

Mark C. McConnell
Deputy Executive Director/
Chief Engineer

Lisa M. Hancock
Deputy Executive Director/
Administration



Dick Hall
Central District Commissioner

J. Kevin Magee
District 3 Engineer

David Foster
District 5 Engineer

Melinda L. McGrath
Executive Director

P. O. Box 90 / Newton, MS 39345-0090 / Telephone (601) 683-3341 / FAX (601) 683-7030 / GoMDOT.com

October 17, 2013

Mr. Gerald Steen, President
Madison County Board of Supervisors
P.O. Box 608
Canton, Mississippi 39046

RE: Interstate 55 at Gluckstadt Interchange
Project No. NH-0055-02(214) / 103063-301000
Easement & Construction Agreement
Madison County Board of Supervisors, Madison County

Dear Mr. Steen,

Attached you will find two (2) originals of a "EASEMENT & CONSTRUCTION AGREEMENT", for the Interstate 55 at Gluckstadt Interchange project in Madison County, specifically, as it relates to the Madison County Board of Supervisors.

If the Agreement meets with your approval, please execute the two (2) originals and return them, along with two (2) certified copies of the Board Orders, to our office in Newton for further processing. We will furnish you with an original executed set following execution by the Mississippi Transportation Commission.

If additional information is needed, please feel free to call.

Sincerely,

A handwritten signature in black ink that reads "David Foster".

DAVID FOSTER, PE
DISTRICT ENGINEER

DF:DGC
Enclosure

PC: Legal Division (w/att)
Roadway Design Division
Right of Way Division
File (via: Stokes, Reeves) (email: Cleveland)



EASEMENT AND CONSTRUCTION AGREEMENT

This Easement and Construction Agreement (AGREEMENT) is entered into by and between the Mississippi Transportation Commission, (COMMISSION), by and through the duly authorized Executive Director of the Mississippi Department of Transportation, (MDOT) and the Madison County Board of Supervisors, Mississippi, (COUNTY), acting by and through its duly authorized Board of Supervisors, (COUNTY), effective as of the latest date of execution below.

WITNESSETH:

WHEREAS, the COMMISSION proposes to reconstruct Interstate 55 (I-55) beginning 0.7 mile south of Gluckstadt Road and extending in a northerly direction a distance of approximately 1.5 miles, to a point approximately 0.8 mile north of Gluckstadt Road, including Gluckstadt Road Interchange; and

WHEREAS, the COMMISSION has prepared plans and specifications for the proposed construction, said plans being designated as Federal Aid Project Number NH-0055-02(214) / 103063 - 301000, Madison County, relevant excerpts of which are attached hereto, and the entirety of which are on file in the office of the COMMISSION in Jackson, Mississippi, reference to which is for all purposes as if copied herein in words and figures (see attached plats and exhibits); and

WHEREAS, the COUNTY is the current owner of the property or the easements underlying all local streets, except a portion of Calhoun Station Parkway, shown on said plans and specifications; and

WHEREAS, the COMMISSION has requested permission from the COUNTY to make certain adjustments, relocations, and grade changes to all known COUNTY streets which now cross, connect, or are adjacent to the referenced construction project; and

WHEREAS, the COUNTY has agreed to this request and both parties desire to evidence this AGREEMENT by written instrument.

NOW, THEREFORE, in consideration of the promises and agreements of the parties hereto and hereinafter contained, as shown below, it is hereby agreed as follows:

The **COMMISSION** shall:

1. Construct by contract said section of I-55 in accordance with the plans and specifications for Federal Aid Project Numbers NH-0055-02(214) / 103063 - 301000.
2. Be responsible for the maintenance of all roadway, rights of way, and traffic control devices within the limits of the construction project in accordance with the MDOT policies, rules, and regulations for the duration of the project.
3. Acquire all rights of way left and right of centerline as required by the plans for said section of I-55 not previously acquired by the COUNTY.
4. Be responsible for overseeing all utility adjustments.
5. Maintain all right of way secured for this project, to include that portion of reconstructed and/or relocated COUNTY streets within the right of way secured, but not to include the right of way to be returned by the COMMISSION to the COUNTY, or the right of way acquired by MDOT and to be deeded by the COMMISSION to the

COUNTY at the completion of the project. Specific reconstructed and/or relocated COUNTY streets (i.e., that portion of all existing COUNTY street right of way beyond the normal right of way only) to be returned to the COUNTY, and to be deeded to the COUNTY (i.e., all COUNTY street right of way acquired by MDOT for this project, and all specified previously existing MDOT right of way) are as follows:

