

# Municipal Maintenance Agreement

STATE OF TEXAS \*

COUNTY OF TRAVIS \*

THIS AGREEMENT made this 16<sup>th</sup> 5<sup>th</sup> day of August, 1993, by and between the State of Texas, hereinafter referred to as the "State", party of the first part, and the City of Fort Worth, Tarrant County, Texas (population 447,619, 1990, Federal Census) acting by and through its duly authorized officers, hereinafter called the "City", party of the second part.

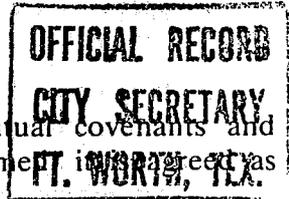
## WITNESSETH

WHEREAS, the City has requested the State to assist in the maintenance of State Highway routes within such City; and

WHEREAS, the Engineer-Director, acting for and in behalf of the State Highway and Public Transportation Commission, has made it known to the City that the State will assist the City in the maintenance, control, supervision and regulation of State Highway routes within such City, conditioned that the City will enter into agreements with the State for the purpose of determining the responsibilities of the parties thereto:

## AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed in accordance with the terms hereof, it is agreed as follows:



### Coverage

1. This agreement is intended to cover and provide for State participation in the maintenance of the following classification of State Highway routes within the City:
  - A. Non-Controlled Access routes or portions thereof which are described and/or graphically shown as "State Maintained" routes in Exhibit "A", which is attached hereto and made a part hereof.
  - B. All State Highway routes or portions thereof which have been designated by the State Highway and Public Transportation Commission as Controlled Access Highways and which are described and/or graphically shown in Exhibit "B", which is attached hereto and made a part hereof.

10. The City agrees that traffic control devices, such as signs, traffic signals and pavement markings, in respect to type of device, points of installation and necessity will be determined by traffic and engineering surveys. The City agrees that it will not install, maintain or permit the installation of any type of traffic control device which will affect or influence the utility of the State Highway routes unless approved in writing by the State. Traffic control devices installed prior to the date of this Agreement are hereby made subject to the terms of this Agreement and the City agrees to the removal of such devices which affect or influence the utility of the State Highway routes unless their continued use is approved in writing by the State. It is understood that approval for future installations of traffic control signals by the State or as a joint project with the City, will be indicated by signature of the plans.
11. The City agrees to assure the grantee's conformance, for proper construction and maintenance of access driveway facilities, in accordance with "Regulations for Access Driveways to State Highways" adopted by the State Department of Highways and Public Transportation or in accordance with other standards and specifications for the design, construction and maintenance details subject to approval by the State Department of Highways and Public Transportation.
12. It is understood that the use of unused right-of-way and areas beneath structures will be as determined by a separate agreement.
13. On those State Highway routes and portions thereof which are listed and/or graphically shown on Exhibit "A" as "City Maintained" routes, the City agrees to provide bridge inspection and inventory data to the State in accordance with National Bridge Inspection Standards.

#### **Non-Controlled Access Highways**

The following specific conditions and responsibilities shall be applicable to non-controlled access highways in addition to the "General Conditions" contained herein above. Routes of non-controlled access highways or portions thereof covered by this section are those listed and/or graphically shown in Exhibit "A".

#### **State's Responsibilities**

1. Maintain the traveled surface and foundation beneath such traveled surface necessary for the proper support of same under vehicular loads encountered and maintain the shoulders.
2. Assist in mowing and litter pickup.
3. Assist in sweeping and otherwise cleaning the pavement.
4. Assist in snow and ice control.
5. Maintain drainage facilities within the limits of the right-of-way.
6. Install and maintain normal regulatory warning and guide signs and normal markings for directing highway traffic in a safe and efficient manner. This includes school safety devices, school crosswalks and crosswalks installed in conjunction with pedestrian signal heads. It does not include other pedestrian crosswalks. Any other traffic striping desired by the City may be placed and maintained by the City subject to the approval of the State.
7. Install, operate and maintain traffic signals in cities with less than 50,000 population.

