




STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

December 14, 2012

To: J. Kevin Lacy, P.E.
State Traffic Engineer

From: R.J. (Jeff) Jaeger, P.E. 
Mobility and Safety Information Engineer

Subject: Correction to Caldwell County Route Change Package dated September 7, 2006

The attached route change ordinance package is a correction to an incomplete route change ordinance package for US 321 Alternate in Caldwell County dated September 7, 2006. This package corrects the following deficiencies in the 2006 package:

- Eliminates NC 18 Business through the City of Lenoir
- Completes the re-routing of NC 90 around the downtown area
- Eliminates obsolete speed limit ordinances along the previous routing of US 321 Alternate and SR 1180 that were not eliminated on September 7, 2006
- Prepares for final completion of a municipal agreement between the Department and the City of Lenoir enacted on July 12, 2005 (WBS 37958)

Following the enactment of this ordinance package, the Geographic Information Systems Unit (GIS) shall finalize the July 12, 2005 municipal agreement by eliminating secondary roads 1437, 1438, 1439, and 1969 through the petition process. The conversion of these routes from the State Highway System to the Municipal System was approved by the Board of Transportation during their December 7, 2006 meeting. Note that SR 1403 and SR 1549 were previously eliminated from the State Highway System during the same meeting. Please let me know if you have any questions.

Attachment



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

P.O. BOX 25201, RALEIGH, NC 27611-5201

CERTIFICATION OF RULEMAKING

Certifying Agency: Department of Transportation					
Action:	<input checked="" type="checkbox"/>	Adoption	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Repeal
Statutory Authority: 136-54, 136-30, 20-141.					
Public Hearing Not Required For This Action Under: GS 150A-1, 20-1.					
Rule Summary: Municipal Speed Zones, Route Changes.					
Circumstances Requiring Rule Adoption, Repeal: Necessary for public safety and welfare.					
Effective Date: December 11, 2012					

December 11, 2012

DATE


OFFICER SIGNATURE

James. K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

TITLE



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DEPARTMENT OF TRANSPORTATION

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TYPED NAME

State Traffic Engineer

TITLE

Municipal Speed Zones

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.

COUNTY CALDWELL **DIVISION** 11

RESCIND THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
CALDWELL LENOIR	1005872	NC 18BUS	20	20	West Avenue (NC 18 Business South) from a point 0.05 mile west of North Boundary Street to North Main Street (US 321A, NC 90).
CALDWELL LENOIR	1005882	US 321ALT	20	20	North Mulberry Street (US 321-A-North) from East Harper Avenue (NC 18 Business - North, NC 90 East) to East Avenue (US 321A-North, NC 18 Business-South, NC 90 West).
CALDWELL LENOIR	1005883	NC 18BUS	20	20	West Harper Avenue (NC 18 Business - North) from Willow Street to South Main Street (US 321A-South, NC 90 East).
CALDWELL LENOIR	1005884	NC 18BUS	20	20	East Harper Avenue (NC 18 Business - North, NC 90 East) from South Main Street (US 321A-South, NC 90 East) to Norwood Street.
CALDWELL LENOIR	1005885	US 321ALT	20	20	South Main Street (US 321A-South, NC 90 South) from East Harper Avenue (NC 18 Business-North NC 90 East) to East Avenue (US 321A-North, NC 18 Business - South, NC 90 West).
CALDWELL LENOIR	1005886	US 321ALT	20	20	South Main Street (US 321A-South) from East College Avenue (US 321A-South) to East Harper Avenue (NC 18 Business-North, NC 90 East).

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
CALDWELL LENOIR	1005887	US 321ALT	20	20	North Main Street (US 321A, NC 90) from East Avenue (US 321ANorth, NC 18 Business- South _ NC 90 West) to a point 0.05 mile north of East Ashe Avenue.
CALDWELL LENOIR	1005888	US 321ALT	20	20	South Mulberry Street (US 321A-North) from East College Avenue (US 321A-South) to East Harper Avenue (NC 18 BusinessNorth, NC 90 East).
CALDWELL LENOIR	1005895	NC 90	35	35	East Harper Avenue (NC 18-NC 90) from South Bypass (NC 18 Bypass (NC 18 Bypass)to North Boulevard (US 321).
CALDWELL LENOIR	1005896	US 321ALT	35	35	North Main Street (US 321-A) from NC 90 to North Boulevard (US 321).
CALDWELL LENOIR	1005903	SR 1180	45	45	McLean Drive (SR 1180) from Norwood Street (US 321-A) to South Boulevard (US 321).
CALDWELL LENOIR	1005908	NC 18BUS	25	25	West Avenue (NC 18 Business South) from Harper Avenue (NC 18Business North) to apoint 0.05 mile west of Boundary Street
CALDWELL LENOIR	1005909	NC 18BUS	25	25	West Avenue (NC 18 Business South-NC 90 North) from MulberryStreet (US 321-A North) to Ridge Street (NC 18 Business South NC 90 North).
CALDWELL LENOIR	1005910	NC 18BUS	25	25	Ridge Street (NC 18 Business South-NC 90 North) from Harper Avenue (NC 18 Business-NC 90) to West Avenue (NC 18 BusinessSouth-NC 90 North).(Reduce speed limits from 35 mph)
CALDWELL LENOIR	1005911	NC 18BUS	25	25	Harper Avenue (NC 18 Business-NC 90) from Norwood Street to Hospital Avenue.(Reduce speed limit from 35 mph)
CALDWELL LENOIR	1005912	NC 18BUS	45	45	NC 18 Business from NC 18 Bypass, northward to a point 0.05 mile south of Fairview Drive (NC).(Meets engineering warrants for 45 mph zone)
CALDWELL LENOIR	1005978	NC 18BUS	25	25	NC 18 Bus. from a point 0.17 mile east of SR 1145 (Virginia St.) eastward to WestAvenue (NC 18 Bus. South).

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Route Changes

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Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 136-30, 136-54.

COUNTY CALDWELL DIVISION 11

DECLARE THE FOLLOWING

County	Ordinance Number	Route	Long Description
CALDWELL	1066017	NC 90	Add NC 90 along existing alignment of US 321 between Main Street (new SR 1300 extension, approximately 0.31 mile northwest of SR 1529) and the US 64, NC 18, Harper Avenue, Hickory Boulevard interchange (approximately 0.51 mile southwest of SR 1178). WBS 37958.
CALDWELL	1066018	NC 90	Delete existing NC 90 and couplets (Main Street, Harper Avenue, West Avenue, Mulberry Street) and replace with parts of SR 1437, SR 1438, and SR 1439 between southbound NC 18 Business (intersection of West Avenue and Main Street) and the US 64, NC 18, Harper Avenue, Hickory Boulevard interchange (approximately 0.51 mile southwest of SR 1178). WBS 37958.
CALDWELL	1066019	NC 18BUS	Delete existing NC 18 Business (including couplets) and replace with SR 1439 and parts of SR 1300 and SR 1437 between US 64, NC 18, SR 1933 (Southwest Boulevard) and US 64, NC18 (Morganton Boulevard, Harper Avenue). WBS 37958.
CALDWELL	1066027	SR 1300	Extend SR 1300 southward to replace existing NC 18 Business between SR 1439 (Harper Avenue) and US 64, NC 18 (Morganton Boulevard). WBS 37958.
CALDWELL	1066028	SR 1437	Extend SR 1437 (and couplets) to replace parts of existing NC 90 and couplets, and parts of existing NC 18 Business and couplets, (Mulberry Street, West Avenue) between SR 1439 (Harper Avenue) and SR 1438 (Main Street). WBS 37958.

County	Ordinance Number	Route	Long Description
CALDWELL	1066029	SR 1438	Extend SR 1438 (and couplets) to replace parts of existing NC 90 and couplets (Main Street) between northbound SR 1439 (Harper Avenue) and southbound SR 1439 (West Avenue). WBS 37958.
CALDWELL	1066030	SR 1439	Add SR 1439 (and couplets) to replace parts of existing NC 90 and couplets, and parts of existing NC 18 Business and couplets, (Harper Avenue, West Avenue) between SR 1300 (Creekway Drive) and US 64, NC 18 (Morganton Boulevard). WBS 37958.

The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (136-54, 136-30, 20-141).

All the actions to the Highway Traffic Ordinances herein adopted are effective December 11, 2012 and are identified as follows:

ORDINANCE TYPE	ADOPT	REPEAL
Municipal Speed Zones	0	17
Route Changes	7	0
Total	7	17

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer and these ordinances shall be in full force and effect from and after the erection of such signs.