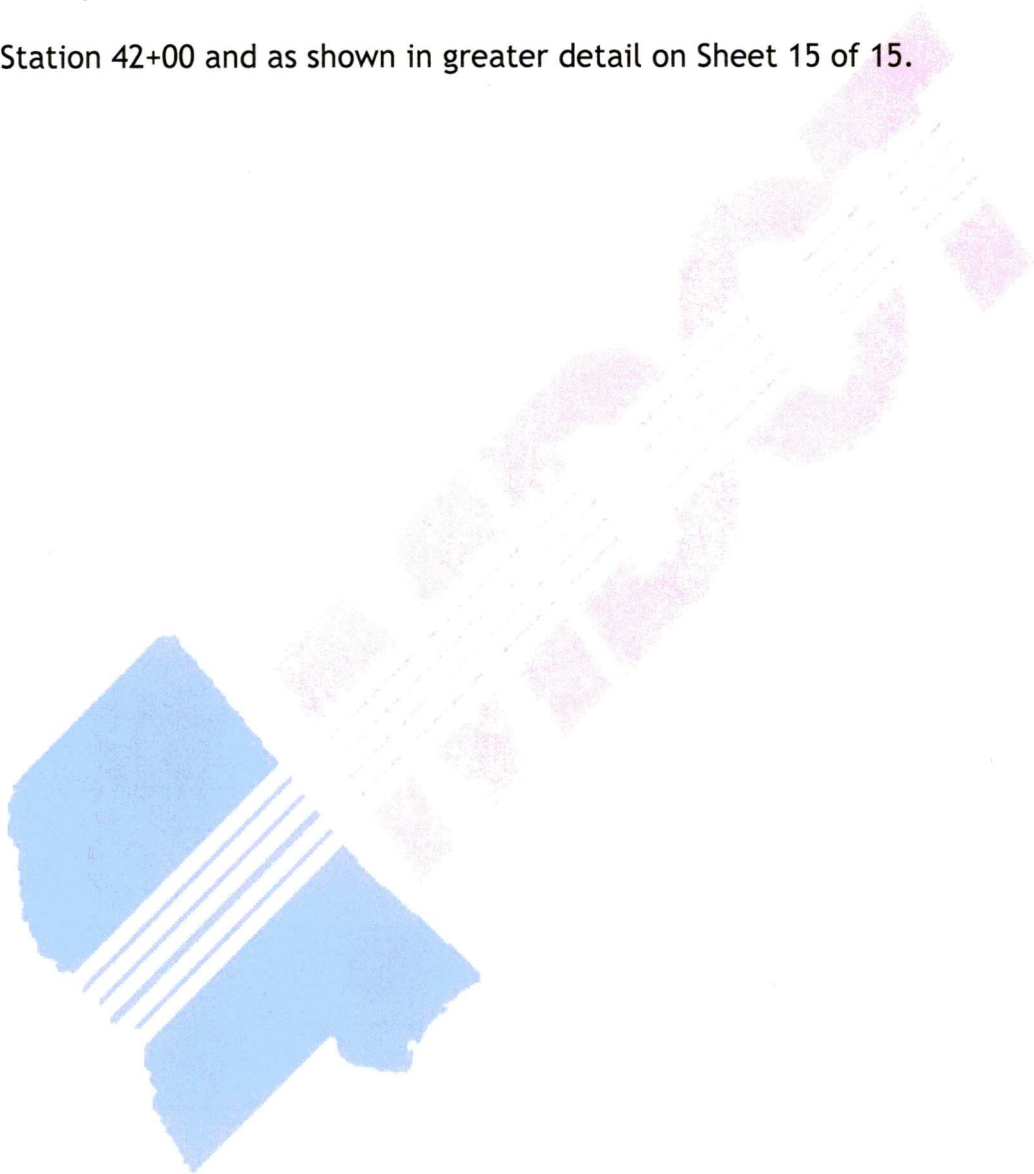
- (a) That portion of **Dee's Drive Connector** from Dee's Drive to Station 170+20 (+/-) and as shown in greater detail on Sheet 8 of 15. The aforementioned property shall maintain no access status as shown on the attached drawing.
- (b) That portion of **Relocated Gluckstadt Road** west of I-55 between Station 17+74 and Station 22+70 (+/-) and as shown in greater detail on Sheet 9 of 15. The aforementioned property shall maintain no access status as shown on the attached drawing.
- (c) That portion of **Gluckstadt Road** east of I-55 between Station 42+00 and Station 44+00 (+/-) right of centerline and between Station 45+17 (+/-) and Station 49+50 (+/-) right of centerline and as shown in greater detail on Sheet 10 of 15. The aforementioned property shall maintain no access status as shown on the attached drawing.
- (d) That portion of **Gluckstadt Road** east of I-55 between Station 40+70 (+/-) and Station 41+15 left of centerline and **Industrial Drive Extension** east of I-55 between Station 155+20 (+/-) at Gluckstadt Road and Station 161+34 (+/-) and extending eastward along Gluckstadt Road to Station 50+00 and as shown in greater detail on Sheet 11 of 15.

The **COUNTY** shall:

1. Release the COMMISSION from any and all damages arising, or to arise in its favor and on its account as a result of the COMMISSION altering, relocating or changing the grade of intersecting streets along said project or the altering, or changing the grade of any other street including existing streets, unplatted streets or unopened streets in any location adjacent to said project.
2. Hereby grant, convey and warrant unto the COMMISSION an unlimited easement on, over and across all COUNTY street rights-of-way and COUNTY owned property within the right of way limits and/or construction limits as shown on the plans for Federal Aid Project Number NH-0055-02(214) / 103063 - 301000 for the purpose of constructing and maintaining the aforesaid project. See attached drawings on Sheets 12 and 13 of 15.
3. Upon completion of construction of the designated improvements on all COUNTY streets, assume responsibility for all maintenance of all portions of said adjusted COUNTY streets and traffic control devices as described above upon notice from the COMMISSION.
4. Accept and record the deeds to all Right-of-Way conveyed by the Commission.
5. At the completion of the project, deed to the COMMISSION the portion of COUNTY right of way described as follows:

- (a) That portion of **Gluckstadt Road** west of I-55 between Station 22+70 (+/-) and Station 23+20 right of centerline and between Station 26+85 and Station 75+50 (+/-) right of centerline as shown in greater detail on Sheet 14 of 15.

