

**AGREEMENT**

PROJECT NO. STP-S55A(105)  
CONTROL NO. 12967  
COUNTY OF LANCASTER  
STATE OF NEBRASKA, DEPARTMENT OF ROADS  
DENTON SPUR  
PROJECT DETOUR

**THIS AGREEMENT** is between the County of Lancaster ("County") and the State of Nebraska, Department of Roads ("State") collectively referred to as the "Parties".

**WITNESSETH:**

**WHEREAS**, the State intends to improve State Spur Route S55A, at the location as shown on Exhibit "A", attached, which is hereby made a part of this agreement, and

**WHEREAS**, State intends that the improvement be developed and constructed under the designation of Project No. STP-S55A(105), and

**WHEREAS**, in the interest of public safety and convenience, the State has determined under the authority of Neb. Rev. Stat. §39-1346 and 39-1347 it is necessary to establish a detour during the construction of the above said project on a designated county road, as shown on Exhibit "A" attached, and

**WHEREAS**, County Board has authorized the Chairperson to sign this agreement, as evidenced by the Resolution of the County Board, as shown on Exhibit "B", and

**NOW THEREFORE**, in consideration of these facts and the mutual promises of the Parties hereto, the Parties agree as follows:

**SECTION 1.** County recognizes that State has statutory authority under Neb. Rev. Stat 39-1346 to designate the county road shown on Exhibit "A" as a detour for the State Highway System.

**SECTION 2.** State and County agree the State's Project Manager and County's Highway Superintendent will inspect and document the conditions of the county road to be designated as a state highway detour prior to their use as a detour route. In conformance with Neb. Rev. Stat. §39-1347, the State agrees to maintain the county road during its

use as a detour and to return said county road to the County at the conclusion of its use as a detour in as good condition as existed prior to when it was designated as a state highway detour.

**SECTION 3.** State will notify the county in writing when the State assumes jurisdictional responsibility for the county road and to notify the County in writing when the county road is returned to the jurisdictional responsibility of the County.

**SECTION 4.** State will bear the cost of changes required to county road to prepare it for use as a detour for state highway traffic and that these changes will be made without cost to the County.

**SECTION 5.** State will bear the cost of the operation and maintenance of the county road as a detour for highway traffic while the county road is designated as a detour for state highway traffic.

**SECTION 6.** County will, upon notification by State of termination of the use of the county road as a state highway detour, resume jurisdictional responsibility for the county road including changes made to the roadway in preparation for its use as a highway detour, maintenance or operational changes that occurred during its use as a highway detour, and changes made to the roadway to return it to as good condition as existed prior to when it was designated a state highway detour.

**SECTION 7.** The County Board has authorized the Chairperson of the Board to execute this Agreement, as evidenced by the Resolution of the County Board, attached as Exhibit "B" and incorporated herein by this reference.

IN WITNESS WHEREOF, the County and the State have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the County this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

WITNESS:

COUNTY OF LANCASTER

\_\_\_\_\_  
County Clerk

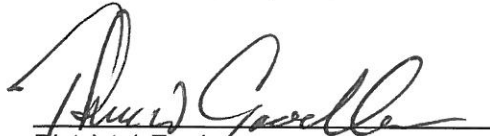
\_\_\_\_\_  
Chairperson, County Board

EXECUTED by the State this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

STATE OF NEBRASKA  
DEPARTMENT OF ROADS  
Michael H. Owen, P.E.

\_\_\_\_\_  
Roadway Design Engineer

RECOMMENDED:  
Thomas Goodbarn, P.E.