December 11, 2012

DATE

OFFICER SIGNATURE

James. K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

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December 11, 2012

DATE


OFFICER SIGNATURE

James. K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

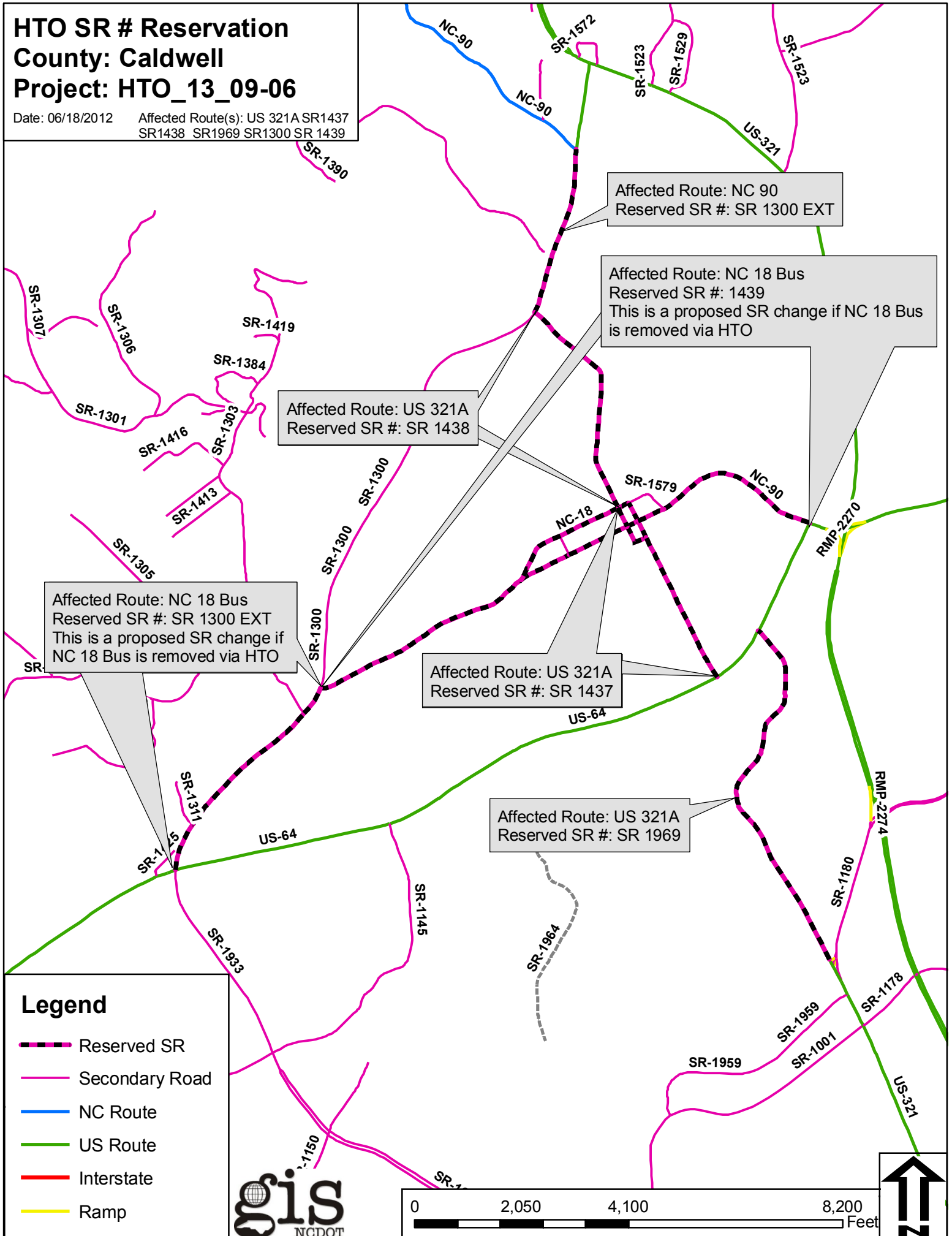
TITLE

HTO SR # Reservation

County: Caldwell

Project: HTO_13_09-06

Date: 06/18/2012 Affected Route(s): US 321A SR1437
SR1438 SR1969 SR1300 SR 1439



I N D E X
BOARD OF TRANSPORTATION MEETING
December 7, 2006

	<u>Page No.</u>
Call to Order and Invocation	2288
Approval - Minutes of November Board Meeting	2288
Approval - Award of Highway Construction Contracts in the November 21, 2006 Letting	2288
Approval - Award of Contracts to Private Firms for Engineering Services - Design	2291
Approval – Award of Contracts to Private Firms for Engineering Services – Field Operations	2293
Approval – Award of Contracts to Private Firms for Engineering Services – Project Services Unit	2294
Approval – Funds for Secondary Road Improvement Projects	2294
Approval – Secondary Road Construction Programs FY 2005-2006	2299
Approval – Secondary Road Construction Programs FY 2005-2006/ FY 2006-2007 (Combined)	2299
Approval – Secondary Road Construction Programs FY 2006-2007	2299
Approval – Funds for Access and Public Service Road Projects	2300
Approval – Additions, Abandonments, and Road Name Changes to State Secondary Road System	2300
Approval – Funds for Specific Divisionwide Small Construction Projects and Statewide Contingency Fund Projects	2304
Approval – Public Transportation Program	2308
Approval – Rail Program	2310
Approval – Specific State Funds for Construction Projects	2311
Approval - Specific North Carolina Trust Funds and Bond Funds - Intrastate System and Urban Loops	2314

Approval – Specific Spot Safety Improvement Projects	2318
Approval – Funds for Specific Federal-Aid Projects	2320
Approval – Revisions to the 2006 – 2012 STIP	2334
Approval – Municipal and Special Agreements	2335
Approval – State Highway System Changes	2353
Approval – SB 622 Economic Development Fund	2355
Approval – Preliminary Right of Way Plans	2358
Approval – Final Right of Way Plans	2359
Approval – Revisions of Final Right of Way Plans	2360
Approval – Acquisition of Structures Partially Outside the Right of Way	2362
Approval – Conveyance of Highway Right of Way Residue	2363
Approval – Conveyance of Surplus Highway Right of Way	2364
Approval – Authorization to Condemn Right of Way for Secondary Road Project	2364

Additional Business

Approval – Resolution for L. Berge Beam Sr.	2366
Approval – Resolution for Trooper George C. Penn	2367
Approval – Resolution for Officer Woodie McLaurin Sr.	2368
Adjournment	2369

contract, and construct the project. The Department shall participate in the construction costs of the project in an amount of the actual costs for the water service. The estimated cost of the water service is \$25,000. The Department shall participate in the sewer service in an amount equal to 50% of the actual costs not to exceed \$75,000.

Great Meadows, Inc.
McDowell County
36249.2525

This project consists of the addition of a fourth leg to an existing traffic signal on US 70 in Marion. The Developer shall prepare the project plans and traffic signal design, furnish and install the traffic signal equipment, relocate and adjust utilities, and acquire any needed right of way and/or construction easements, and construct and administer the project. The Department shall review the project plans and inspect the work. The Developer shall be responsible for 100% of the actual cost of said work. (Estimated reimbursement to the Department is \$8,000).

Approval - State Highway System Changes

Following the recommendation of Laurie Smith, Manager of the Funds Administration Section, a motion was made by Board Member Lakey, seconded by Board Member Betts, and the vote was unanimous in approving the following additions and deletions to the State Highway System:

Additions to The State Highway System

Division	County	Municipality	Road	Termini	Length
7	Guilford	Pleasant Garden	Jared's Pond Court	To add Jared's Pond Court located in Walden Glen Subdivision.	0.06
11	Caldwell	Lenoir	Overlook Drive	To add Overlook Drive from Harrisburg Drive to Fairview Drive.	1.00

Deletions From The State Highway System

Division	County	Municipality	Road	Termini	Length
7	Guilford	Jamestown	SR 1550	To abandon a portion of (SR 1550) Stanford Road.	0.08
11	Caldwell	Lenoir	NC 18 Bus/NC 90	To abandon Harper Avenue from Morganton Blvd. (US 64/NC 18) to Creekway Drive (SR 1300).	1.94
			NC 18 Bus/NC 90	To abandon West Ave. from Ridge St. (NC 18 Bus/NC 90/SR 1549) to Harper Ave. (NC 19 Bus/NC 90).	0.47
			NC 18 Bus/NC 90/ SR 1549	To abandon Ridge ST. from Harper Ave. (NC 18 Bus/NC 90) to West Ave. (NC 18 Bus/NC 90).	0.17
			SR 1403	To abandon Willow St. from Harper Ave. (NC 18 Bus) to West Ave. (NC 18 Bus).	0.08
11	Caldwell	Lenoir	US 321A / NC 90	To abandon Main St. from College Ave (US 321A) to Creekway Dr. (SR 1300).	0.97
			US 321A	To abandon College Ave. from Main St. (US 321A) to Mulberry ST. (US 321A)	0.04
			US 321A	To abandon Mulberry ST from Morganton Blvd (US64.NC 18) to West Ave. (NC 18 Bus/NC 90).	0.70

		US 321A	To abandon Norwood St. from McLean Dr. (SR 1180) to Morganton Blvd. (US 64/NC 18).	1.48
Wilkes	Wilkesboro	SR 1198	To abandon Collegiate Drive (SR 1198) from Hwy. 268 south to Wilkes Community College Campus.	0.56

Approval – SB 622 Fund

Following the recommendation of Steve Varnedoe, Chief Engineer-Operations, a motion was made by Board Member Kindley and seconded by Board Member Campbell, and the vote was unanimous to approve the following:

County	Description	Amount
Nash Div. 4	Construct a new industrial route from US 264A just east of Middlesex's town limits to NC 231 just north of Middlesex's town limits and south of US 264 Bypass. Exact intersecting points will be determined at a later date. The new industrial route will be approximately 9,000 linear feet with two lanes and a ditch section. US 264A and NC 231 will both require a left turn lane for the proposed new route. The new industry, Hanes Geo Components, will provide an additional 212 jobs to this area, where there are five existing industries that provide 472 jobs. WBS 46794	\$350,000.00
Wayne Div. 4	Mount Olive – Construct a rail spur line for a distance of 560 feet at the Hilex Poly plant. NC Moving Ahead Rail Reserve Funds - \$25,000 Public and private sources to provide additional funding. WBS 46793	\$25,000.00
Robeson Div. 6	Pembroke – Resurface and restripe NC 711 from Howard Street to Odum Street to provide a continuous left turn lane and install a traffic signal at Lowery St. and entrance to	\$400,000.00



RECEIVED
DIVISION ENGINEERS OFFICE
N. WILKESBORO, NC

OCT 18 2006

Caldwell Co.