- (b) That portion of **Gluckstadt Road** east of I-55 between Station 37+68 (+/-) and Station 42+00 and as shown in greater detail on Sheet 15 of 15.



Both parties hereto represent that they have authority to enter into this CONTRACT and that certified copies of the applicable COUNTY or COMMISSION Orders are attached hereto.

WITNESS this, my signature in execution hereof, this the _____ day of _____, 20__.

MADISON COUNTY, MISSISSIPPI

BY AND THROUGH ITS DULY AUTHORIZED BOARD
OF SUPERVISORS

Gerald Steen, President

ATTEST: _____
(Affix Seal)

WITNESS this, my signature in execution hereof, this the _____ day of _____, 20__.

THE MISSISSIPPI TRANSPORTATION COMMISSION
BY AND THROUGH THE EXECUTIVE DIRECTOR OF
THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION

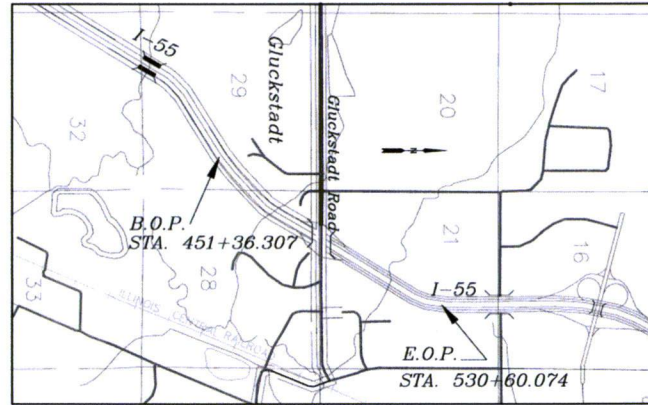
Melinda L. McGrath, P.E.

