

RESOLUTION with AL DEPARTMENT OF TRANSPORTATION

RESOLUTION 2007-02

WHEREAS, the Town of Snead, Alabama (hereinafter at times referred to as Town) is desirous of having certain improvements made on SR-74 (US-278) and SR-75 within the Town Limits of Snead, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project No. NH-FM07(900) Planing, Widening, Resurfacing and Permanent Traffic Stripe along SR-74 (US-278) from West of SR-75 in Snead to East of CR-39 in Snead and Planing, Resurfacing and Permanent Traffic Stripe along SR-75 from 0.25 Miles North of Whippoorwill Creek to SR-74 (US-278).

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, The Federal Highway Administration, an agency of the United States of America will not participate in any funding for the construction of said project until and unless the Town will agree to certain requirements of the Federal Highway Administration. The Town for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the Town Council of Snead, that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this Town and which are now on file in the office of the Town Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in

accordance with said plans.

The Town by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The Town hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

Please See Attached

Please refer to: Project Notes and Project Traffic Control Notes (Sheets 2D – 2N)

Please refer to: Traffic Control Plans (Sheets 6 – 13)

BE IT FURTHER RESOLVED by the Town Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the Town over said project, such Town hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the Town will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any

informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the National Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The Town further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the Town further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.



BE IT FURTHER RESOLVED by this Town Council:

1. That the Town agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the Town.
2. That the Town agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the Town has the option of vacating same.
3. That the Town agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the Town agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

THIS RESOLUTION PASSED, ADOPTED, AND APPROVED this the 12th
day of February, 2007.

ATTEST



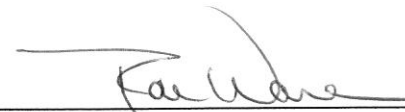
Town Clerk Rae Ware



Mayor Curtis Painter

I, the undersigned, Clerk of the Town of Snead, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and lawfully adopted by the Council of the foregoing Town, at its regular meeting held on the 12th day of February, 2007, which resolution is on file in the office of the Town Clerk.

Given under my hand and the official seal of such Town this 13th day of February, 2007



TOWN CLERK Rae Ware

