MUNICIPAL COUNTY PROJECT AGREEMENT

COUNTY OF CHARLESTON	)	
	)	RESOLUTION 2015-06
TOWN OF JAMES ISLAND	)	

Road/Route **Jerdone Street, Stiles Drive, and Mikell Drive (S-1303)**
Project **Jerdone Street Sidewalk**

WHEREAS, Charleston County ("the County") proposes to construct, reconstruct, alter, or improve the certain segments of the highway(s) in the Local and State Highway System referenced above which are located within the corporate limits of the Town of James Island (hereinafter, "the Town"); and

WHEREAS, the Town wishes to authorize the construction and improvements of the aforesaid sidewalk project in accordance with plans prepared by the County and permitted by SCDOT ("the Project Plans").

NOW THEREFORE, BE IT RESOLVED that, pursuant to S.C. Code Ann. §57-5-820 (1976, as amended), the Town does hereby consent to the construction or improvements of the aforesaid sidewalk project within its corporate limits in accordance with the Project Plans, and further, the Town, having reviewed the plans for said construction, does hereby approve said plans as provided for in Code §57-5-830.

BE IT FURTHER RESOLVED, that the foregoing consent shall be the sole approval necessary from the Town for the County to complete the project under the Project Plans and constitutes a waiver of any and all other requirements with regard to construction within the Town's limits. Further, any Town ordinances, or amendments thereto, enacted after the date of this agreement, shall be inapplicable to the project. The foregoing waiver and consent shall also extend to the benefit of utility companies engaged in relocating utility lines on account of the project.

BE IT FURTHER RESOLVED, that the Town will assist SCDOT and the County in causing all water, sewer and gas pipes, manholes, or fire hydrants, and all power or telephone lines or poles located within the existing right-of-way to be relocated at the utility company's expense, except where the utility can demonstrate a prior right of occupancy. To the extent that Town-owned utilities are to be relocated in accordance with the project plans, those utility pipes, lines, or hydrants may be replaced upon the new highway right-of-way at such locations as may be approved by SCDOT and the County. The Town agrees to indemnify and hold harmless SCDOT and the County to the fullest extent allowed by law against any and all claims or actions brought against it arising out of the placing, maintenance, or removal of any utilities by the Town or its contractors. Future utility installations by the Town within the limits of the new right-of-way after project completion shall be pursuant to a standard utility encroachment permit obtained in the normal course and issued pursuant to SCDOT's "A Policy for Accommodating Utilities on Highway Rights-of-Way.", August 2005, as revised.

BE IT FURTHER RESOLVED, that the Town hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, , nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, this Resolution is adopted and made a part of the Municipal records this _____ day of _____, 20_____, and the original of this Resolution will be filed with Charleston County in North Charleston.

Dated:

James Island, South Carolina
Municipality

ATTEST:

By: _____
Mayor

_____
Clerk