ATTEST: _____
Secretary

Book _____, Page _____

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY ACQUISITION MAPS



DRAWN BY	DATE
TRM	5-27-2011
DATE TRY	DATE BY

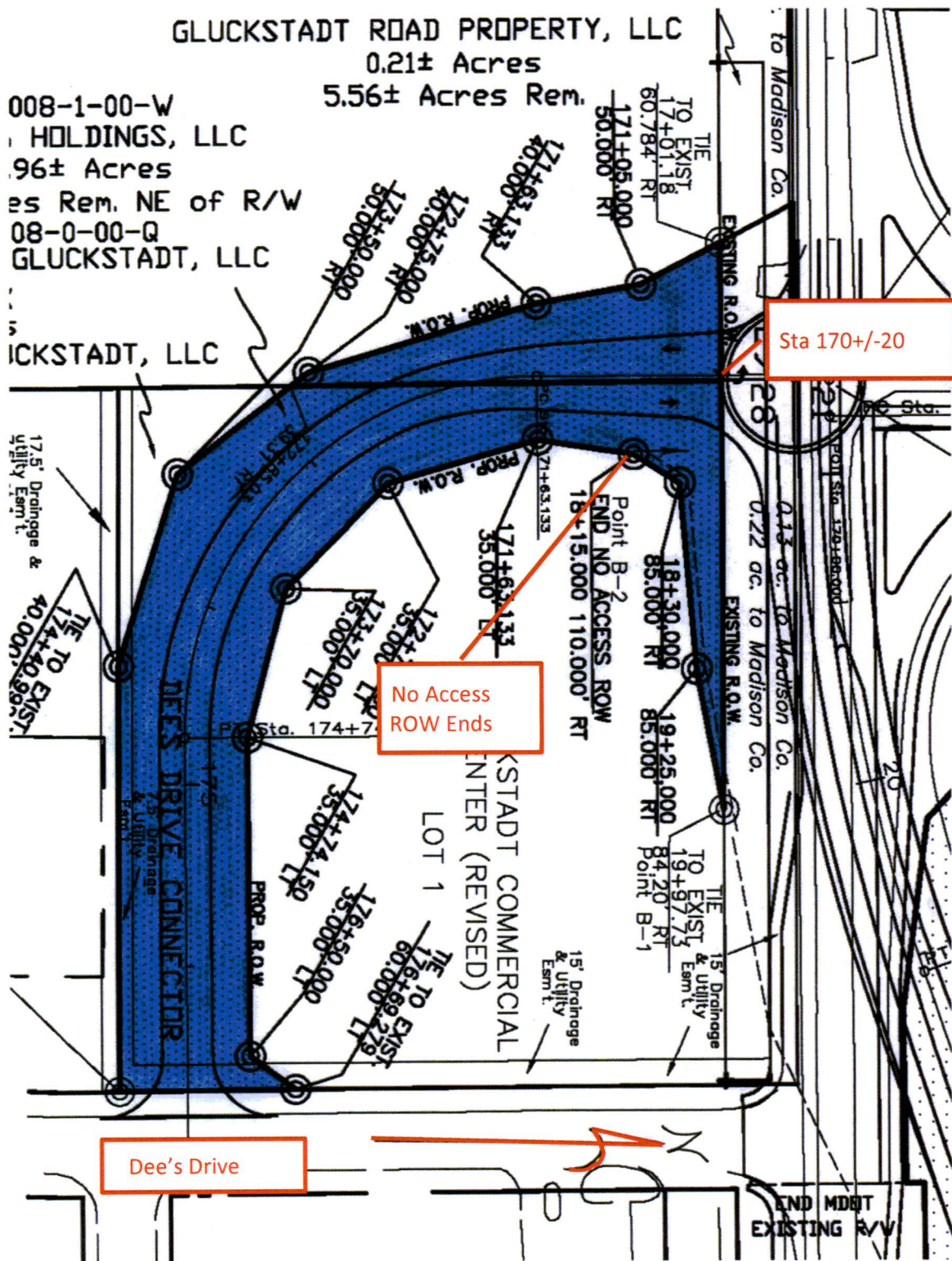


P.E.# NH-0055-05(214) 103063/201000