5. Install and maintain all normal markings and signs on the main lanes and frontage roads necessary for the proper use of the facility and direction of traffic thereon. This includes school safety devices, school crosswalks and crosswalks installed on frontage roads in conjunction with pedestrian signal heads. It does not include other pedestrian crosswalks.
6. Install, operate and maintain traffic signals at ramps and frontage road intersections.
7. Maintain all drainage facilities within the limits of the right-of-way.

#### **City's Responsibilities**

1. Restrict parking on frontage roads to parallel parking on one side only and prohibit all parking on main lanes and ramps and at such other places where such restriction is necessary for satisfactory operation of traffic, by passing and enforcing ordinances and taking other appropriate action in addition to full compliance with current laws on parking.
2. When considered necessary and desirable by both the City and the State, the City shall pass and enforce an ordinance providing for one-way traffic on the frontage roads except as may be otherwise agreed to by separate agreements with the State.
3. Secure or cause to be secured the approval of the State before any utility installation, repair, removal or adjustment is undertaken, crossing over or under the highway facility or entering the right-of-way. In the event of an emergency, it being evident that immediate action is necessary for protection of the public and to minimize property damage and loss of investment, the City, without the necessity of approval by the State, may at its own responsibility and risk make necessary emergency utility repairs, notifying the State of this action as soon as practical.
4. Pass necessary ordinances and retain its responsibility for enforcing the control of access to the freeway facility.

#### **Termination**

1. It is understood and agreed between the parties hereto that all obligations of the State created herein to maintain the State Highway routes covered by this agreement shall terminate if and when they are no longer routes of State Highways; and further, that should either party fail to properly fulfill its obligations as herein outlined, the other party may terminate this agreement upon 30 days written notice.

Said State assumption of maintenance shall be effective the date of execution of this agreement by the State Department of Highways and Public Transportation.

**"EXHIBIT A"**  
**NON-CONTROLLED ACCESS HIGHWAYS**

A.

**US 377: From Benbrook North City Limit to IH 30**

**State Responsibility:** Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

**City Responsibility:** Assist in mowing, sweeping, litter clean up, snow and ice control, and cleaning ditches.

**US 377: From IH 35W East Right of Way Line to Haltom City West City Limit**

**State Responsibility:** Maintain route markers.

**City Responsibility:** Maintain base, pavement, structures, signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

**US 377: From Fort Worth Northeast City Limit To Fort Worth Southwest City Limit: (Just North of FM 1187)**

**State Responsibility:** Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

**City Responsibility:** Assist in mowing, sweeping, litter clean up, snow and ice control, and cleaning ditches.

B.

**Spur 580: From IH 30 to US 377**

**State Responsibility:** Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

**City Responsibility:** Assist in mowing, sweeping, litter clean up, snow and ice control, and cleaning ditches.

C.

State Highway 180: From IH35 to US 287

State Responsibility: Maintain Route Markers

City Responsibility: Maintain base, pavement, structures, signs, pavement markings, roadway ditches drainage structures, mowing, litter cleanup, sweeping and snow and ice control.

State Highway 180: From US 287 to Fort Worth East City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, and pavement markings.

City Responsibility: Maintain roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

D.

Spur 303: From Stalcup Road to Fort Worth East City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, and snow and ice control and cleaning ditches.

E.

Bus. 287: From Fort Worth North City Limit to Saginaw North City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping, and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

Bus 287: From Saginaw South City Limit to IH 820

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping, and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control and cleaning ditches.

Bus. 287: From IH 820 to Riverside Drive

State Responsibility: Maintain route markers.

City Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

Bus. 287: From Rosedale Street to Forest Hill City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter cleanup, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

F.

State Highway 199: From Sansom Park South City Limit to IH 30:

State Responsibility: Maintain base, pavement, structures, traffic signs and pavement markings.

City Responsibility: Maintain roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

G.

