



February 12, 2013

Mr. James (Jae) H. Mattox, III, P.E.  
Program Manager  
South Carolina  
Department of Transportation  
PO Box 191  
Columbia, SC 29202-0191

RE: Municipal Agreement for the SC Route 41 Bridge Replacement Project  
SCDOT File No. 8.158B

Mr. Mattox:

Attached, please find the executed Municipal Agreement for the SC Route 41 Bridge Replacement Project.

Thank you for your assistance. Let me know if you need anything further.

Sincerely,

A handwritten signature in blue ink that reads 'Christine Barrett'.

Christine Barrett  
Clerk of Council  
TOWN OF MOUNT PLEASANT

Encl.

cc: Eric DeMoura, Town Administrator, Town of Mount Pleasant  
Brad Morrison, Transportation Director, Town of Mount Pleasant



South Carolina  
Department of Transportation

February 6, 2013

The Honorable Billy Swails  
Mayor, Town of Mount Pleasant  
100 Ann Edwards Ln.  
Mount Pleasant, South Carolina 29464

RE: Municipal Agreement for the SC Route 41 Bridge Replacement Project  
SCDOT File No. 8.158B


Dear Mayor Swails:

As you are well aware, the South Carolina Department of Transportation (SCDOT) is proposing to replace the SC Route 41 Bridge over the Wando River in Berkeley and Charleston Counties. SCDOT held a public information meeting on December 4, 2012, to seek comments from the public on replacing the existing swing-span bridge with a fixed-span structure with 55 feet of vertical clearance. SCDOT received considerable support for the project in the form of comments received at the meeting as well as those received during the official comment period following the meeting. As a result, SCDOT prepared and submitted a Finding of No Significant Impact (FONSI) document for the preferred alternative to the Federal Highway Administration (FHWA) and anticipates their approval within the next few weeks.

Since a portion of the project is located within the corporate limits of the City of Mount Pleasant, municipal consent must be granted by the Town of Mount Pleasant per SC Code Ann. 57-5-820 (1991) in order to construct the project. Included with this letter is an executable Municipal Agreement for your use. I have also included a copy of the public hearing displays showing the proposed location and vertical clearance of the replacement fixed-span structure. If you find the project acceptable as proposed, please sign and return the agreement to me at the following address: PO Box 191, Columbia, SC 29202-0191.

Thank you for your continued cooperation as this project develops. Do not hesitate to contact me if you have any questions or concerns.

Sincerely,



James (Jae) H. Mattox, III, P.E.  
Program Manager

JHM:gg

Enclosures

cc: Brad Morrison, Transportation Director, Town of Mount Pleasant

File: PC/JHM



MUNICIPAL STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA

)

COUNTY OF CHARLESTON

)

RESOLUTION

Road/Route **SC Route 41**  
File **08.158B**  
Item  
Project **Replace SC Route 41 Bridge over the Wando River**  
PIN **32098**

WHEREAS, the South Carolina Department of Transportation ("SCDOT") proposes to construct, reconstruct, alter, or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the Town of Mount Pleasant (hereinafter, "the Town").

WHEREAS, the Town wishes to authorize the construction and improvements of the aforesaid highway(s) in accordance with plans to be prepared by the SCDOT ("the Project Plans").

NOW THEREFORE, BE IT RESOLVED that, pursuant to S.C. Code Ann. §57-5-820 (1991), the Town does hereby consent to the construction or improvements of the aforesaid highway(s) within its corporate limits in accordance with the Project Plans. The foregoing consent shall be the sole approval necessary from the Town for SCDOT 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. The foregoing waiver and consent shall also extend to the benefit of utility companies engaged in relocating utility lines on account of the project. Further, the Town shall exempt all existing and new right-of-way and all other properties purchased in connection with right-of-way for the highway(s) from any general or special assessment against real property for municipal services.

BE IT FURTHER RESOLVED, that the Town will assist SCDOT 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, those utility lines and/or appurtenances may be replaced upon the new highway right-of-way at such locations as may be approved by SCDOT. SCDOT shall not be liable for damages to property or injuries to persons as a consequence 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."

BE IT FURTHER RESOLVED, that the Town hereby signifies its agreement to accept for maintenance purposes those sections of a highway remaining after the highway is relocated pursuant to S. C. Code Ann. 57-5-120 upon notification by the SCDOT of its abandonment of the highway.

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, without having first obtained written approval of the South Carolina Department of Transportation as required in S.C. Code §56-5-930 (1976, as amended), nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, this Resolution is adopted and made a part of the Municipal records this 12 day of February, 2013, and the original of this Resolution will be filed with the South Carolina Department of Transportation at Columbia.

Dated:

Town of Mount Pleasant South Carolina  
Municipality

ATTEST:

By: William D Swails  
Mayor

Kristina F...  
Clerk

William D. Swails

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