RIGHT OF WAY ACQUISITION MAP
FEDERAL AID PROJECT
 NH-0055-05(214) 103063/201000
MADISON COUNTY

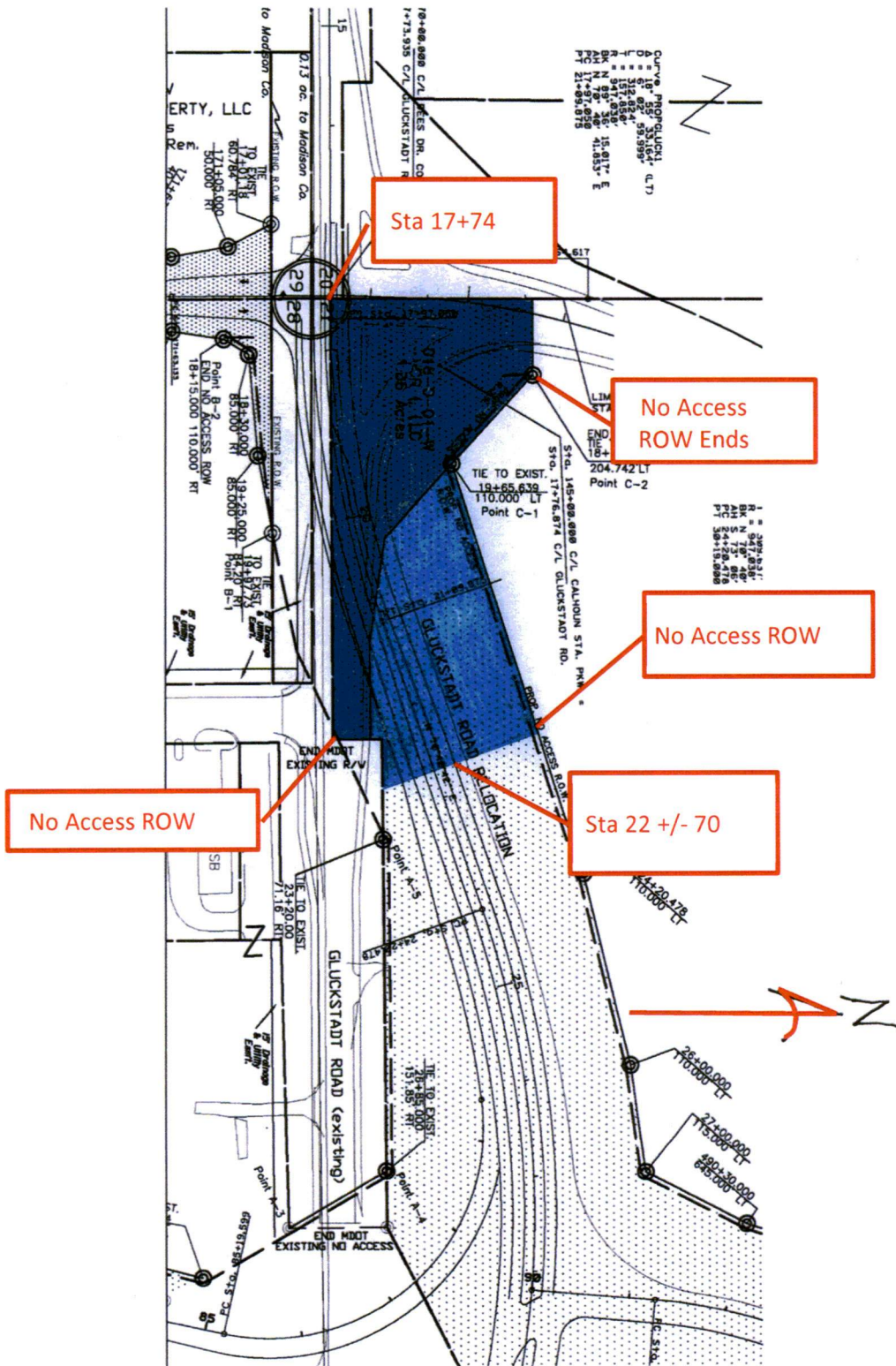
INTERSTATE 55 - GLUCKSTADT INTERCHANGE
 SCALE: 1" = 100'
MS DEPT. OF TRANSPORTATION
 SHEET 1 OF 4