State Highway 183: From Vickery Boulevard to Westworth Village South City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

State Highway 183: From Westworth Village Northeast City Limit to River Oaks Southwest City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

State Highway 183: From River Oaks Northeast City Limit to Haltom City West City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

H.

FM 1220: From Fort Worth North City Limit to Lake Worth North City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control and cleaning ditches.

FM 1220: From Lake Worth East City Limit to Titus Street

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

FM 1220: From Titus Street to SH 183

State Responsibility: Maintain Route Markers

City Responsibility: Maintain base, pavement, structures, signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

I.

FM 156: From Fort Worth North City Limit to Saginaw North City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

FM 156: From Saginaw Southwest City Limit to Loop 496

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

J.

FM 157: From Fort Worth North City Limit to Fort Worth South City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

K.

FM 731: From IH 20 to Edgecliff Village North City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping, snow and ice control, and cleaning ditches.

FM 731: From Edgecliff Village South City Limit to Crowley North City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping and snow and ice control

L.

FM 2871: From IH 30 to Fort Worth South City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping and snow and ice control.

M.

Spur 347: From SH 199 to Hampton Street

State Responsibility: Maintain route markers.

City Responsibility: Maintain base, pavement, structures, signs, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

Spur 347: From IH 35W to Hampton Street

State Responsibility: Maintain base, pavement, structures, signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility Assist in mowing, litter clean up, sweeping and snow and ice control.

N.

FM 1187: From Fort Worth West City Limit to Fort Worth East City Limit

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

City Responsibility: Assist in mowing, litter clean up, sweeping and snow and ice control

O.

Spur 465: From IH 20 to SH 183

State Responsibility: Maintain Route Markers

City Responsibility: Maintain base, pavement, structures, signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control.

P.

Lancaster Avenue (IH30 Service Roads): From SH 199 to IH 35W

State Responsibility: Maintain base, pavement, structures, traffic signs, pavement markings, roadway ditches, drainage structures, mowing, litter clean up, sweeping and snow and ice control. (When this section is overlaid, these responsibilities will be assumed by the City of Fort Worth).

City Responsibility: Assist in mowing, sweeping, litter clean up, snow and ice control, and cleaning ditches.

"EXHIBIT B"  
CONTROLLED ACCESS HIGHWAYS

A. INTERSTATE 20: From Benbrook East City Limit to Forest Hill West City Limit and from Forest Hill East City Limit to Arlington West City Limit.

B. Interstate 35W: From South City Limit to North City Limit

C. Interstate 820: From Forest Hills East City Limit to Fort Worth North City Limit at SH 121 and From Haltom City West City Limit to Saginaw East City Limit and from Saginaw West City Limit to Lake Worth East City Limit and from Lake Worth West City Limit to Interstate 20.

D. US Highway 81/287: From IH35W to Fort Worth Northwest City Limit.

E. State Highway 121: From IH 35W to Fort Worth Northeast City Limit.

F. State Highway 183: From Westworth Village South City Limit to Benbrook Northeast City Limit and from Benbrook East City Limit to IH 20 and from Euless East City Limit to Dallas County Line