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

P.O. Box 25201, Raleigh, NC 27611-5201
PHONE (919) 733-2520

LYNDO TIPPETT
SECRETARY

October 19, 2006

DECEMBER 2006
AGENDA

MEMORANDUM TO: W. S. Varnedoe, PE
Chief Engineer - Operations

FROM: M. A. Pettyjohn, PE
Division Engineer

M. A. Pettyjohn

SUBJECT: Secondary Road Abandonment Investigation
Various Roads within City of Lenoir
Caldwell County

Enclosed are forms SR 5, maps and a copy of a Municipal Agreement with the City of Lenoir covering the requested abandonment of the roads listed on the attached sheet labeled "Attachment A". All of these roads are within the City Limits of Lenoir. The Town wishes to take over maintenance of these roads.

We recommend abandonment of these roads from the State Maintenance System, and this has been approved by Board Member, Mr. Arnold Lakey.

Your further handling with the Board of Transportation will be appreciated.

MAP/CCR:cr

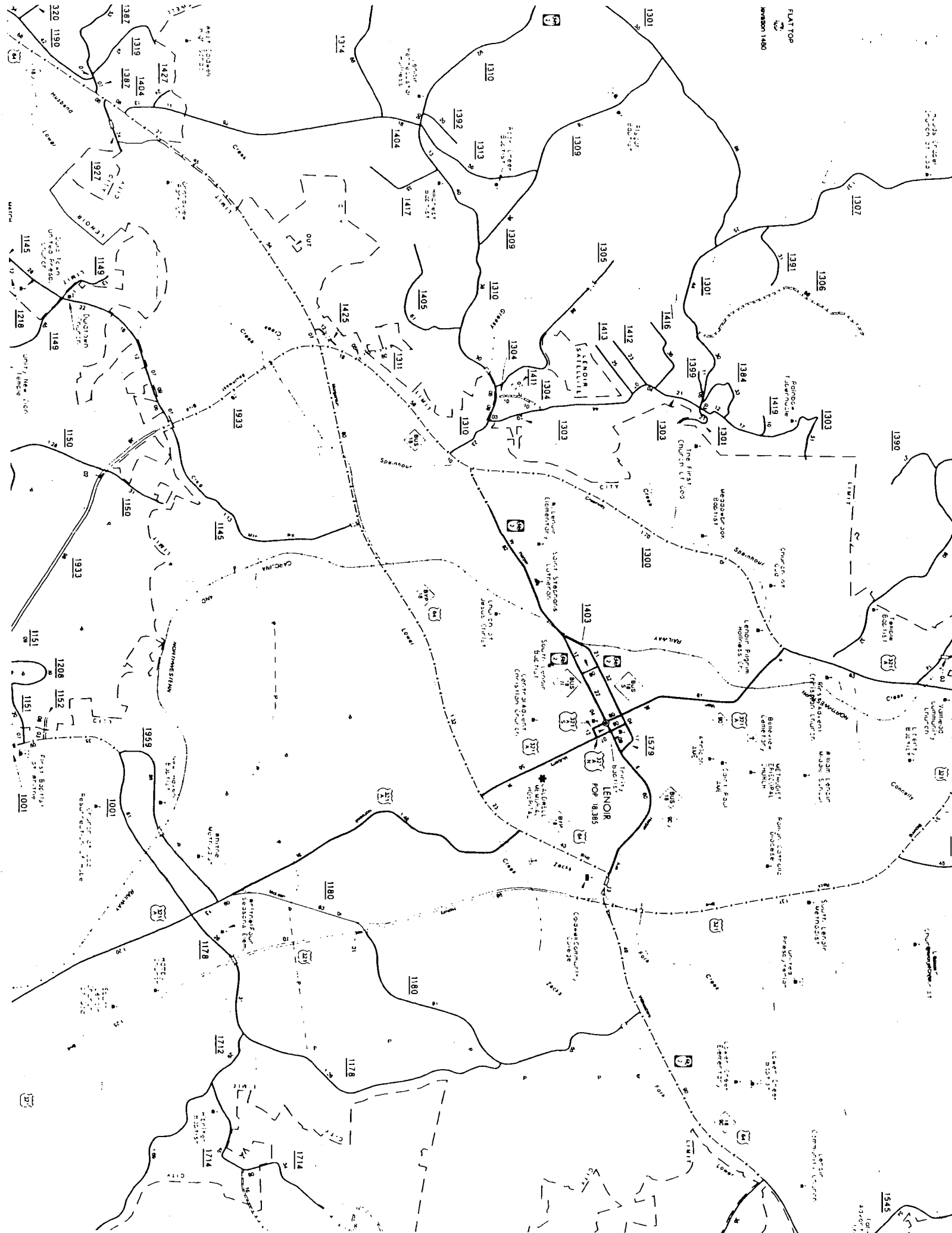
attachments

cc: Arnold Lakey
N. K. Turner, PE

Attachment A

State routes to become City Streets

Road Name	Route Number	From	To
Harper Avenue	NC 18 Bus/NC 90	Morganton Blvd (US 64/NC 18)	Creekway Drive (SR 1300)
West Avenue	NC 18 Bus/NC 90	Ridge Street (NC 18 Bus/NC 90/SR 1549)	Harper Avenue (NC 18 Bus/NC 90)
Ridge Street	NC 18 Bus/NC 90/SR 1549	Harper Avenue (NC 18 Bus/NC 90)	West Avenue (NC 18 Bus/NC 90)
Willow Street	SR 1403	Harper Avenue (NC 18 Bus)	West Avenue (NC 18 Bus)
Main Street	US 321A/NC 90	College Avenue (US 321A)	Creekway Drive (SR 1300)
College Avenue	US 321A	Main Street (US 321A)	Mulberry Street (US 321A)
Mulberry Street	US 321 A	Morganton Blvd (US 64/NC 18)	West Avenue (NC 18 Bus/NC 90)
Norwood Street	US 321 A	McLean Drive (SR 1180)	Morganton Blvd (US 64/NC 18)



**North Carolina Department of Transportation
Division of Highways
Secondary Road Abandonment Investigation Report**

County Caldwell Co. File No. C-628 Date 10/9/06
Township Lenoir Div. File No. _____ Div.# 11

SR No. & Local Name If Any NC18 Bus/NC90 Harper Ave. from US64/NC18 to SR1300
Length To Be Abandoned 1.94 miles Length To Be Retained (if applicable) NA
Width 48' Type Plant Mix Condition Good
Number of homes having entrances into road NA
Other uses having entrances into road Businesses
Is the road a school bus route? Yes
Average Daily Traffic Count (estimated) 11000
Date of last State maintenance performed Unknown
Is the road a mail route? Yes
Is a petition for this request attached? Yes
Is the County Commissioners' Approval attached? NA
If not, give reason To be taken over by the City of Lenoir
Additional information applicable Recommend Abandon

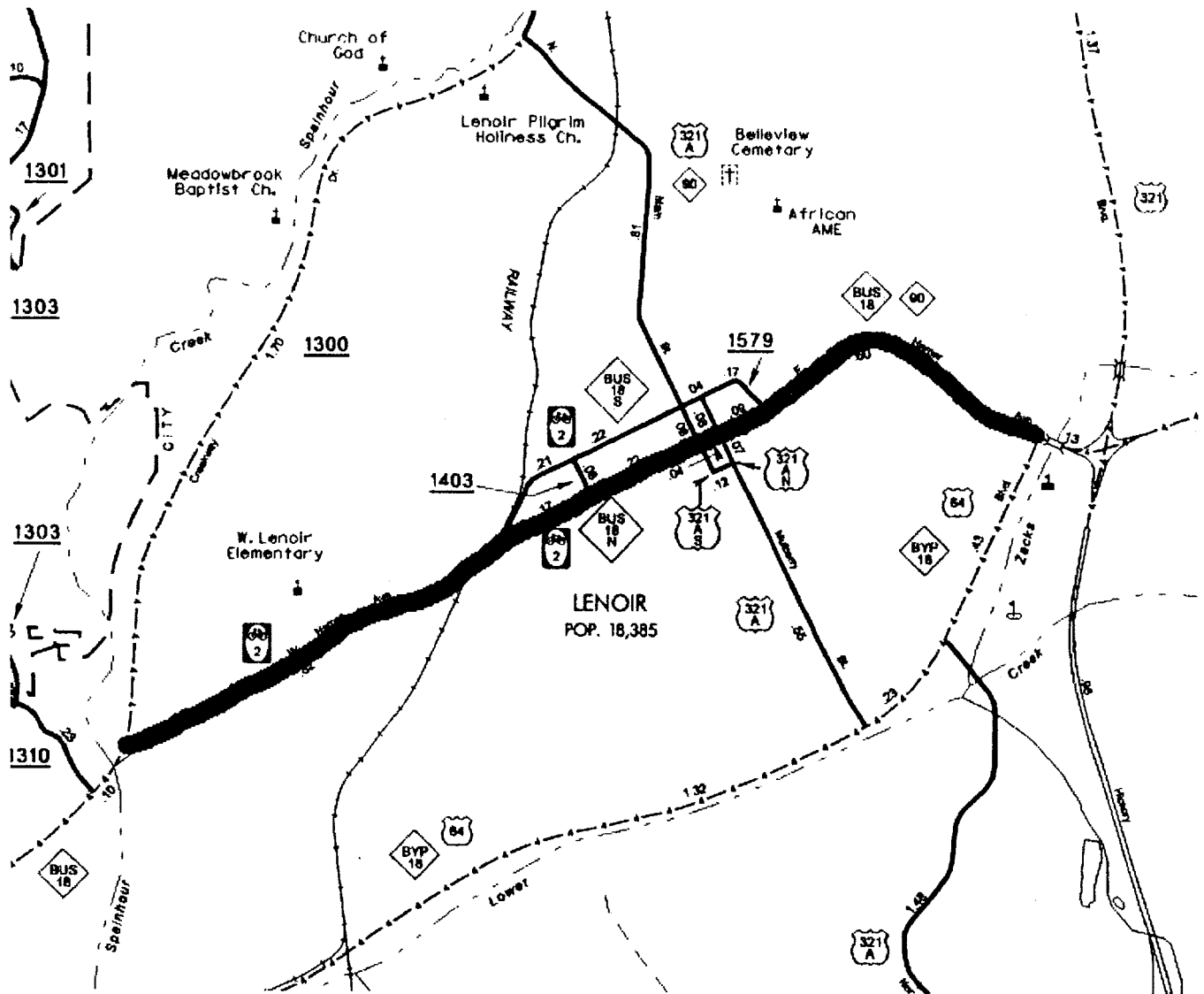
Submitted by *NK Yarnes*
DISTRICT ENGINEER

