

THIS AGREEMENT, made this 25th day of January One Thousand Nine Hundred Seventy-four between the COUNTY OF BURLINGTON acting through its 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, the State is planning to make improvements on Route 73, Section 3E, in the vicinity of its intersection with Route 70, Section 2D & 3B; said intersection also being known as the Marlton Circle; and

WHEREAS, said improvements will also affect the intersection of County Route 619, also known as the Old Marlton Pike, with Route 73; 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 construction, assume or retain jurisdiction, control and maintenance in those areas newly improved by the State as shown with single line hatching on a map entitled; "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 70, SECTION 2D & 3B, ROUTE 73, SECTION 3E, JURISDICTIONAL LIMIT MAP, MARLTON TRAFFIC CIRCLE, TOWNSHIP OF EVESHAM, COUNTY OF BURLINGTON, SCALE 1"=200', NOVEMBER 1973," appended hereto and made a part thereof.

(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 shaded (not hatched in any manner) on the said map within the right of way of Route 70 and Route 73.

(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.

THIRD, both the County and the State agree that for the purpose of this Agreement:

(a) Minor maintenance is the continuous work required to hold a new or improved road against deterioration due to normal wear or use, which is the routine function of the County Road Department. This includes, but is not limited to, ice control and snow removal sweeping, cleaning out drainage, removing litter, cutting grass, spot patching of small holes, painting of traffic lines, painting of all guardrail except that which is erected on structures, and ice control, snow removal and customary cleaning of sidewalks.

(b) Major maintenance is the restoring of a new or improved road to its original condition by repairing or reconstructing any of its component parts found defective due to faulty construction and not due to normal wear or use. Major maintenance applies to all newly constructed slopes, berms, fills, drainage and pavement areas within the jurisdiction of the County as shown on the said map.

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 COUNTY OF BURLINGTON
By
THE BOARD OF CHOSEN FREEHOLDERS
OF THE COUNTY OF BURLINGTON

Attest:

Charles T. Juliana By Charles H. Ehrlich
Charles T. Juliana, Clerk Charles H. Ehrlich, Director

THE STATE OF NEW JERSEY

Attest:

Jean G. Schwartz By Alan Sagner
Jean G. Schwartz, Secretary Department of Transportation Alan Sagner
Commissioner of Transportation

Recommended as to Scope
Date 1/25/74
Recommended
Date 1/28/74
Approved
Date 1-28-74

The aforementioned agreement has been reviewed and approved as to form.
GEORGE F. KUGLER, JR.
Attorney General of New Jersey
By: George F. Kugler, Jr.
Deputy Attorney General
Date: 1/14/74