G. Spur 280: From IH 35W to Jones Street

H. Spur 97: From State Highway 183 to Fort Worth North City Limit.

I. State Highway 199: From Fort Worth Northwest City Limit to Lake Worth East City Limit.

J. Interstate 30: From Fort Worth West City Limit to Fort Worth East City Limit.

K. US 287: From IH 35W to IH 820.

L. State Highway 360: From Fort Worth North City Limit to Fort Worth South City Limit.

M. State Highway 170: From I35W to US 377

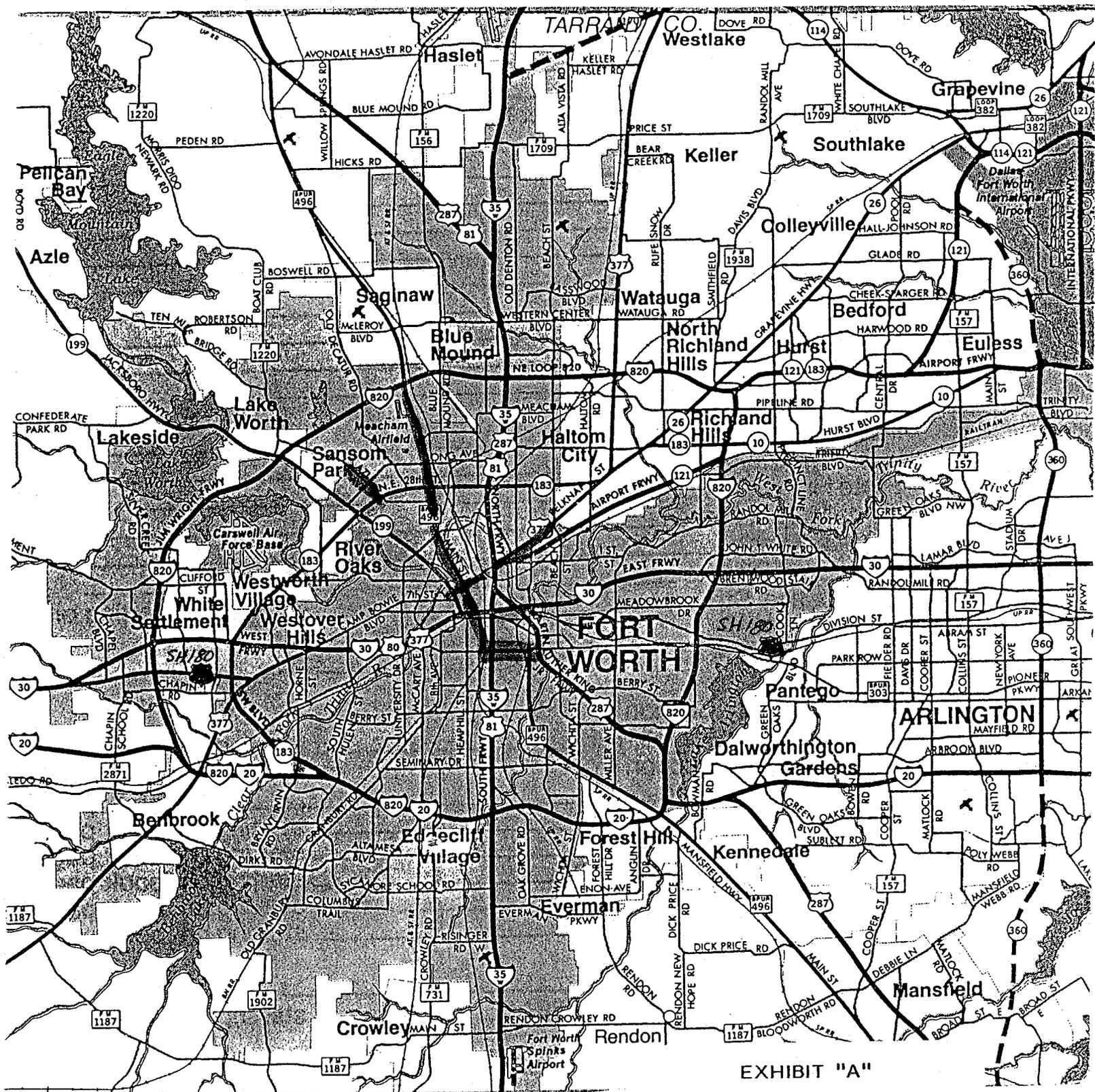
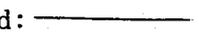
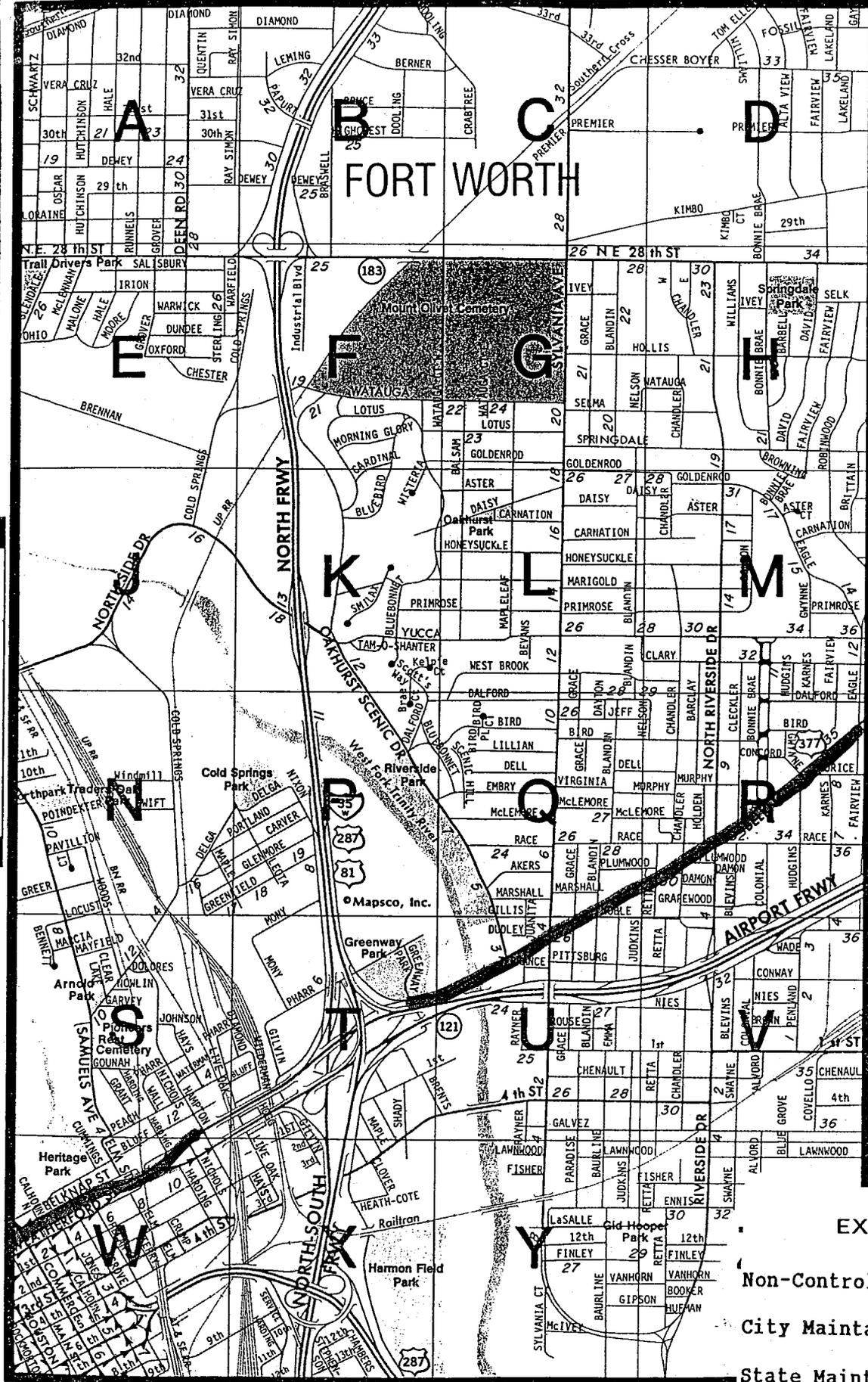