Reviewed and Approved *M. A. Petty*
DIVISION ENGINEER

Reviewed and Approved
BOARD OF TRANSPORTATION MEMBER *Arnold N. Lacey*

(Do not write in this space – For use of Planning Dept.)	(Do not write in this space – For use of Secondary Roads Dept.) Petition No. _____
	(Do not write in this space – For use of Planning Dept.)

Abandon to City of Lenoir NC18Bus/ NC90 Harper Ave. from US64/NC18 Morganton Blvd. to SR1300 Creekway Dr.



**North Carolina Department of Transportation
Division of Highways
Secondary Road Abandonment Investigation Report**

County Caldwell Co. File No. C-629 Date 10/9/06
Township Lower Creek/Lenoir Div. File No. _____ Div.# 11

SR No. & Local Name If Any NC18Bus/NC90 West Ave. from NC18Bus/NC90/SR1579 Ridge St.
to NC18Bus/NC90 Harper Ave.

Length To Be Abandoned .47 mile Length To Be Retained (if applicable) NA

Width 18'-20' Type Plant Mix Condition Good

Number of homes having entrances into road NA

Other uses having entrances into road Businesses

Is the road a school bus route? Yes

Average Daily Traffic Count (estimated) 4700

Date of last State maintenance performed Unknown

Is the road a mail route? Yes

Is a petition for this request attached? Yes

Is the County Commissioners' Approval attached? NA

If not, give reason City of Lenoir to take over

Additional information applicable Recommend Abandon

Submitted by

NK Yarnes

DISTRICT ENGINEER

Reviewed and Approved

M. A. Pettyjohn

DIVISION ENGINEER

Reviewed and Approved

BOARD OF TRANSPORTATION MEMBER

Arnold N. Roberts

(Do not write in this space – For use of Planning
Dept.)

(Do not write in this space – For use of Secondary
Roads Dept.)

Petition No. _____

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Dept.)

A detailed map of Lenoir, North Carolina, and its surrounding areas. The map shows the town of Lenoir with a population of 18,385. Major roads include US Highway 321, US Highway 64, and US Highway 159. A railway line runs through the town. Landmarks include the Church of God, Lenoir Pilgrim Holiness Ch., Meadowbrook Baptist Ch., Belleview Cemetery, and African AME. The map also shows the Lenoir River, Lenoir Creek, and the Lenoir River. The map is labeled with various road numbers and distances, such as 1300, 1403, 1579, 132, 108, 43, 23, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, 1, 0. The map is oriented with North at the top.

**North Carolina Department of Transportation
Division of Highways
Secondary Road Abandonment Investigation Report**

County Caldwell Co. File No. C-630 Date 10/9/06
Township Lower Creek/Lenoir Div. File No. _____ Div.# 11

SR No. & Local Name If Any NC18Bus/NC90/SR1579 Ridge St. from NC18Bus/NC90 Harper Ave.
to NC18Bus/NC90 West Ave.
Length To Be Abandoned .17 mile Length To Be Retained (if applicable) NA
Width 18'-20' Type Plant Mix Condition Good
Number of homes having entrances into road NA
Other uses having entrances into road Businesses
Is the road a school bus route? yes
Average Daily Traffic Count (estimated) 2000
Date of last State maintenance performed Unknown
Is the road a mail route? yes
Is a petition for this request attached? Yes
Is the County Commissioners' Approval attached? NA
If not, give reason City of Lenoir to take over
Additional information applicable Recommend Abandon

Submitted by

NK Yarnes

DISTRICT ENGINEER

Reviewed and Approved

M. A. Pettyjohn

DIVISION ENGINEER

Reviewed and Approved

BOARD OF TRANSPORTATION MEMBER

Arnold N. Lockett

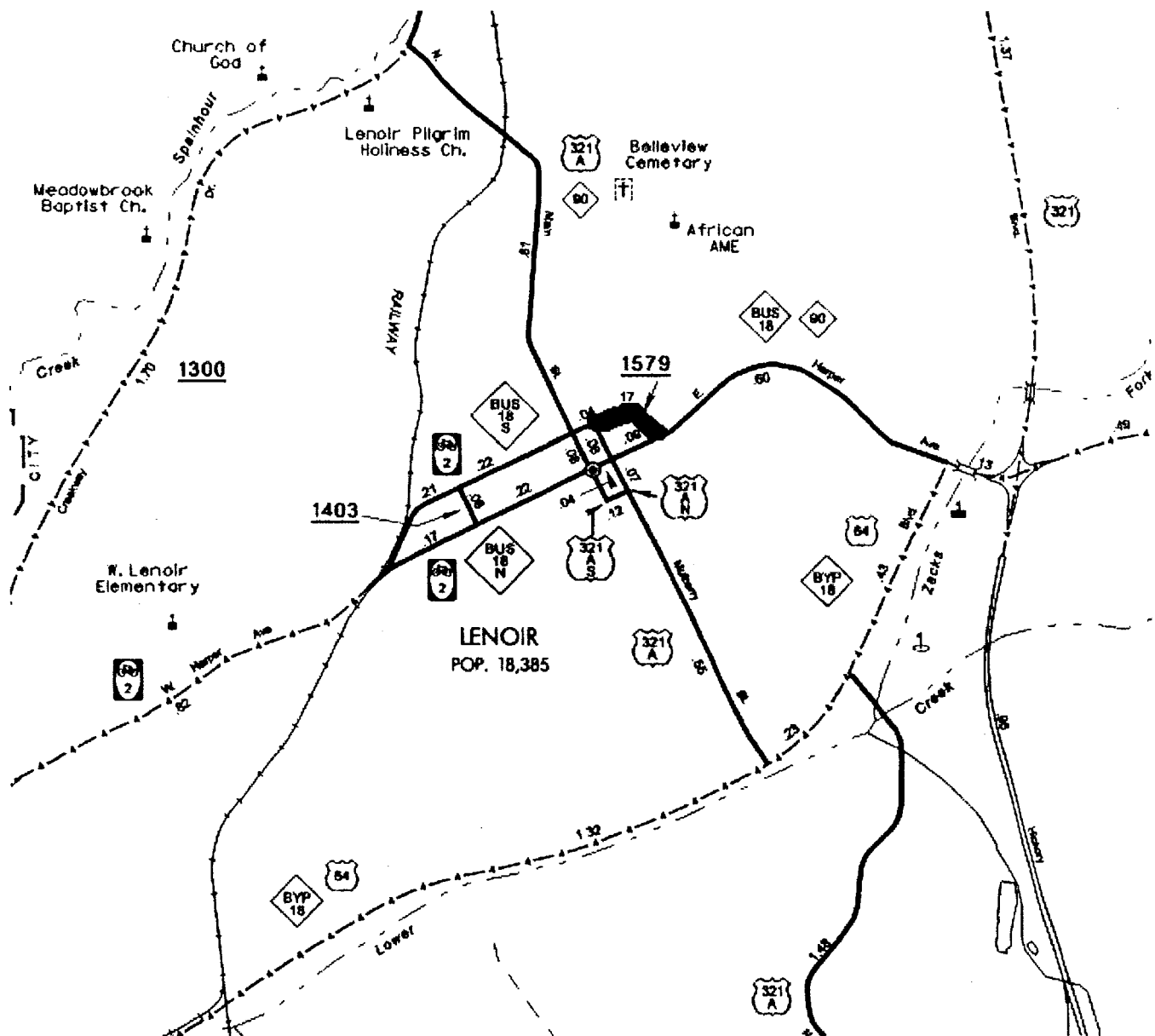
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(Do not write in this space – For use of Secondary Roads Dept.)

Petition No. _____

(Do not write in this space – For use of Planning Dept.)

Abandon to City of Lenoir NC18Bus/NC90/SR1579 Ridge St. from NC18Bus/NC90
Harper Ave. to NC18Bus/NC90 West Ave. (.17 mile).



**North Carolina Department of Transportation
Division of Highways
Secondary Road Abandonment Investigation Report**

County Caldwell Co. File No. C-631 Date 10/9/06
Township Lenoir Div. File No. _____ Div.# 11

SR No. & Local Name If Any SR1403 Willow St. from NC18Bus Harper Ave. to NC18Bus. West Ave.

