

RAILROAD CONSTRUCTION AGREEMENT

GDOT Contract ID #: UAOUT 2600864
PI No. 0015614, Lowndes County
RR PE File #: GA2495

THIS AGREEMENT, made and entered into _____, by and between,

GEORGIA DEPARTMENT OF TRANSPORTATION, an agency of the State of Georgia, hereinafter styled the DEPARTMENT, party of the first part; and

CSX TRANSPORTATION, INC., a Corporation, chartered in the State of Virginia, hereinafter styled the RAILROAD, party of the second part.

LOWNDES COUNTY, a political subdivision of the State of Georgia, hereinafter styled the COUNTY, party of the third part.

WITNESSETH that:

WHEREAS, the DEPARTMENT proposes under the above written project number to construct a replacement bridge along CR 136/Old Quitman Road over the RAILROAD near the City of Valdosta, Lowndes County Georgia; and

WHEREAS, work will be required on RAILROAD property including reconstructing the CR 136/Old Quitman Road bridge over the RAILROAD at crossing ID# 637478Y and railroad milepost AN-655.02; and

WHEREAS, said construction will require the RAILROAD to perform construction engineering and excess soil disposal through contract work which the RAILROAD is willing to perform in accordance with the estimate attached hereto; and

WHEREAS, the RAILROAD is in agreement with the DEPARTMENT'S project and plans; and

WHEREAS, the new overpass bridge will be owned and maintained by the COUNTY; and

WHEREAS, the RAILROAD is willing to grant the DEPARTMENT temporary easement(s) for this work as provided for herein as necessary for roadway construction and maintenance of grade separation structures in accordance with O.C.G.A. 32-6-196; and

WHEREAS, acquisition of RAILROAD property required for roadway right-of-way and easements is being handled separate from this agreement; and

NOW THEREFORE, the PARTIES HERETO, each in consideration of the premises above and of the covenants of the other as hereinafter expressed and contained, do hereby contract and agree each with the other as follows: