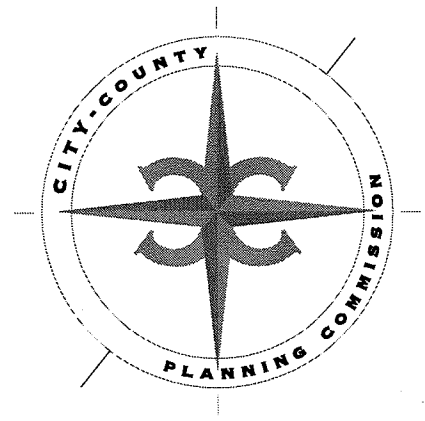


January 21, 2009



MEMORANDUM

To: Mr. Greg Meredith, P.E.
Mr. Steve Hunter
Mr. Emmett Wood, P.E.
Mr. Gene Becker
Dr. Jennifer Tougas

From: J.M. Yowell
Engineering Group Manager
City-County Planning Commission

A handwritten signature in black ink, appearing to read "J.M. Yowell". The signature is written in a cursive style and is positioned to the right of the "From:" field.

Subject: Memorandum of Understanding
Nashville Road/Campbell Lane Access Management Partnership

Enclosed for each of you is a copy of the above referenced document which has been executed by all parties involved. The original is being provided to Mr. Meredith as Chief District Engineer for the Kentucky Transportation Cabinet's District 3 Office. Your efforts in assembling this agreement and your participation in the future as its principles are implemented are sincerely appreciated.

Enclosure

JMY/mtf

MEMORANDUM OF UNDERSTANDING

Nashville Road/Campbell Lane Access Management Partnership

I. Parties: This Memorandum of Understanding (hereinafter referred to as "MOU") is made and entered into by and between the Kentucky Transportation Cabinet (KYTC), the City of Bowling Green (City), and the Bowling Green Metropolitan Planning Organization (MPO). In addition, the City-County Planning Commission of Warren County is recognized as an accessory party to this MOU in acknowledgement of the roles of that agency in carrying out the responsibilities outlined herein. Western Kentucky University, with the location of its facilities at the South Campus and Center for Research and Development, is recognized as a major traffic generator and concerned partner whose input and endorsement of the MOU are necessary for the successful management of traffic in the area.

II. Background: As an effort to identify solutions to ensure that safety and mobility in the area around the US 31W (Nashville Road) and US 231 (Campbell Lane) intersection are maintained and improved, this study was undertaken through a collaborative effort between the Kentucky Transportation Cabinet, the MPO, and local government agencies. The study was needed because traffic, congestion and accidents have increased steadily over the years, and access management issues are contributing to ever worsening traffic conditions.

- The study area is located around the intersection of US 31W and US 231 and extends from Newman Way to Dishman Lane on Nashville Road and from Smallhouse Road to Industrial Road on Campbell Lane.
- Carrying between 25,300 and 33,600 vehicles per day on Campbell Lane and between 17,100 and 22,300 on Nashville Road, these roads serve as major arterials. Nashville Road is a major north-south corridor connecting the Natcher Parkway to the inner city, including the Western Kentucky University Campus. Campbell Lane is an east-west corridor serving as an inner-city loop for Bowling Green.
- With the widening of Nashville Road, growth is expected to increase to a level similar to the activity occurring on Campbell Lane.
- Over 500 crashes were reported in the study area between 2004 and 2006 and the vast majority of these crashes can be attributed to congestion or access management issues.
- In some cases access points along Nashville Road and Campbell Lane are problematic and create mobility and safety problems.

In September 2007, the Bowling Green-Warren County Metropolitan Planning Organization, with the contracted assistance of ENTRAN, completed the Nashville Road/Campbell Lane Circulation Study. To address these aforementioned issues, a total of six (6) recommendations were made, which are summarized as follows:

- Consider the Highland Way to Emmett Avenue Connector to improve mobility,
- Pursue the Storey Avenue to Emmett Avenue Connector to improve access management and improve safety,

- Re-evaluate the reopening of Navajo Drive to through traffic after the completion of the Nashville Road widening project,
- Adherence to an Access Management Plan for Campbell Lane regulating access points and future traffic control.
- Undertake access management improvements to Nashville Road, specifically the development of a frontage road on the west side of Nashville Road connecting Cave Mill Road to Waterford Court, and
- Convert existing unsignalized intersections to right in/right out only.

III. Purpose: The purposes of this MOU are to:

- Establish a common understanding regarding the importance of US 31W (Nashville Road) and US 231 (Campbell Lane) for regional and local mobility;
- Provide for the mutual acceptance of the Nashville Road/Campbell Lane Circulation Study as a shared vision of the corridor area and its deficiencies and needs;
- Establish a shared commitment to managing and improving the corridor to preserve safety and mobility (the objectives) in a manner that is consistent with the Nashville Road/Campbell Lane Circulation Study; and
- Provide a framework for multi-jurisdictional coordination and cooperation in development review and access permitting decisions that impact the corridor.

IV. Need: The policies, programmatic procedures, and funding actions required to implement the recommendations of the Nashville Road/Campbell Lane Circulation Study and in carrying out development reviews and related access permitting actions for the corridors within the study area transcend the resources, authority, and jurisdiction of any single agency or unit of government. Therefore, coordination and cooperation are necessary between governmental entities to accomplish corridor management objectives. Since such coordination has occurred previously on only an informal and ad hoc basis, a mechanism is needed to formalize cooperation.

