

RESPONSIBILITY OF FUTURE OPERATING COSTS UNDER FEDERAL HIGHWAY ACT AS AMENDED AND SUPPLEMENTED.

The City of Concord, State of New Hampshire, hereinafter referred to as the City, and the New Hampshire Department of Transportation, hereinafter referred to as the State, hereby agree as follows:

1. The State hereby agrees to recommend and submit to the Federal Highway Administration, United States Department of Transportation, within the limitations of Federal Aid STP Funds, Project:

CONCORD STP-BRF-5099(027), 12221-B, Reconstruction of the Manchester Street (U.S. Rte. 3) Bridge No. 185/104 over the Merrimack River. Also included is the relocation of Old Turnpike Road and Black Hill Road.

2. The City agrees, if the project is approved and constructed, that it will thereafter, at its own cost and expense, ~~maintain the project as it was originally constructed~~, including pavement marking, signing, traffic signals and the removal of snow, to provide for full flow of traffic in a manner satisfactory to the State and the Federal Highway Administration.

3. The City agrees to accept the operation, ownership and maintenance of all City owned utilities constructed under the project and that all utility locations as shown on the Plans shall not be altered unless changes are made according to the accepted licensing procedure of the City. The City also agrees to support the regulations and enforcement necessary to implement the project design features and agrees to pass any laws, rules, regulations and ordinances necessary for this purpose.

4. The City delegates to the Commissioner of the New Hampshire Department of Transportation the authority to control traffic within the construction zone of this project.

5. The City agrees, obligates and binds itself to ~~prevent any encroachments within the~~ right of way limitations and to prohibit the parking of any vehicles within the right of way except in designated parking areas shown on the plans. No highway right of way within the limits of this project shall be sold or leased without prior State and Federal Highway Administration approval.

6. Engineering considerations are vital to proper maintenance and operation of these traffic control improvements, and future operational adjustments may be necessary due to changed traffic conditions, technical advances or emergency situations. The City agrees that no changes will be made without prior approval of the State and Federal Highway Administration.

7. Failure of the City to properly maintain and operate this project will disqualify the City from any future Federal Aid Highway Funds, until such time as the deficient condition has been rectified and approved by the State and Federal Highway Administration.

OCT 17 2005

MANCHESTER ST
OLD TURNPIKE RD
BLACK HILL RD

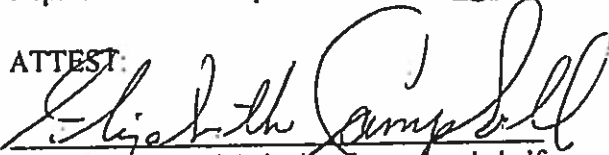
right of way limitations and to prevent the parking of any vehicles within the designated parking areas shown on the plans. No highway right of way within the limits of this project shall be sold or leased without prior State and Federal Highway Administration approval.

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IN WITNESS WHEREOF, the parties here have affixed their signatures, the City of Concord, New Hampshire, on this 29th day of May, 1996, and the Department of Transportation on this 3rd day of June, 1996.

ATTEST:



NOTE: Any official signing for and on behalf of a Municipality or Political Subdivision shall attach an original or authenticated copy of order, resolution, ordinance, charter provision or a statute under the authority for which this agreement is executed.

CITY OF CONCORD
(Municipality or Political Subdivision)

BY: 
ACTING CITY MANAGER

NEW HAMPSHIRE DEPARTMENT OF
TRANSPORTATION

BY:


COMMISSIONER