Length To Be Abandoned .08 mile Length To Be Retained (if applicable) NA

Width 18'-20' Type Plant Mix Condition Good

Number of homes having entrances into road NA

Other uses having entrances into road Businesses

Is the road a school bus route? yes

Average Daily Traffic Count (estimated) 2000

Date of last State maintenance performed Unknown

Is the road a mail route? Yes

Is a petition for this request attached? Yes

Is the County Commissioners' Approval attached? NA

If not, give reason City of Lenoir to take over

Additional information applicable Recommend Abandon

Submitted by

NK Yarnes

DISTRICT ENGINEER

Reviewed and Approved

M. A. Petty

DIVISION ENGINEER

Reviewed and Approved

BOARD OF TRANSPORTATION MEMBER

Arnold N. Lacey II

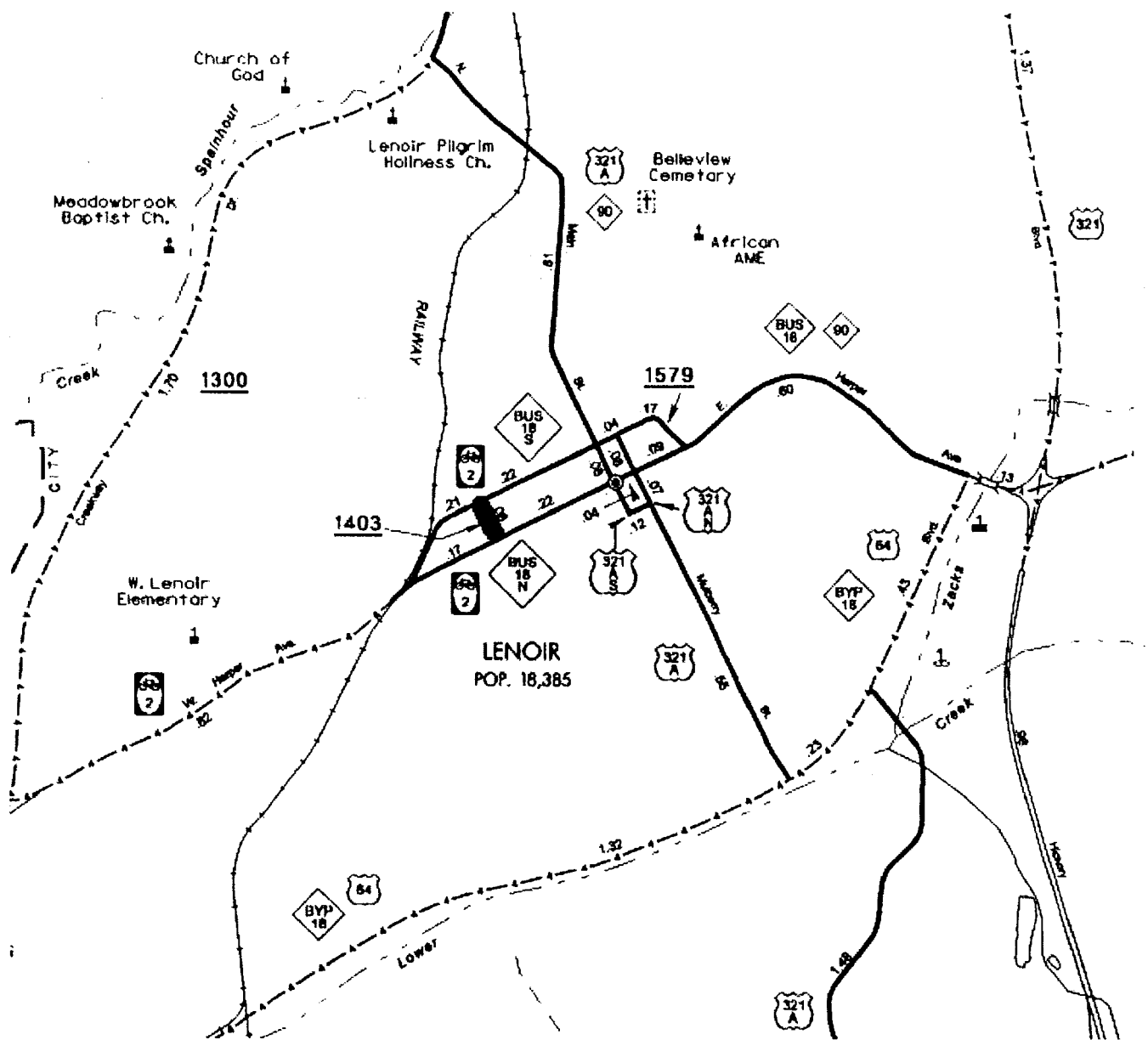
(Do not write in this space – For use of Planning Dept.)

(Do not write in this space – For use of Secondary Roads Dept.)

Petition No. _____

(Do not write in this space – For use of Planning Dept.)

Abandon to City of Lenoir SR1403 Willow St. from NC18Bus Harper Ave. to NC18Bus West Ave. (.08 mile).



**North Carolina Department of Transportation
Division of Highways
Secondary Road Abandonment Investigation Report**

County Caldwell Co. File No. C-632 Date 10/9/06
Township Lower Creek/Lenoir Div. File No. _____ Div.# 11

SR No. & Local Name If Any US321A/NC90 Main St. from US321A College Ave to SR1300
Creekway Dr.

Length To Be Abandoned .97 mile Length To Be Retained (if applicable) NA

Width 18'-20' Type Plant Mix Condition Good

Number of homes having entrances into road NA

Other uses having entrances into road Businesses

Is the road a school bus route? Yes

Average Daily Traffic Count (estimated) 4000

Date of last State maintenance performed Unknown

Is the road a mail route? Yes

Is a petition for this request attached? Yes

Is the County Commissioners' Approval attached? NA

If not, give reason City of Lenoir to take over

Additional information applicable Recommend Abandon

Submitted by

NK Yarnes

DISTRICT ENGINEER

Reviewed and Approved

M. A. Pettyjohn

DIVISION ENGINEER

Reviewed and Approved

BOARD OF TRANSPORTATION MEMBER

Arnold N. Labeys

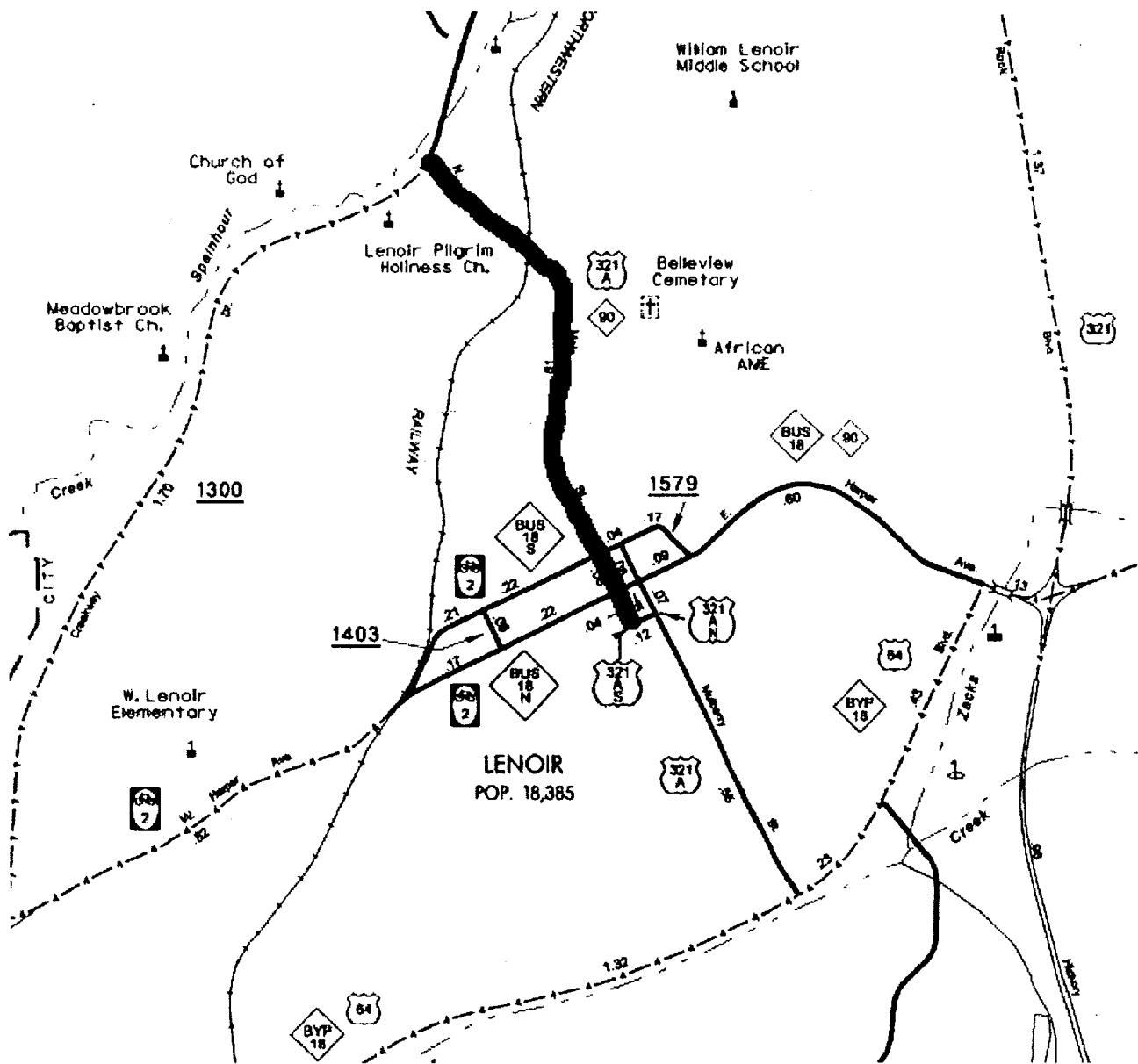
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Dept.)

