

**RESOLUTION TO APPROVE AGREEMENTS WITH THE VIRGINIA DEPARTMENT
OF TRANSPORTATION AND THE NORTH POINTE DEVELOPER/OWNER
FOR THE ROUTINE MAINTENANCE OF A PEDESTRIAN UNDERPASS
UNDER NORTH POINTE BOULEVARD**

WHEREAS, the Board approved the North Pointe rezoning in 2006, which included a proffer obligating the property owner to construct a pedestrian underpass that connects a public trail as it passes under North Pointe Boulevard; and

WHEREAS, the Virginia Department of Transportation (VDOT) does not routinely maintain pedestrian underpasses and requires an agreement that the County maintain the underpass before considering the roadway as part of the Secondary Street System; and

WHEREAS, the County in turn would require the responsibility for future maintenance of this pedestrian underpass to be borne by the owner of the trail facility; and

WHEREAS, the Board believes it is in the best interest of the County to approve agreements with VDOT and with the North Pointe developer/property owner to ensure the maintenance of the pedestrian underpass.

IT IS HEREBY RESOLVED that the Albemarle County Board of Supervisors hereby approves an agreement with VDOT for the maintenance of a pedestrian underpass under North Pointe Boulevard and a maintenance agreement with the North Pointe property owner that requires a responsible party to assume all responsibility to provide routine inspection and maintenance of the pedestrian underpass; and

BE IT FURTHER RESOLVED that the Board hereby authorizes the County Executive to sign the agreements subject to their approval as to substance and form by the County Attorney.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of the County of Albemarle, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on December 6, 2020.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Gallaway	_____	_____
Ms. Lapisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Ms. Price	_____	_____