

3RD DRAFT

JURISDICTIONAL TRANSFER AGREEMENT
FOR
PARK EAST FREEWAY - STH 145
(NORTH 4TH STREET TO NORTH JEFFERSON STREET)

THIS AGREEMENT, entered into this _____ day of _____, 1999, by and between the Department of Transportation of the State of Wisconsin, hereinafter called the State, Milwaukee County, hereinafter called the County, and the City of Milwaukee Common Council, hereinafter called the City;

WHEREAS, the "Letter of Agreement on the Allocation of ICE Dollars and on Milwaukee Transportation Projects" (see appendix 'A') was executed in April, 1999 by F. Thomas Ament, Milwaukee County Executive; John O. Norquist, Mayor of City of Milwaukee; and Tommy G. Thompson, Governor of Wisconsin, and

WHEREAS, as a part of above agreement the parties agreed to pursue the termination of the Park East Freeway at Fourth Street, and

WHEREAS, the functional/jurisdictional relationship of present State, County, and Local Highway Systems related to the subject transfer need to be cooperatively reviewed and accepted by the above jurisdictions, and

WHEREAS, subject to the above review, and approval, changes in the jurisdiction of these highway systems in the County have been agreed to by the County, City and the State, and locally endorsed by resolution, and

WHEREAS, Section 84.02(8), Wisconsin Statutes, enables the State to enter into jurisdictional transfer agreements with local units of government, thereby facilitating such alterations in jurisdictional highway systems.

NOW THEREFORE, the parties, hereto do mutually agree to:

(1.) pursue the termination of the Park East Freeway at North Fourth Street in accordance with the following process:

(a.) At the initiation of the County, the State, in cooperation with the other parties to this agreement, and the Southeastern Wisconsin Regional Planning Commission, (SEWRPC) and the Federal Highway Administration, (FHWA) will take steps to amend appropriate plans to reflect the new highway and street limits and jurisdictional status of the affected Park East Freeway (STH 145) segment between North Fourth Street and North Jefferson Street.

(b.) The State will prepare engineering plans, specifications and estimates for the removal of the elevated freeway east of North 4th Street and designing the reconnection to the local street system.

- The City will prepare engineering plans, specifications and estimates for the replacement facilities to the local street system and river crossing.

- The State will be responsible for administering the construction contracts for the plans developed in 1(b).
- The funding of all projects will be in accordance with the terms set forth in the "Letter of Agreement on the Allocation of ICE Dollars and on Milwaukee Transportation Projects" per Appendix 'A'.
- The State in conjunction with the County, will request a waiver of federal fund pay back for that right-of-way that the State determines is no longer needed for highway purposes.

(2.) Transfer jurisdictional responsibility for the Highway described below and under the conditions described in 1 above. Jurisdictional responsibility shall include all responsibilities and rights normally associated with ownership. The effective date of transfer is the date of plat filing with the County Clerk for the replacement facilities.

Current	Termini		Receiving
<u>Highway Designation</u>	<u>From</u>	<u>To</u>	<u>Jurisdictional Authority</u>
STH 45 (Park East Freeway)	N. 4 th St.	N. Jefferson St.	Milwaukee County

The highway and streets covered by this general jurisdictional system agreement are subject to specific "project agreements" that detail the federal/state requirements.

The desire and importance of completing these projects expeditiously is understood. Accordingly, all parties to this agreement will place high priority on completing this work by the Summer of 2002..

Signed for and on behalf of the City of Milwaukee:

Name (Signature)

(Title)

(Date)

Name (typewritten/clearly printed)

Signed for and on behalf of the Milwaukee County:

Name (Signature)

(Title)

(Date)

Name (typewritten/clearly printed)

Administrator, Division of Transportation Infrastructure Development

(Date)