Drawn By: PLS, INC.
 Prep. By: WILLIAMSON
 Check By: PLS, INC.
 Date: 5/27/2011

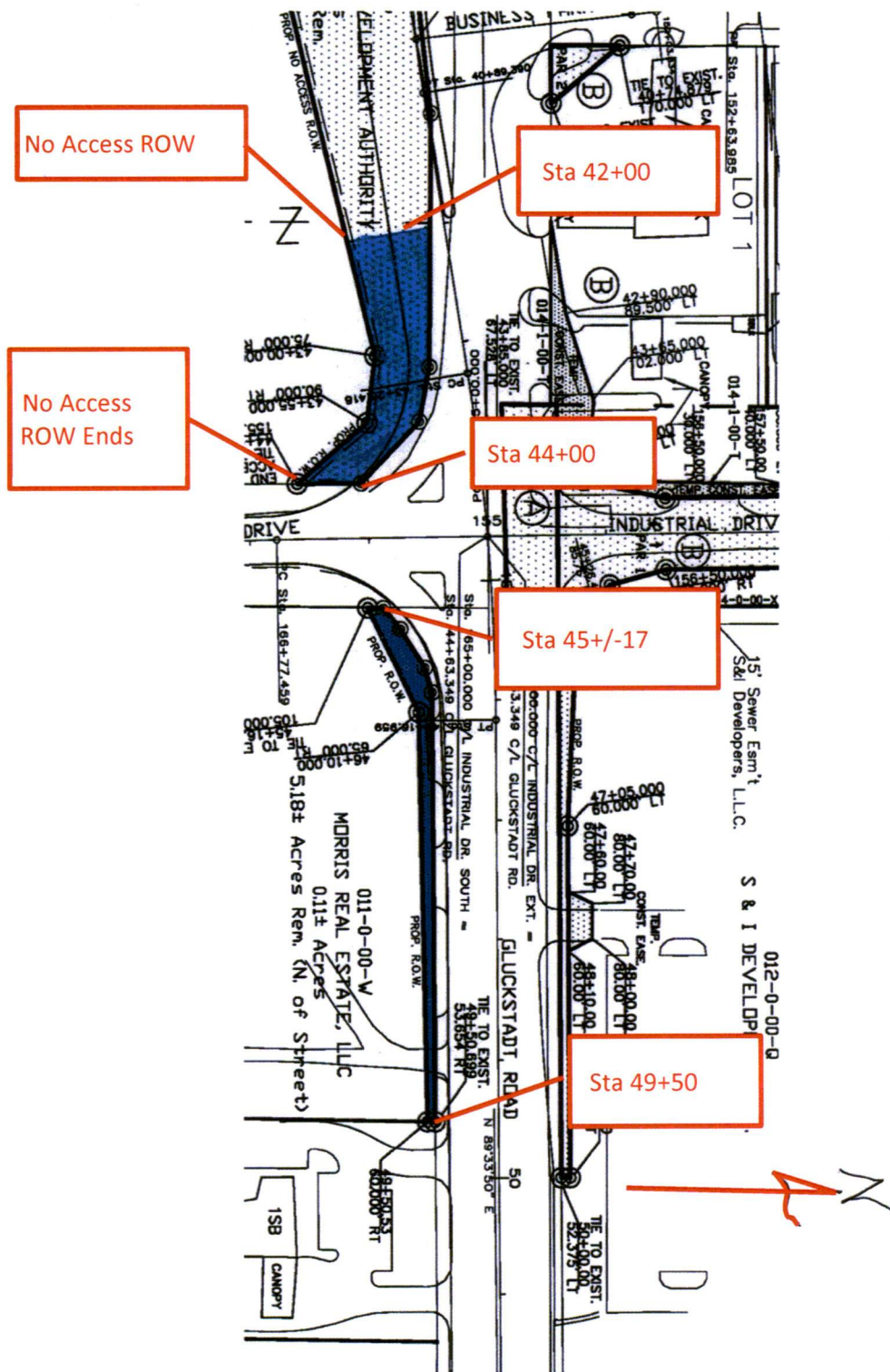
Dee's Drive Connector



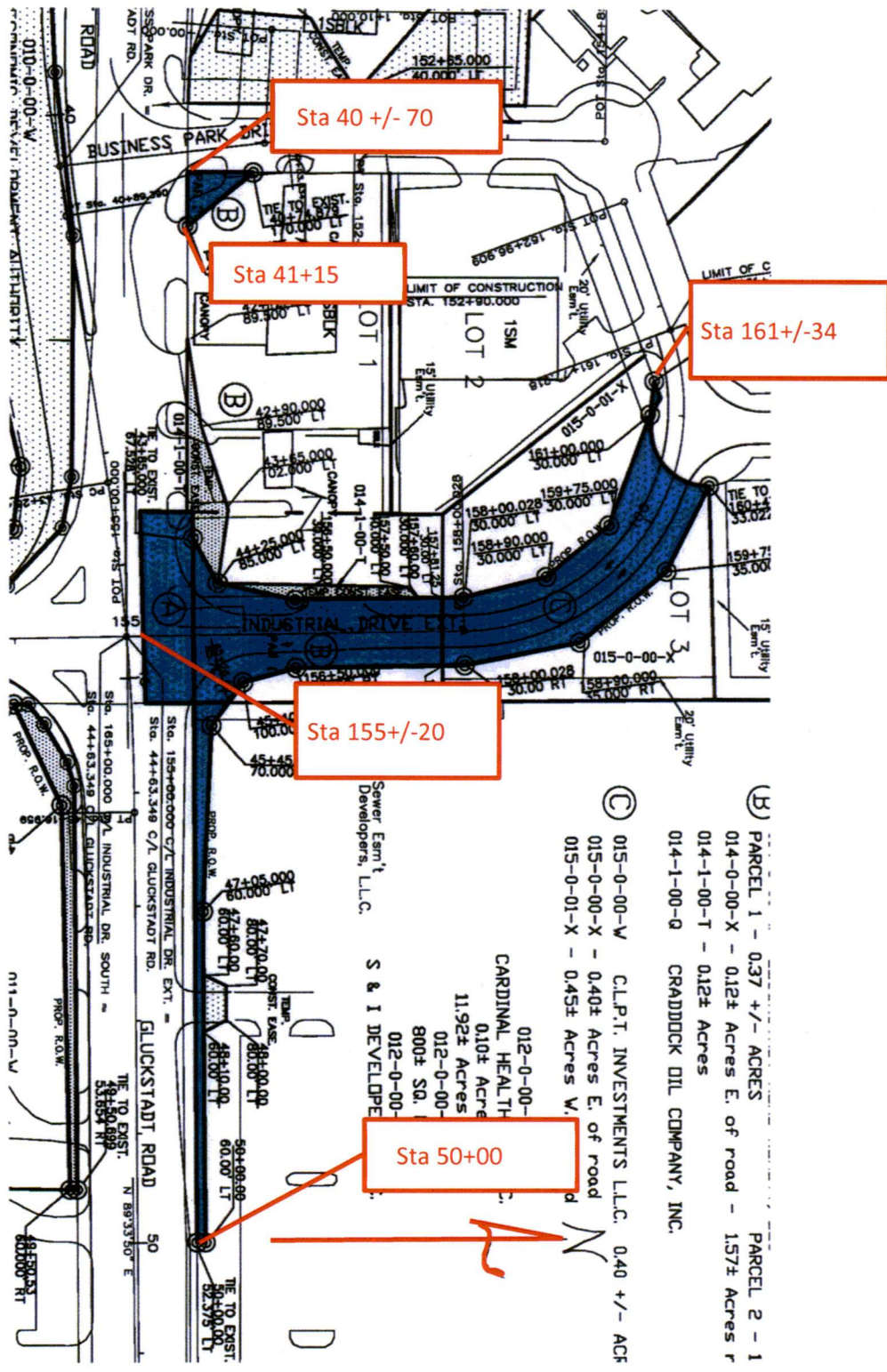
Relocated Gluckstadt Road (West) at Calhoun Station Parkway



