

THIS AGREEMENT, made this 22nd day of April One

Thousand Nine Hundred Seventy-five, 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, witnesseth that:

WHEREAS, the State is planning to make improvements to a portion of Route 73, Section 3C, said improvements to include a loop ramp at the intersection of Route 73 with Fellowship Road (County Route 673); and

WHEREAS, Fellowship Road is a County road; and

WHEREAS, it is necessary that the County and the State apportion the jurisdiction, control and maintenance of these improved facilities in an equitable manner.

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 and control in those areas to be newly improved by the State as shown with single line hatching on a map entitled "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 73, SECTION 3C, JURISDICTIONAL LIMIT MAP, FROM ROUTE 38 to NEW JERSEY TURNPIKE, TOWNSHIPS OF MAPLE SHADE & MOUNT LAUREL, COUNTY OF BURLINGTON, SCALE 1"=200', NOVEMBER 1974," appended hereto and made a part hereof, from and after the completion of construction in said areas.
- (b) Perform all minor maintenance functions in those areas specified in subparagraph (a) above.
- (c) Perform all maintenance functions, both minor and major, from and after the expiration of five years from the completion of construction in those areas specified in subparagraph (a) above.

(d) Notify the State of any major maintenance obviously needed in those areas specified in subparagraph (a) above prior to the end of the said five year period.

(e) Perform ice control, snow removal, sweeping and litter control functions in those areas of existing Fellowship Road shown shaded (not hatched in any manner) on the said map.

SECOND, the State agrees to:

(a) Assume jurisdiction, control and complete responsibility for all ~~maintenance~~ in those areas shown shaded (not hatched in any manner) on the said map within the right of way of Route 73 subject, however, to the provisions of subparagraph (e) of part FIRST of this agreement.

(b) Perform major maintenance functions in those areas specified in part FIRST subparagraph (a) either on its own initiative or upon notice from the County for five years after the completion of construction in those areas specified in part FIRST subparagraph (a).

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

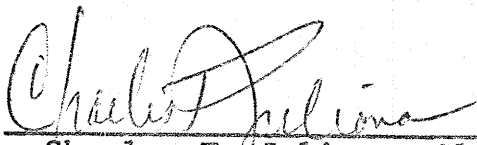
(a) "Minor maintenance" is the continuous work required to hold a new or improved road against deterioration due to normal wear or use, which is the routine function of the County Road Department. Minor maintenance includes, but is not limited to, ice control and snow removal, sweeping, cleaning out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

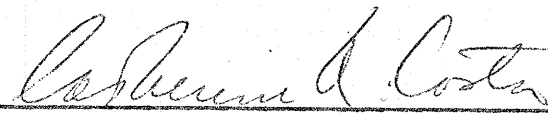
(b) "Major maintenance" is the restoring of a new or improved road to its original condition by repairing or reconstructing any of its component parts found defective due to faulty construction and not due to normal wear or use. As used in the preceding sentence, "road" includes all newly constructed 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 and 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

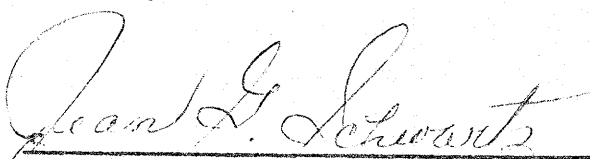
Attest:

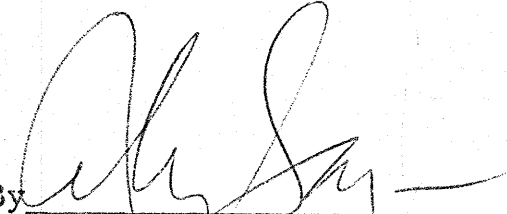

Charles T. Juliana, Clerk

By 
Catherine Costa, Director

THE STATE OF NEW JERSEY

Attest:


Jean G. Schwartz, Secretary
Department of Transportation

By 
Alan Sagner
Commissioner of Transportation

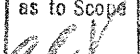
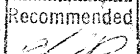
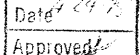
The aforementioned agreement has been reviewed and approved as to form.

WILLIAM F. HYLAND

Attorney General of New Jersey

By: 
Roy A. Heimlich
Deputy Attorney General

Date: 3/8/75

Recommended as to Scope

Date <u>3/8/75</u>
Recommended

Date <u>3/24/75</u>
Approved

Date <u>3/29/75</u>