EXHIBIT "A"

Non-Controlled Access Highways

City Maintained: 

State Maintained: 



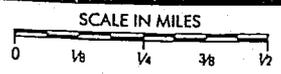
CONTINUED ON MAP 64

EXHIBIT "A"

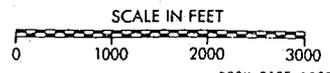
Non-Controlled Access Highways

City Maintained: 

State Maintained: 



CONTINUED ON MAP 77



DETAIL MAP SECTION STARTS ON INDEX PAGE 149

BOOK PAGE 1063

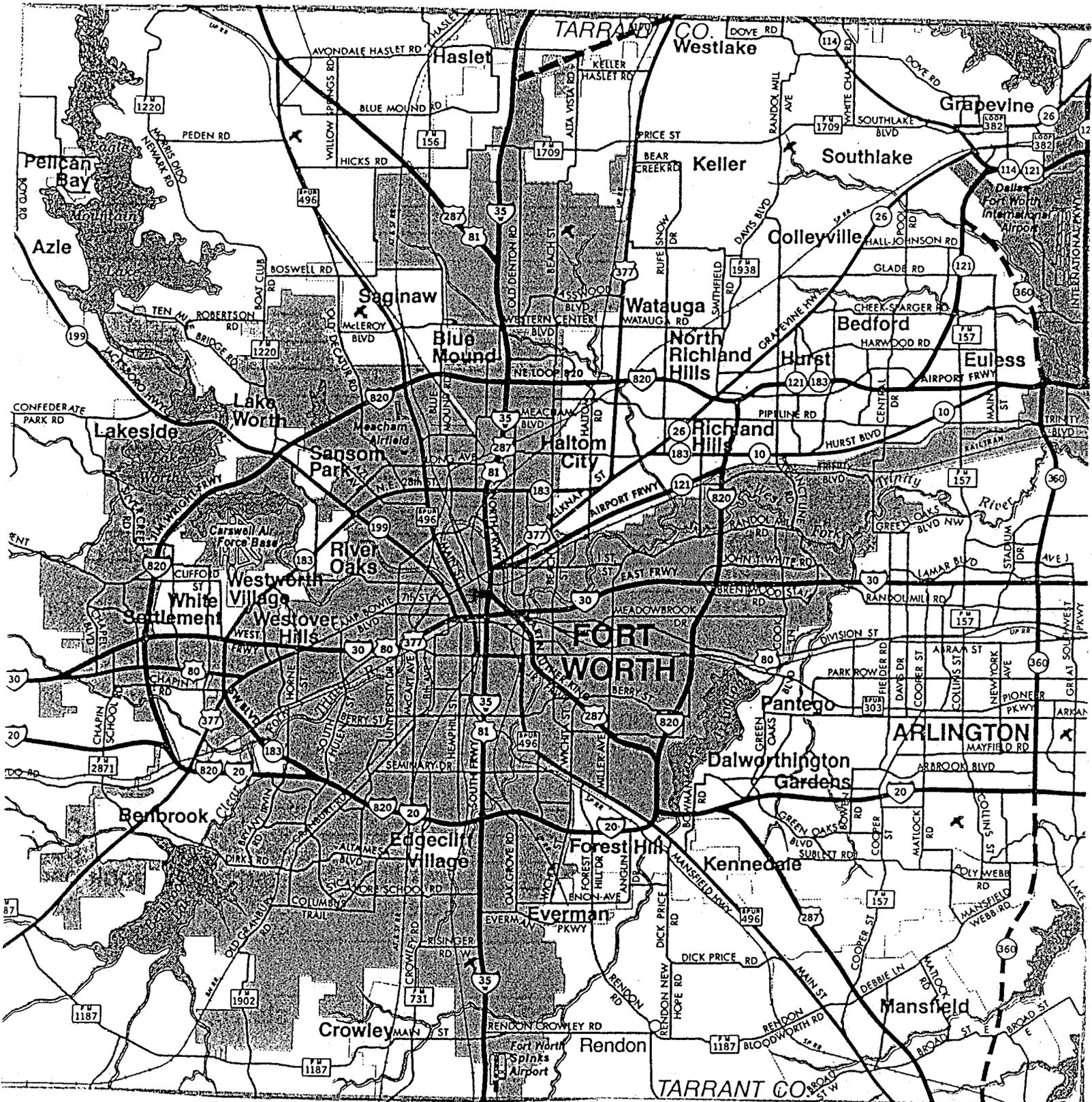


EXHIBIT "B"

Controlled Access Highways

State Maintained: \_\_\_\_\_

City Maintained: None