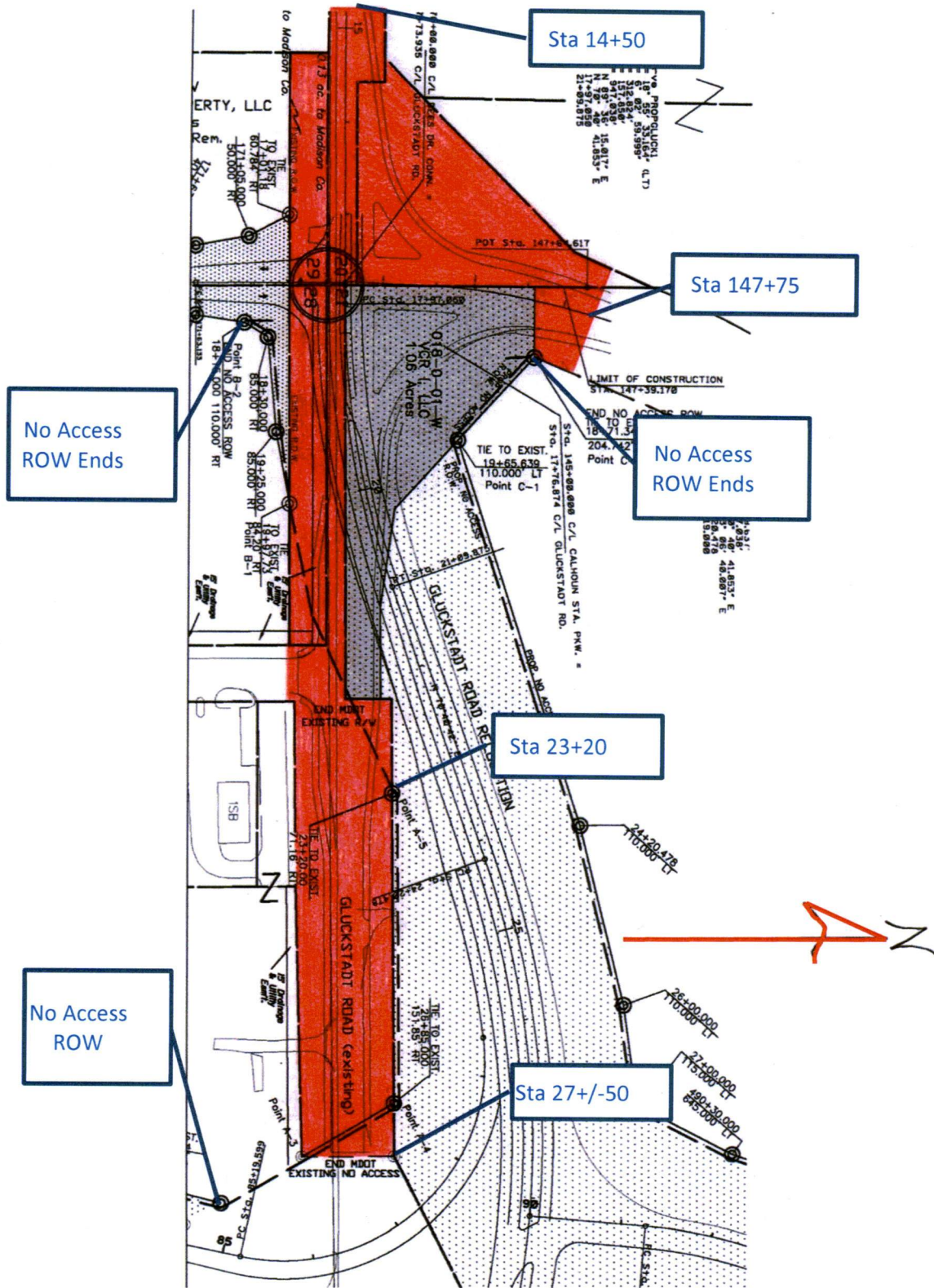
Gluckstadt Road (East) - Right Side



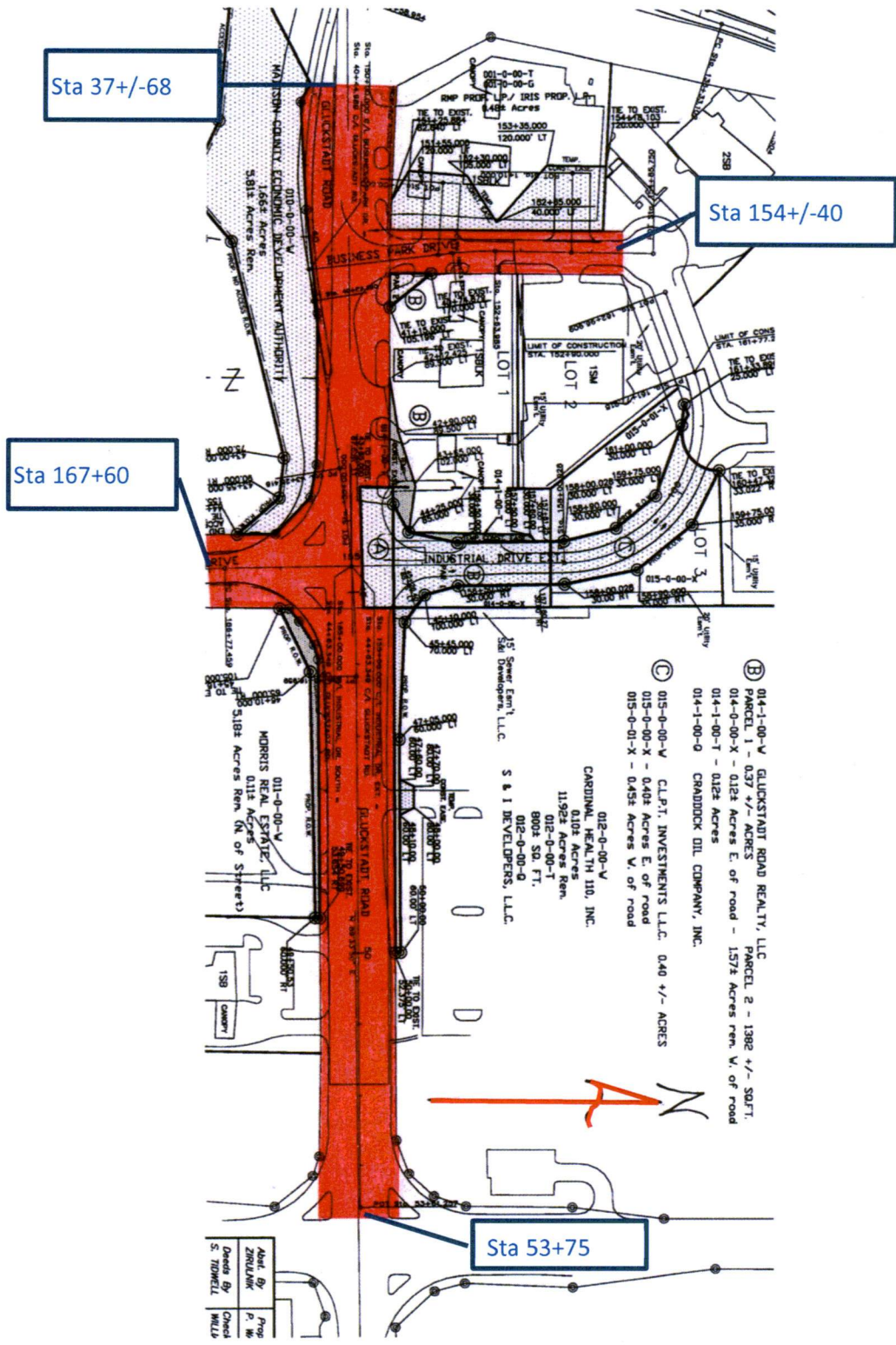
Industrial Drive Extension & Gluckstadt Road (East)



