

**MEMORANDUM OF AGREEMENT FOR THE MAINTENANCE OF
LAPHAM STREET EAST OF STATE TRUNK HIGHWAY 100
IN WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN**

The City of West Allis and Walmart Corporation desire to set forth their mutual agreements with respect to the future maintenance of the east leg of the intersection of State Trunk Highway (STH) 100 and Lapham Street in the City of West Allis.

The City of West Allis and the Walmart Corporation are concerned about the safe movement of traffic on STH 100 and Lapham Street. The City and State of Wisconsin have cooperatively worked to address traffic safety and the State of Wisconsin is proposing a Traffic Mitigation Project at this location. This project includes the addition of left turn access onto STH 100 from the east and the addition of traffic signals.

In order to proceed with the Traffic Mitigation Project, the State of Wisconsin is requiring that the roadway east of State Trunk Highway (STH) 100 be a City owned right of way and be maintained by the City or the City provide the State with written proof of a maintenance agreement with another party.

TERMS AND CONDITIONS:

1. Walmart Corporation will transfer the ownership of the underlying property of the east leg of Lapham Street to the City of West Allis under a separate document.
2. The City of West Allis shall at its own cost and expense:
 - (a) Apply to the State of Wisconsin Department of Transportation for a Permit for a Public Road Access for the east leg of Lapham Street.
 - (b) Sign a **TRAFFIC CONTROL SIGNAL OPERATION AND MAINTENANCE AGREEMENT** with the State of Wisconsin to allow the State to install and maintain the traffic signals.
 - (c) Maintain all crosswalk markings.
 - (d) Maintain Lapham Street west of the State Trunk Highway (STH) 100.
3. Walmart Corporation shall at its own cost and expense:
 - a) Maintain all portions of the Lapham Street that lie within the City of West Allis jurisdiction east of State Trunk Highway (STH) 100, in a manner satisfactory to the State and shall make ample provision for such maintenance each year. This includes pavement maintenance, winter maintenance and roadside maintenance.
 - b) Maintain sidewalks and landscaping features along the project.
 - c) Maintain the lighting systems, to include energy.
 - d) Operate and maintain the storm sewer system.

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- A copy of this Memorandum of Agreement will be kept on file with the City of West Allis, Milwaukee County, and the Walmart Corporation. A copy will also be provided to the State of Wisconsin Department of Transportation.

City of West Allis

Walmart Corporation