

**RESOLUTION TO AUTHORIZE THE COUNTY EXECUTIVE TO SIGN A MEMORANDUM OF AGREEMENT WITH THE UNIVERSITY OF VIRGINIA FOUNDATION AND THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF CULVERTS AND UTILITIES ON ROUTE 1571 (LEWIS AND CLARK DRIVE)**

**WHEREAS**, the University of Virginia Foundation (the "Foundation") is the owner of the UVA Research Park site in Albemarle County and is constructing an extension of State Route 1571 (Lewis and Clark Drive) to connect the current termini of Lewis and Clark Drive at State Route 1666 (Quail Run) and State Route 1654 (Innovation Drive), which includes the placement of culverts to facilitate the crossing of drainage areas; and

**WHEREAS**, the design of roadway requires that certain utilities be placed longitudinally with the roadway between the surface and the culverts to reduce environmental impacts, excessive costs, and access and maintenance issues; and

**WHEREAS**, the Commonwealth of Virginia Department of Transportation ("VDOT") typically expects all longitudinal utility installations to be placed outside of the right-of-way when practical along proposed roads functionally classified as collector and above that are to be accepted into the state system of highways; and

**WHEREAS**, VDOT has reviewed the proposed Lewis and Clark Drive designs and determined that they will permit longitudinal utility installations within the right-of way of Lewis and Clark Drive to minimize environmental impacts to wetlands and streams under specific conditions; and

**WHEREAS**, those conditions include that the utilities will be located in the graded and unpaved portion of the typical section of the road and that Albemarle County will guarantee, through a three-party or other agreement, that all costs associated with utility relocation for repair or replacement of box culverts will be paid; and

**WHEREAS**, Albemarle County concurs with VDOT that the Foundation should be responsible for all costs due to the location of the longitudinal utilities on the VDOT maintained highway systems serving the event site.

**IT IS HEREBY RESOLVED**, that the Albemarle County Board of Supervisors authorizes the County Executive to sign a Memorandum of Agreement(s) with the University of Virginia Foundation and/or the Commonwealth of Virginia Department of Transportation for maintenance of Route 1571, (Lewis and Clark Drive) related to the drainage structures carrying longitudinal utilities within the right-of-way, as well as any additional agreements that may be necessary to protect the County's interests and ensure that all responsibility for potential costs is borne by the Foundation.

I, Claudette K. Borgerson, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County by a vote of \_\_\_\_\_ to \_\_\_\_\_, as recorded below, at a meeting held on July 17, 2019.

\_\_\_\_\_  
Clerk, Board of County Supervisors

	Aye	Nay
Mr. Dill	_____	_____
Mr. Gallaway	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____