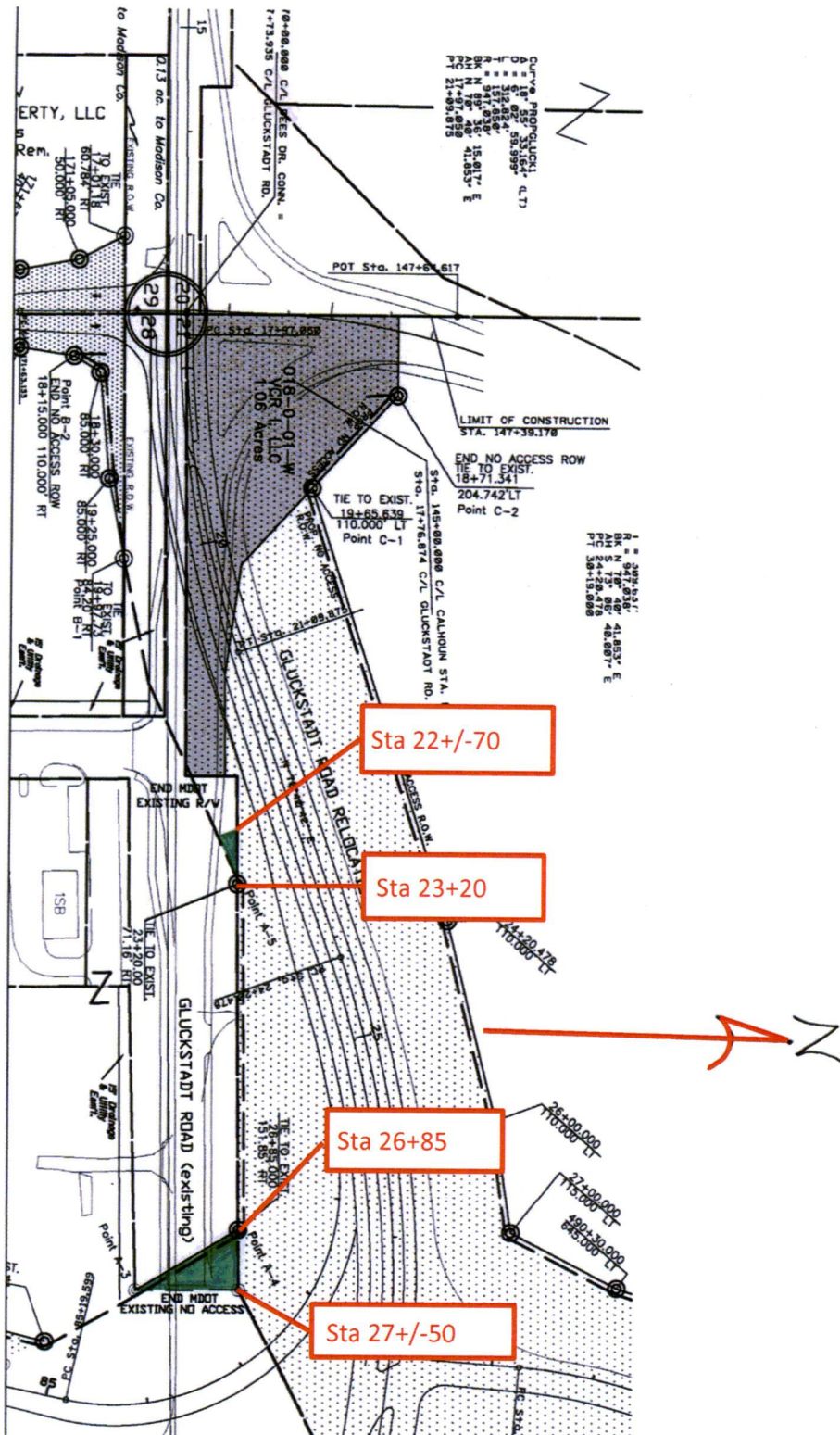
Calhoun Station Parkway & Gluckstadt Road (West)



Business Park Drive & Gluckstadt Road (East)



Gluckstadt Road (West)



Gluckstadt Road (East)

