to a portion of existing West Burlington Street; 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) After date of completion of said construction, assume or retain jurisdiction and control in that area as shown with single line hatching (including that roadway area under structure shown plain) on a map entitled, "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 295 SECTION 5C & 7A, JURISDICTIONAL LIMIT MAP, WEST BURLINGTON STREET, BORDENTOWN TOWNSHIP, BURLINGTON COUNTY, SCALE: 1"=100", AUGUST 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) 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 underpass 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.

THE BOARD OF CHOSEN FREEHOLDERS
OF THE COUNTY OF BURLINGTON

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

Kenneth E. Street
Kenneth E. Street, Clerk

THE STATE OF NEW JERSEY

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

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

APPROVED
AS TO FORM

DEPT. ATTY. GEN.

Date 9/21/68

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