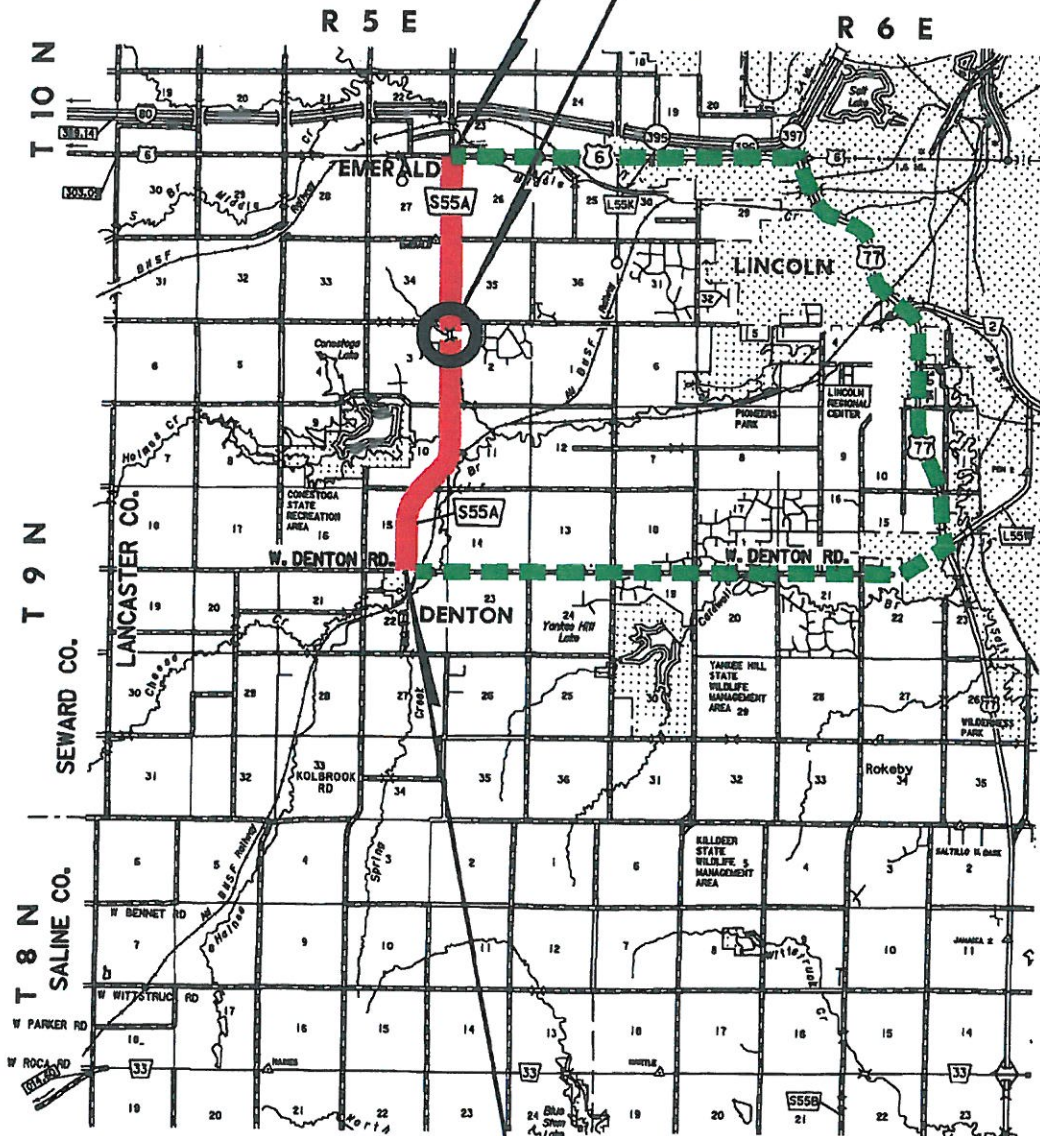
  
\_\_\_\_\_  
District 1 Engineer

# DENTON SPUR DETOUR S55A(1017)

C.N. 12967  
LANCASTER COUNTY

M.M. 0+00, SPUR 55A  
STA. 273+23.51  
BEGIN PROJECT

M.M. 2+16, SPUR 55A  
BRIDGE LOCATION



PROJECT █  
DETOUR █

M.M. 5+11, SPUR 55A  
STA. 0+12  
END PROJECT

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE AGREEMENT )  
BETWEEN THE STATE OF NEBRASKA ) RESOLUTION NO.  
DEPARTMENT OF ROADS, FOR )  
PROJECT NO. STP-S55A (105) CN 12967 )

WHEREAS, general supervision and control of the public roads of Lancaster County (“County”) is vested in the Board of County Commissioners of Lancaster County, Nebraska, (the “Board”) pursuant to Neb. Rev. Stat. § 39-1402;

WHEREAS, the State of Nebraska through the Nebraska Department of Roads (“State”) desires to construct a new four-lane freeway in Lancaster County, designated STP-S55A (105) CN 12967, known as the “Denton Spur Project Detour” (“Project”);

WHEREAS, the Board wishes to enter into this Agreement with the State with respect to this Project; and

WHEREAS, the Board wishes to authorize the Chairperson of the Board to execute this Agreement with the State;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, that the Chair of the Lancaster County Board of County Commissioners is hereby authorized to execute this Agreement with the State of Nebraska, Department of Roads, for Project No. STP-S55A (105) CN 12967.

DATED this \_\_\_\_ day of June, 2017, at the County-City Building, Lincoln, Lancaster County Nebraska.

EXHIBIT B

BY: LANCASTER COUNTY BOARD OF  
COUNTY COMMISSIONERS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED AS TO FORM

this \_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Deputy County Attorney for  
JOE KELLY, County Attorney

ATTEST:

\_\_\_\_\_  
Lancaster County Clerk