

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

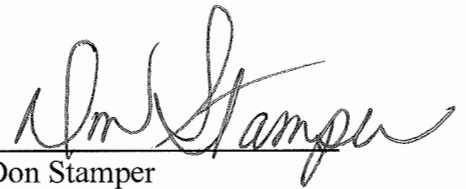
October Session of the August Adjourned Term. 20 02

In the County Commission of said county, on the 31st day of October 20 02

the following, among other proceedings, were had, viz:

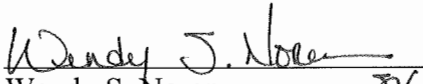
Now on this day, the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the contract between the County of Boone and the Missouri Department of Conservation for improvements on W. Mt. Zion Church Road.

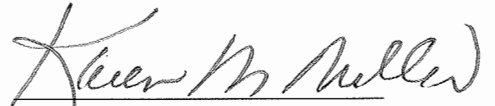
Done this 31st day of October, 2002.



Don Stamper
Presiding Commissioner

ATTEST:


Wendy S. Noren *WV*
Clerk of the County Commission



Karen M. Miller
District I Commissioner



Skip Elkin
District II Commissioner

AGREEMENT

THIS AGREEMENT, made and entered into this 31st day of October, 2002, by and between THE COUNTY of BOONE, hereinafter referred to as the County and THE MISSOURI DEPARTMENT OF CONSERVATION, hereinafter referred to as the Department;

WHEREAS, the Department desires that the County provide certain roadway improvements and maintenance, to afford suitable access to Rocky Fork Lakes Conservation Area, and

WHEREAS, the County has agreed to provide these improvements on the roadway as described below and the Department has agreed to pay a portion of the cost to said County, under provision of the County Aid Road Trust (CART) program, as described below;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other valuable consideration, and the satisfactory performance of all mutual covenants and considerations contained herein it is mutually agreed as follows.

1. The County agrees to provide all work and services necessary to upgrade Mt. Zion Church Road, which includes widening, working slopes, ditches, replenishing base and chip sealing surface of the roadway. Roadway located in T50N, R12W, Sections 32 and 33.
2. The Department agrees to assist the County with up to 2000 ton of rock at a cost of \$5.75 per ton, for a one time cost, not to exceed, Eleven Thousand, Five Hundred Dollars (\$11,500.00).
3. The County agrees to accept delivery of the rock. When the work is completed, please forward an invoice along with copies of the rock tickets to the Department for its share of the cost no later than June 1, 2003.
4. The County agrees to retain responsibility for future upkeep of said roads with the maintenance at a level that is no less than that of other roads in the County.

5. The County agrees to indemnify and hold harmless the Department, the Conservation Commission of the State of Missouri, its officers, agents and assigns, from any and all liability for claims, demands, actions and courses of action for personal injury, including death, or property damage arising from the construction or maintenance activity on the above described roads.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be signed by their duly authorized officers on this 31st day of October, 2002.

THE COUNTY of BOONE, MISSOURI

BY:

[Handwritten Signature]

Its

Presiding Commissioner

MISSOURI DEPARTMENT OF CONSERVATION

BY: _____

David W. Kempf, Engineering Chief

Approved by

General Counsel

[Handwritten Signature]

CERTIFICATION:

I certify that this contract is within the purpose of the appropriation to which it is to be charged and there is an unencumbered balance of such appropriation sufficient to pay the costs arising from this contract.

Revenue only - no certification required
Auditor [Handwritten Signature] Date 10/31/02



MISSOURI DEPARTMENT OF CONSERVATION

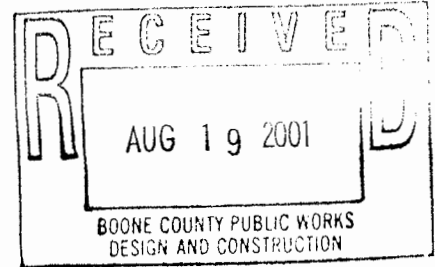
Headquarters

2901 West Truman Boulevard, P.O. Box 180, Jefferson City, Missouri 65102-0180

Telephone: 573/751-4115 ▲ Missouri Relay Center: 1-800-735-2966 (TDD)

JOHN D. HOSKINS, Director

July 19, 2002



Gregory P. Edington, Manager
Maintenance Operations Division
5551 Highway 63 South
Columbia, Mo. 65201-9711

Dear Mr. Edington:

Pursuant to our meeting on November 2, 2001 and our phone conversations on April 10 and July 19, 2002, enclosed is an agreement to accomplish road improvements on Mt. Zion Church Road in Boone County, from the intersection of State Route B to the end of the Departments property, approximately 1.2 miles.

If the County finds the agreement acceptable, please sign, date, and return both copies at your earliest convenience. A signed copy will be returned for your records.

If there are any questions, please don't hesitate to contact me at 573-751-4115 or cell # 573-619-1265.

Sincerely,

Gary S. Nivens
Contract Supervisor

c: Central Region
Charlie Nelson
David W. Kempf

COMMISSION

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Cape Girardeau

ANITA B. GORMAN
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