(Do not write in this space – For use of Secondary
Roads Dept.)

Petition No. _____

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Dept.)

Abandon to City of Lenoir US321A/NC90 Main St. from US321 College Ave. to
SR1300 Creekway Dr.



**North Carolina Department of Transportation
Division of Highways
Secondary Road Abandonment Investigation Report**

County Caldwell Co. File No. C-633 Date 10/9/06
Township Lenoir Div. File No. _____ Div.# 11

SR No. & Local Name If Any US321A College Ave. from US321A Main St. to US321A Mulberry St.

Length To Be Abandoned .04 mile Length To Be Retained (if applicable) NA

Width 18'-20' Type Plant Mix Condition Good

Number of homes having entrances into road NA

Other uses having entrances into road Businesses

Is the road a school bus route? Yes

Average Daily Traffic Count (estimated) 2500

Date of last State maintenance performed Unknown

Is the road a mail route? Yes

Is a petition for this request attached? Yes

Is the County Commissioners' Approval attached? NA

If not, give reason City of Lenoir to take over

Additional information applicable Recommend Abandon

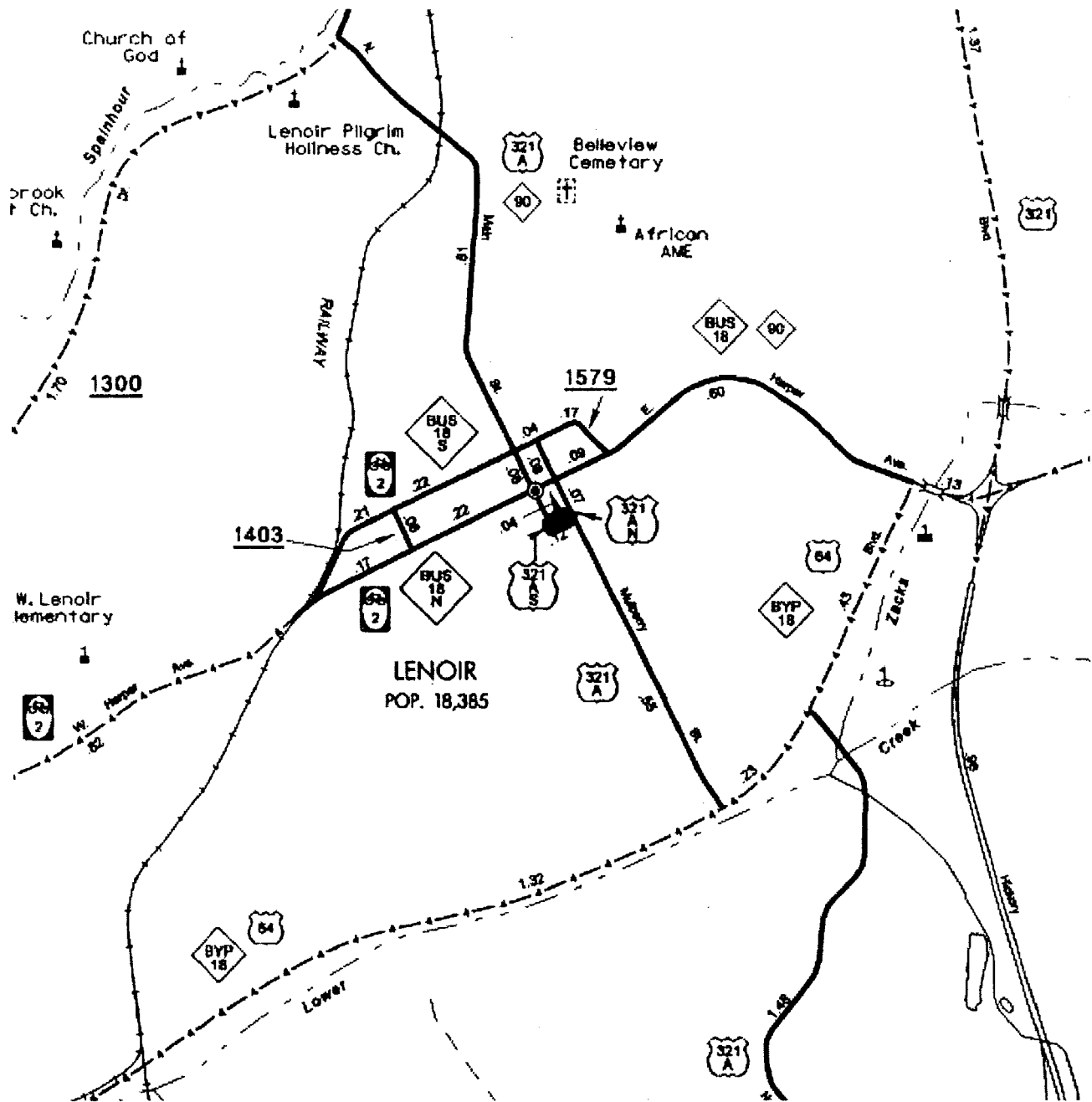
Submitted by *NK Turner*
DISTRICT ENGINEER

Reviewed and Approved *M. A. Pettyjohn*
DIVISION ENGINEER

Reviewed and Approved
BOARD OF TRANSPORTATION MEMBER *Arnold N. Lacey*

(Do not write in this space – For use of Planning Dept.)	(Do not write in this space – For use of Secondary Roads Dept.) Petition No. _____
	(Do not write in this space – For use of Planning Dept.)

Abandon to City of Lenoir US321A College Ave. from US321A Main St. to US321A Mulberry St. (.04 mile)



**North Carolina Department of Transportation
Division of Highways
Secondary Road Abandonment Investigation Report**

County Caldwell Co. File No. C-634 Date 10/9/06
Township Lower Creek/Lenoir Div. File No. _____ Div.# 11

SR No. & Local Name If Any US321A Mulberry St. from US64/NC18 Morganton Blvd. to
NC18Bus/NC90 West Ave.

Length To Be Abandoned .70 mile Length To Be Retained (if applicable) NA

Width 18'-20' Type Plant Mix Condition Good

Number of homes having entrances into road NA

Other uses having entrances into road Businesses

Is the road a school bus route? Yes

Average Daily Traffic Count (estimated) 6600

Date of last State maintenance performed Unknown

Is the road a mail route? Yes

Is a petition for this request attached? Yes

Is the County Commissioners' Approval attached? NA

If not, give reason City of Lenoir to take over

Additional information applicable Recommend Abandon

Submitted by

NK Yarnes

DISTRICT ENGINEER

Reviewed and Approved

M. A. Pettigrew

DIVISION ENGINEER

Reviewed and Approved

BOARD OF TRANSPORTATION MEMBER

Arnold N. Rabey

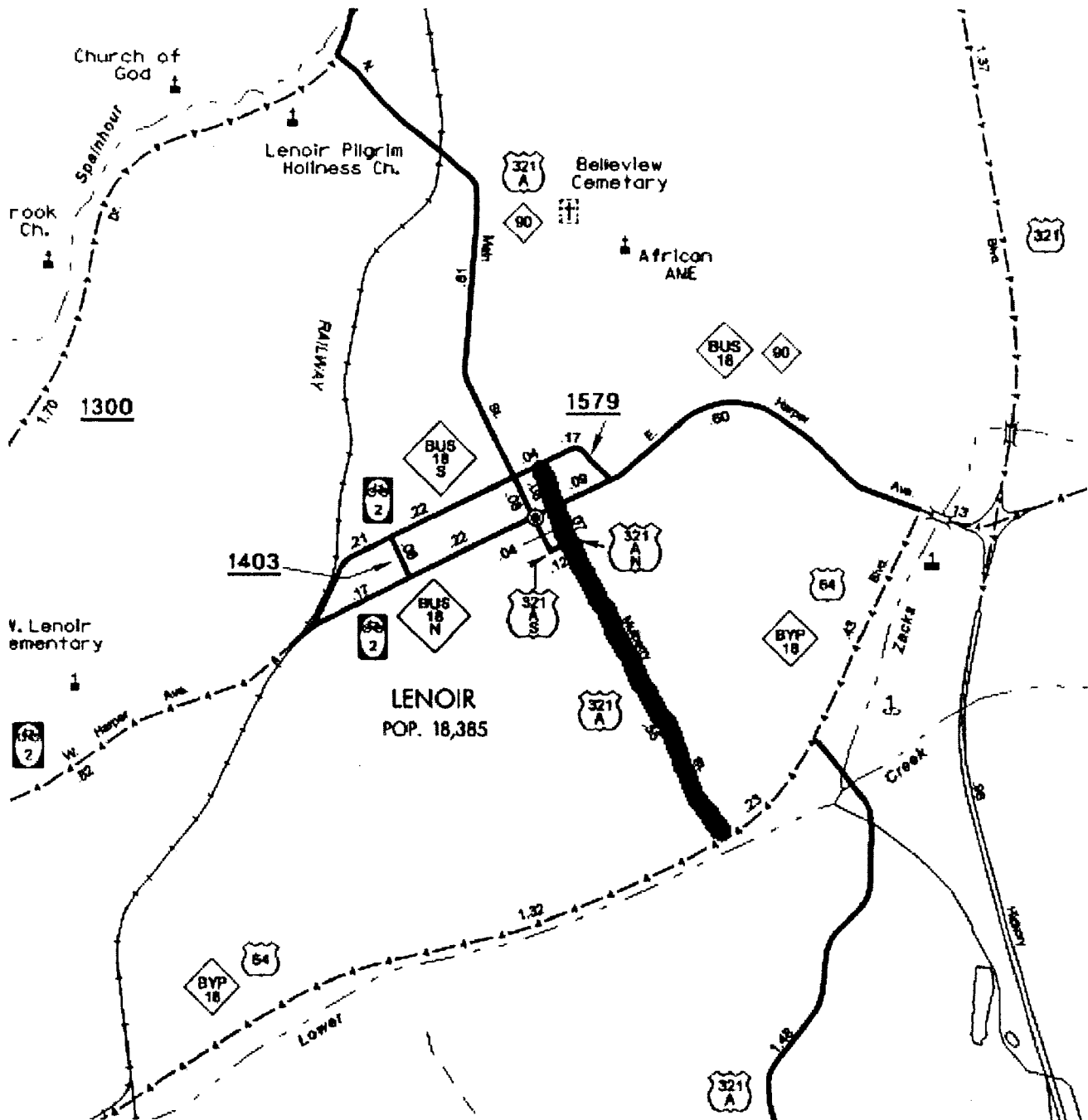
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Dept.)

(Do not write in this space – For use of Secondary
Roads Dept.)

Petition No. _____

(Do not write in this space – For use of Planning
Dept.)

Abandon to City of Lenoir US321A Mulberry St. from US64/NC18 Morganton Blvd. to NC18Bus/NC90 West Ave. (.70 mile).



**North Carolina Department of Transportation
Division of Highways
Secondary Road Abandonment Investigation Report**

County Caldwell Co. File No. C-635 Date 10/9/06
Township Lower Creek/Lenoir Div. File No. _____ Div.# 11

SR No. & Local Name If Any US321A Norwood St. from SR1180 McLean Dr. to US64/NC18 Morganton Blvd.

Length To Be Abandoned 1.48 miles Length To Be Retained (if applicable) NA

Width 18'-20' Type Plant Mix Condition Good

Number of homes having entrances into road NA

Other uses having entrances into road Businesses

Is the road a school bus route? Yes

Average Daily Traffic Count (estimated) 5200

Date of last State maintenance performed Unknown

Is the road a mail route? Yes

Is a petition for this request attached? Yes

Is the County Commissioners' Approval attached? NA

If not, give reason City of Lenoir to take over

Additional information applicable Recommend Abandon

Submitted by

NK Yarmon

DISTRICT ENGINEER

Reviewed and Approved

M. A. Pettyjohn

DIVISION ENGINEER

Reviewed and Approved

BOARD OF TRANSPORTATION MEMBER

Arnold H. Labadie

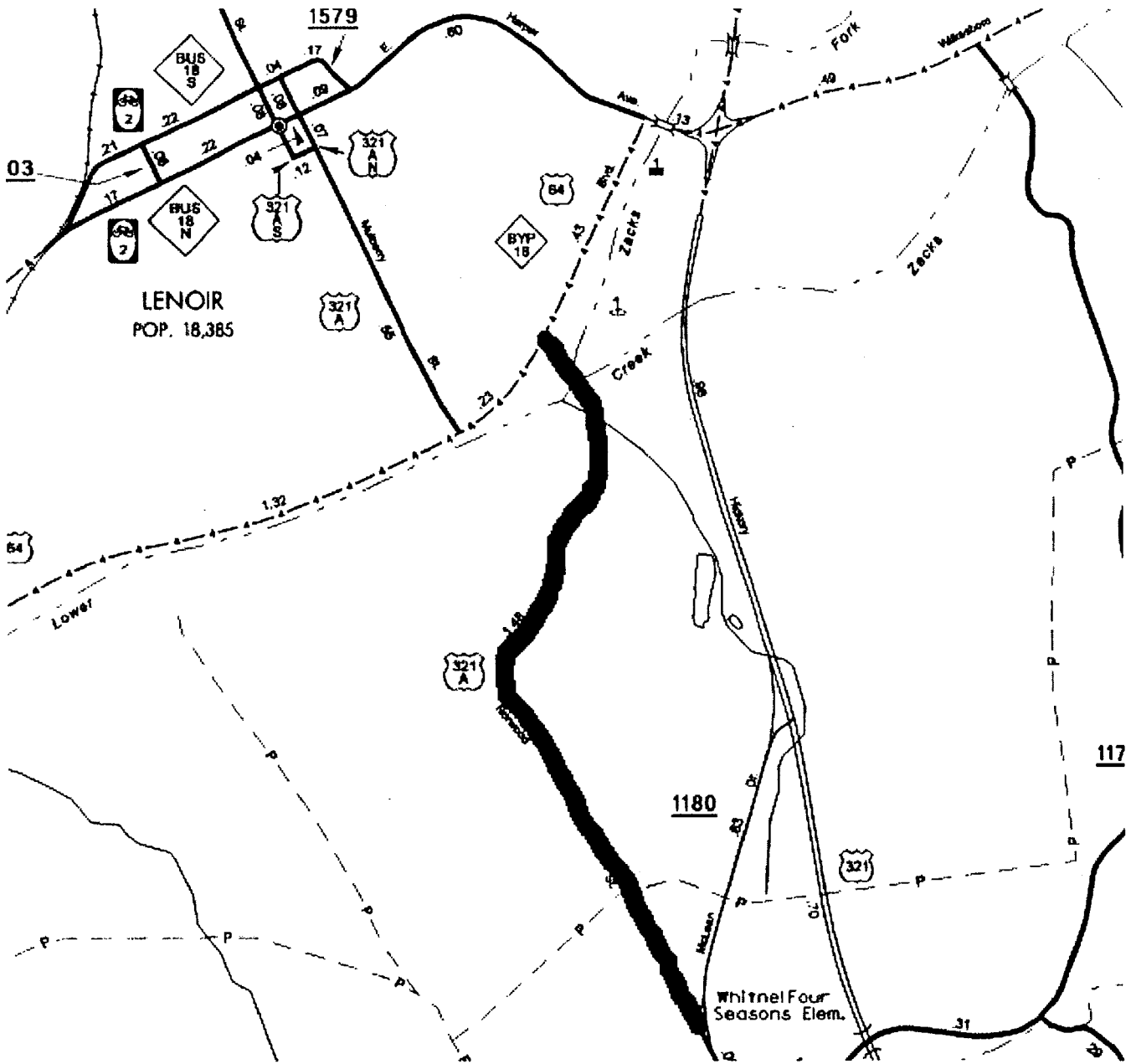
(Do not write in this space – For use of Planning Dept.)

(Do not write in this space – For use of Secondary Roads Dept.)

Petition No. _____

(Do not write in this space – For use of Planning Dept.)

Abandon to City of Lenoir US321A Norwood St. from SR1180 McLean Dr. to
US64/NC18 Morganton Blvd. (1.48 mile)





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

P.O. Box 25201, Raleigh, NC 27611-5201
PHONE (919) 733-2520

LYNDO TIPPETT
SECRETARY

July 19, 2005

Mr. W. Lane Bailey
City Manager - City of Lenoir
P. O. Box 958
Lenoir, North Carolina 28645-0958

SUBJECT: Municipal Agreement – WBS 37958
Conversion of sections of Main, West, and Mulberry Streets
From One-Way to Two-Way Traffic Pattern in Caldwell County

Dear Mr. Bailey:

Enclosed is original executed Municipal Agreement for the conversion of sections of Main, West, and Mulberry Streets from one-way to two-way traffic pattern within the City Limits of Lenoir in Caldwell County

If you have any questions, please contact me at 336-667-9111.

Sincerely,

A handwritten signature in cursive script that reads "M. A. Pettyjohn".

M. A. Pettyjohn, PE
Division Engineer - 11

MAP/WOA:wa

Enclosures

cc: Mr. Arnold Lakey
Mr. W. O. Atkins, PE
Mr. Kipp Turner, PE
Mr. Dean Ledbetter, PE



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

July 14, 2005

MEMORANDUM TO: M. A. Pettyjohn, PE
Division Engineer

FROM: Karen Rose *KR*
Contract Officer

SUBJECT: City of Lenoir-Caldwell County
Municipal Agreement
WBS Element: 37958

Attached is one executed agreement for the above referenced project to be transmitted to the City of Lenoir. This agreement is being transmitted to you for scanning into the IXOS system. If you have any questions, please do not hesitate to contact me.

