

3383

AGREEMENT

THIS AGREEMENT, made and entered into this ^{15TH} day of *march*, 1990 by and between the Board of Chosen Freeholders of the County of Burlington, a body politic and corporate, with offices at 49 Rancocas Road, Mount Holly, New Jersey 08060 (hereinafter, the "County") and the State of New Jersey, acting through its Commissioner of Transportation, (hereinafter, the "State");

WITNESSETH:

WHEREAS, improvements have been made to a portion of State Highway Route 38 in the County; and

WHEREAS, these improvements have included work on several County highways; and

WHEREAS, Mount Holly By-Pass south of Route 38 is currently a private road, however, the County plans to consider including it into the County highway system; and

WHEREAS, the jurisdictional limits for highway maintenance and control of these areas have never been established between the County and the State; and

WHEREAS, in order to prevent future legal or maintenance problems in these areas, it is necessary that the County and the State apportion the jurisdiction for highway maintenance and control in an equitable manner pursuant to N.J.S.A. 27:7-1 et seq.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the County and the State agree as follows:

FIRST, the County agrees to:

(a) Assume or retain jurisdiction for highway maintenance and control in those areas as shown with single line hatching (excluding Mount Holly By-Pass south of Route 38) on sheets 1, 2, 3 & 4 of 4 total sheets of a map entitled "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 38 SECTION 3C & 4B, JURISDICTIONAL LIMIT MAP, FROM WEST OF COUNTY ROUTE 641 TO EAST OF COUNTY ROUTE 612, TOWNSHIPS OF HAINESPORT, LUMBERTON AND MOUNT HOLLY, COUNTY OF BURLINGTON, SCALE: AS INDICATED, DATE: MAY, 1987," which map is appended hereto and made a part hereof.

(b) Assume jurisdiction for highway maintenance and control of Mount Holly By-Pass south of Route 38 as shown with single line hatching on sheet 2 of 4 total sheets upon acceptance of said roadway by the County.

SECOND, the State agrees to:

Assume or retain jurisdiction for highway maintenance and control in those areas shown shaded on the said map.

THIRD, both the County and the State agree that:

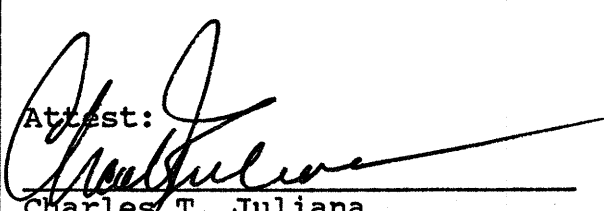
(a) Nothing contained in this agreement shall be construed to affect the legal and/or maintenance responsibilities for any traffic signal systems, overhead lighting, or other electrical facilities involved in the subject roadway areas.

(b) This agreement will not be binding until executed by the Commissioner of Transportation or the Commissioner's designee.

IN WITNESS WHEREOF, the parties have signed, sealed and attested this agreement.

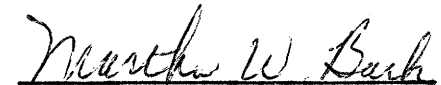
BOARD OF CHOSEN FREEHOLDERS
OF THE COUNTY OF BURLINGTON

Attest:


Charles T. Juliana
Clerk/Administrator

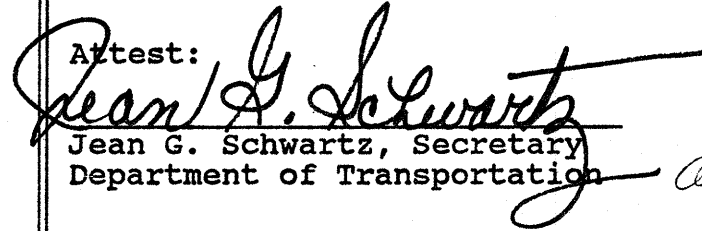
Rec'd 55
1-24-90

By:


Martha W. Bark
Director

STATE OF NEW JERSEY

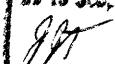
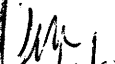
Attest:


Jean G. Schwartz, Secretary
Department of Transportation

By:


~~Kenneth C. Afferton~~
Acting Assistant Commissioner
Design and Right of Way

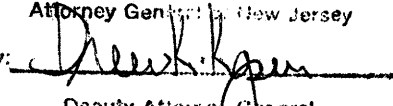
Dated: MAR 15 1990

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Date 3-13-90
Recommended

Date 3/14/90
Approved
CT
3-14-90
Date

The aforementioned agreement has been reviewed and approved as to form.

Attorney General of New Jersey

By:


Deputy Attorney General

Date:

3/15/90