V. Roles/Responsibilities: The general roles and responsibilities of the parties with respect to this MOU are outlined below. Other than the partnerships created for managing access within the Nashville Road/Campbell Lane Corridors, it is not intended that this MOU create any responsibility or duty of care that did not previously exist or alter any existing responsibility or duty of care.

KYTC

- Issuance of access permits or denial of access permits requests.
- Funding allocation and project management for implementation of State-responsible improvement projects.
- Coordination and cooperation with City-County planning agency in review of development proposals, including location and design of access.

City

- Actions related to zoning and development proposals within its jurisdiction through the City-County Planning Commission of Warren County.
- Coordination and cooperation with KYTC during the review of such proposals through the City-County Planning Commission of Warren County.
- Initiation of efforts to improve access spacing and/or design in conjunction with rezoning or redevelopment of existing properties.
- Funding allocation and project management for implementation of City responsible improvement projects.

MPO

- Development of Project Identification Forms for improvements and modifications recommended by the Nashville Road/Campbell Lane Circulation Study and incorporation of such projects into the MPO's Long Range Transportation Plan.
- Prioritization of such projects in relation to other identified projects within the metropolitan area.
- Incorporation of such projects utilizing federal highway funds into the MPO's Transportation Improvement Program.
- Periodic review and reassessment of the findings and recommendations of the Nashville Road/Campbell Lane Circulation Study and revision as necessary through the MPO Long Range Planning Process.

VI. Understandings: The following matters are understood and agreed upon by the parties to this MOU:

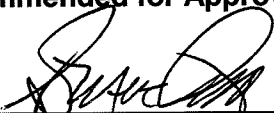
- US 31W (Nashville Road) and US 231 (Campbell Lane) are vitally important highways to Warren County and the surrounding region. The primary functional purpose of these highways is to carry large volumes of traffic with minimal delays. Both highways must also provide access to significant and extensive development including businesses, industries, educational facilities, public buildings, and residences and farms. However, to the extent feasible, this access should be provided in a manner that does not detract from the primary function of the highway or create safety problems.
- Continued growth within the area and region is leading to increasing travel demand on these corridors that, if unmanaged, could negatively affect mobility and safety for users of the highways.
- The report from the Nashville Road/Campbell Lane Circulation Study, attached hereto and incorporated by reference herein, is approved and accepted as a "Nashville Road/Campbell Lane Access Management Plan" for addressing traffic operational and safety issues related to highway access within the corridor.

- Diligent efforts, consistent with available resources and current priorities, will be made by all parties to implement the strategies, programs, and projects recommended in the Plan.
- Consideration of requests for new or realigned access points along the corridors will be coordinated between KYTC and the local governmental agency having jurisdiction. KYTC will not issue an access permit until development plans have been approved.
- Consideration of requests for signalization along the corridors will be coordinated between KYTC and the local governmental agency having jurisdiction. In providing adequate signal spacing along the corridor, KYTC will be the responsible party for approval of a new signal or removal of an existing signal based upon the signal warrants of the Manual of Uniform Traffic Control Devices (MUTCD) and Plan recommendations related to signal spacing and location.
- Development approval and access permitting decisions will be made in a manner that is consistent with and supportive of the Plan - unless it is agreed upon by all parties that a departure from the Plan is in the best interest of the corridor.
- As opportunities arise - through rezoning, redevelopment, change in use of existing properties, or highway construction - all feasible efforts will be made to improve access spacing and design in a manner that is consistent with the Plan.
- The access management standards contained in the Bowling Green Traffic Management Manual, supplemented as necessary by the standards proposed by the Kentucky Access Management Implementation Task Force, are to be applied when considering requests for new access, access modification, or redevelopment within the study area.

VII. MOU/Plan Amendment: More detailed plans that may be developed during the design of improvement projects will be incorporated into the Nashville Road/Campbell Lane Access Management Plan. Revisions to the Plan may also result from periodic review and reassessment by the MPO. Amendments to the Plan or MOU may be requested by any party to the MOU and must be adopted by all parties.

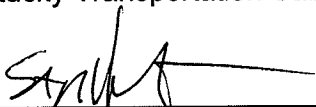
VIII. Signatures:

Recommended for Approval By:



 Greg Meredith, Chief District Engineer
 Kentucky Transportation Cabinet, District 3

Date 8-15-08



 Steve Hunter, Executive Director
 City-County Planning Commission

Date 8/14/08

Approved By:




Gilbert Newman, State Highway Engineer
Kentucky Transportation Cabinet

Date 8/19/2008



Elaine Walker, Mayor
City of Bowling Green

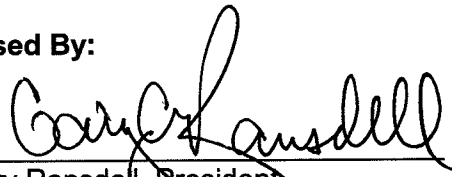
Date 12/10/08



Rodney Kirtley, Executive Director
Bowling Green – Warren County
Metropolitan Planning Organization

Date 12-12-08

Endorsed By:



Dr. Gary Ransdell, President
Western Kentucky University

Date 1/7/09