KR/da

Attachments

NORTH CAROLINA
CALDWELL COUNTY

04/5/05

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

MUNICIPAL AGREEMENT

AND

CITY OF LENOIR

WBS ELEMENT: 37958

THIS AGREEMENT, made and entered into this the ~~15~~¹² day of July, 2005, between the DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter referred to as the Department, and the CITY OF LENOIR, a municipal corporation, hereinafter referred to as the Municipality;

WITNESSETH:

WHEREAS, the Municipality has plans to make certain street and highway construction and improvements within the Municipality under WBS Element 37958, Caldwell County, said plans consisting of the conversion of sections of Main, West and Mulberry Streets from one-way to two-way traffic; and,

WHEREAS, the Department and the Municipality have agreed that the corporate limits of the Municipality are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, the Department has approved the construction of said project and has agreed to participate in the cost of the project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

1. The Municipality shall prepare the environmental and/or planning document, the plans, contract specifications and estimates (PS&E package) and obtain any required environmental permits needed to construct the project. All work shall be done in accordance with Departmental standards, specifications, policies and procedures.
2. The Municipality shall relocate and adjust all utilities in conflict with the project. Said work shall be performed in a manner satisfactory to the Department prior to the Municipality beginning construction of the project.
3. The Municipality, at no expense or liability whatsoever to the Department, shall be responsible for acquiring any needed right of way and/or permanent easements required for said project. Acquisition of right of way shall be accomplished in accordance with the Right of Way Acquisition Policy and Land Acquisition Policy contained in the Federal-Aid Policy Guide, Part 712, Subpart B, and in accordance with policies and procedures set forth in the North Carolina Right of Way Manual (Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970). The Municipality shall remove from said right of way all obstructions and encroachments of any kind or character (including hazardous and contaminated materials). The Municipality shall indemnify and save harmless the Department from any and all claims for damages that might arise on account of said right of way acquisition, and construction easements for the construction of said project.
4. The Municipality shall construct, or cause to be constructed, the project in accordance with the plans and specifications of said project as filed with, and approved by, the Department. The Municipality shall enter into and shall administer the construction contract for said project and the procedures set out herein below shall be followed:

(A) The construction engineering and supervision will be furnished by the Municipality without cost to the Department.

(B) The Department's Division Engineer for the 11th Division, at his discretion, may assign a resident engineer to the project who shall have the right to inspect any portion of the work being performed by the Municipality or the Municipality's contractor to ensure compliance with the provisions of this Agreement. The resident engineer will be the Department's representative on the project. The resident engineer will furnish the Municipality with any forms that may be needed in order to follow standard Department practices and procedures in the administration of the contract.

(C) Letting of contracts for construction and purchases shall be in accordance with North Carolina General Statute 143-129.

(D) The Department's 11th Division Engineer shall have the right to inspect, sample or test, and approve or reject any portion of the project during construction.

(E) The Municipality shall sample and test all materials in reasonable close conformity with the Department's Guide for Process Control and Acceptance Sampling and Testing.

(F) During construction of the project, if any changes in the plans are necessary, such changes must be approved by the 11th Division Engineer or his representative prior to the work being performed.

(G) All materials incorporated in the project and workmanship performed by the contractor shall be in reasonable close conformity with the Standards and Specifications of the Department.

(H) Upon completion of the project, the Municipality will furnish the 11th Division Engineer with two (2) complete sets of "Plan of Record" plans.

(I) Prior to the final acceptance and payment by the Department, the Division Engineer shall make a final inspection of the completed work. The Division Engineer will be responsible for final acceptance of the completed work on behalf of the Department.

(J) During construction of the project, the Municipality shall, at no cost to the Department, provide and maintain adequate barricades, signs, signal lights, flagmen, and other warning devices for the protection of traffic in conformation with standards and specifications of the Department and the current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways published by the Federal Highway Administration.

(K) The Municipality shall complete said work within one year after execution of this agreement. If the Municipality has not completed its responsibilities, or in the opinion of the Department, satisfactory progress has not been made, the unexpended balance of funds may be recalled by the Department and assigned to other projects by the Board of Transportation.

(L) The Municipality shall also comply with the following federal and state policies: (a) Conflict of Interest; (B) Equal Employment Opportunity; (c) Title VI - Civil Rights Act of 1964; and (d) Disadvantaged Business Enterprises.

5. Subject to compliance by the Municipality with the provisions set forth in this Agreement, the Department shall participate in the actual cost of the project not to exceed \$250,000 payable subject to the availability of funds in calendar year 2006. The term "availability of funds" refers to funds being available in the Department's budget when funds

are anticipated to be available and is intended to be a condition on the timing of payment and not a condition on the commitment to make such payment). Construction costs, which exceed this amount, shall be borne by the Municipality. Reimbursement to the Municipality shall be made upon approval of each invoice by the 11th Division Engineer and the Department's Fiscal Section.

(A) The Municipality may bill the Department for actual costs as herein stated. Reimbursement to the Municipality shall be made upon approval of said invoice by the 11th Division Engineer and the Department's Fiscal Section in accordance with the above terms subject to the availability of funds in calendar year 2006

(B) The Municipality shall be responsible for adhering to applicable administrative requirements of 49 CFR Part 18 (www.fhwa.dot.gov/legregs/directives/fapg/cfr4918a.htm). If the work is performed by Municipal force account, said invoices shall show a summary of labor, labor additives, equipment, materials and other qualifying cost in conformance with the standards for allowability of costs set forth in Office of Management and Budget (OMB) Circular A-87 (www.whitehouse.gov/OMB/circulars/a087/a087-all.html). Reimbursement shall be based on actual cost incurred with the exception of equipment owned by the Municipality. Reimbursement for rates of equipment owned by the Municipality cannot exceed the Department's rates in effect for the time period in which the work is performed. If the work is performed by a contractor, said invoices shall shown the contract cost.

(C) In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" (www.whitehouse.gov/OMB/circulars/a133/a133.html), the Municipality shall arrange for an

independent financial and compliance audit of its fiscal operations. The Municipality shall furnish the Department with a copy of the independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality's fiscal year ends.

(D) The Municipality shall maintain all books, documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Municipality shall make such materials available at its office at all reasonable times during the contract period, and for three (3) years from the date of final payment under this Agreement, for inspection and audit by the Department's Fiscal Section.

(E) The Municipality agrees that it shall bear all costs for which it is unable to substantiate actual costs.

(F) Failure on the part of the Municipality to comply with any of these provisions will be grounds for the Department to terminate participation in the costs of the project.

(G) All invoices must be submitted within one (1) year of completion and acceptance of the project by the Department.

6. It is further agreed that, upon completion of the project, the Municipality shall be liable and responsible for maintenance activities and all traffic operating controls and devices shall be established, enforced, installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highways", and Departmental criteria.

7. Upon completion and acceptance of the project and pending Board approval, the Municipality shall assume all maintenance responsibilities for the attached list of state system maintained streets to become municipal maintained streets. (SEE ATTACHMENT A)

8. The Department shall have the right to abandon the project at any time before the Municipality has been called upon to perform any part of its agreement.

IT IS UNDERSTOOD AND AGREED that the approval of the project by the Department is subject to the conditions of this Agreement and that no expenditure of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given, as evidenced by the attached certified copy of Resolution, Ordinance or Charter Provision, as the case may be.

L.S.

ATTEST:

BY: Shirley M. Conner
CLERK

CITY OF LENOIR

BY: [Signature]
MAYOR

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

MUNICIPAL SEAL

[Signature]
Municipal Finance Officer

Federal Tax Identification Number

56-6001265
City of Lenoir

DEPARTMENT OF TRANSPORTATION

BY: [Signature]
STATE HIGHWAY ADMINISTRATOR

APPROVED AS TO FORM:

BY: [Signature]
ASSISTANT ATTORNEY GENERAL

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL

OF THE CITY OF LENOIR, NORTH CAROLINA

A motion was made by Councilmember Price and seconded by
n/a for the adoption of the following Resolution, and upon being put
 to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation and the Municipality desire improvements within the Municipality under WBS Element 37958, Caldwell County, said plans consisting of the conversion of sections of Main, West and Mulberry Streets from one-way to two-way traffic; and,

WHEREAS, said agreement provides for the Municipality to prepare the environmental and/or planning document, including obtaining any required environmental permits, and the plans, contractor specifications and estimates (PS&E package), administer the contract and supervise project construction, adjust and relocate utilities and acquire any necessary right of way; and,

WHEREAS, said agreement further provides for the Department of Transportation to reimburse the Municipality to a maximum extent of \$250,000 of the actual cost of the project.

WHEREAS, upon completion of the project, the Municipality shall assume all maintenance responsibilities for the state system streets to become municipal streets.
 (SEE ATTACHMENT A)

NOW, THEREFORE, BE IT RESOLVED that said project is hereby formally approved by the City Council of the City of Lenoir and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the Department of Transportation.

I, Shirley M. Cannon, Clerk of the City of Lenoir, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 3rd of May, 2005.

WITNESS, my hand and the official seal of said Municipality on this the 3rd day of May, 2005.

(SEAL)

Shirley M. Cannon
 CLERK
 CITY OF LENOIR
 NORTH CAROLINA

Attachment A

State routes to become City Streets

Road Name	Route Number	From	To
Harper Avenue	NC 18 Bus/NC 90	Morganton Blvd (US 64/NC 18)	Creekway Drive (SR 1300)
West Avenue	NC 18 Bus/NC 90	Ridge Street (NC 18 Bus/NC 90/SR 1549)	Harper Avenue (NC 18 Bus/NC 90)
Ridge Street	NC 18 Bus/NC 90/SR 1549	Harper Avenue (NC 18 Bus/NC 90)	West Avenue (NC 18 Bus/NC 90)
Willow Street	SR 1403	Harper Avenue (NC 18 Bus)	West Avenue (NC 18 Bus)
Main Street	US 321A/NC 90	College Avenue (US 321A)	Creekway Drive (SR 1300)
College Avenue	US 321A	Main Street (US 321A)	Mulberry Street (US 321A)
Mulberry Street	US 321 A	Morganton Blvd (US 64/NC 18)	West Avenue (NC 18 Bus/NC 90)
Norwood Street	US 321 A	McLean Drive (SR 1180)	Morganton Blvd (US 64/NC 18)