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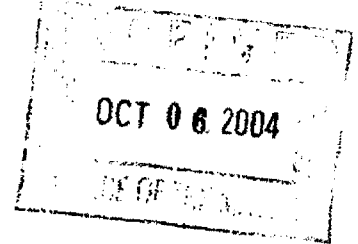
Department of Transportation **CITY ENGINEER'S OFFICE**
State of Georgia

Thomaston District Office

October 4, 2004

Honorable Jack Ellis
City of Macon
P. O. Box 247
Macon, GA 31202

FOREST HILL RD.



Re: Approved State Highway System Revisions in Bibb County and the City of Macon; State Routes 1125, 1125TA, 1125TB, and 1125TC; (Forest Hill Road Improvement, Projects STP-3213(1) and STP-3213(3), P.I. 350520 and P.I. 351130; Order of the Commissioner 3386 and Contract for Maintenance of Highways 3386M

Dear Mayor Ellis:

Effective August 28, 2004, State Highway System revisions were approved in Bibb County as described in the attached Order to Commissioner 3386. This order approved the necessary State Highway System revisions associated with the improvement and reconstruction of a section of Forest Hill Road (Bibb County Road 723). In addition, these projects will include the realignment of the junctions of Old Lundy Road, North Minister Drive and Charter Boulevard (Macon City Streets 965, 993, and 1604).

This is to advise that 1125, 1125TA, 1125TB, and 1125TC will become state routes. Until constructed, all utility permits should be forwarded to this office for concurrence. By copy of this letter, Brink Stokes, Area Engineer in Macon, is requested to monitor these routes for utility installations.

Should you have any questions, please call Kerry Gore at 706-646-6552.

Yours very truly,

Thomas B. Howell, P.E.
District Engineer

Kerry Gore

By: Kerry Gore
District Utilities Engineer

KG:pls

attachment

cc: Jeff Baker, P.E., State Utilities Engineer
Brink Stokes, Area Engineer (attn: Jack Bowers, Permit Engineer)

LOCAL STATE ROUTE ACCEPTANCE RESOLUTION

GEORGIA, Bibb County and the City of Macon.

WHEREAS, the Commissioners of Bibb County (hereinafter called the County) and the City of Macon (hereinafter called the City) are being notified that the Georgia Department of Transportation (hereinafter called the Department) intends to reconstruct a section of Forest Hill Road (Bibb County Road 723) and realign the junctions of Old Lundy Road, Wimbish Road and Charter Boulevard (Macon City Streets 965, 993 and 1604) in said County and City as described in Order of the Commissioner 3386 and as shown on the sketch maps attached thereto; and

WHEREAS, the County and City will accept for ownership, maintenance, utility accommodation, and as part of their respective local road systems State Routes 1125, 1125TA, 1125TB and 1125TC when removed from the State Highway System, upon completion of the work required by the Department above; and

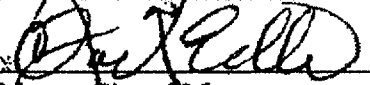
WHEREAS, upon completion of the road improvements described in said Order, the State Routes 1125, 1125TA, 1125TB and 1125TC shall be immediately returned to the County and City, and the County and City shall by operation of law have jurisdictional as well as maintenance and operational authority over said State Routes 1125, 1125TA, 1125TB and 1125TC; and

WHEREAS, the advancement of this project to construction is contingent upon the execution of this Resolution.

NOW, THEREFORE, IT IS RESOLVED that the County and City will execute this Resolution and that a signed copy of this Resolution be furnished to the Department.

This _____ day of _____, 2004.

Chairman, Bibb County
Board of Commissioners


Mayor, City of Macon

Attest: _____
Clerk, Bibb County

Attest: 
Clerk, City of Macon

FOR THE CITY OF MACON TO RETAIN FOR THEIR FILES

32-4-21. Designation of roads as part of state highway system.

Whenever the board, or the commissioner when the board is not in session, deems it necessary and in the public interest to have a new or existing public road designated as part of the state highway system, whether as additional mileage or as part of a substitution or relocation, the board, by resolution, or the commissioner, by written notice to the board, may designate such road to be a part of the state highway system. If the road proposed to be designated is a part of either a county road system or a municipal street system, the department shall give written notice to the county or municipality of the effective date that such road shall become part of the state highway system. Any change on the state highway system by designation shall be recorded on the official map and in the written records of the state highway system, as provided for in subsections (a) and (b) of Code Section 32-4-2. (Laws 1818, Cobb's 1851 Digest, p. 947; Code 1863, §§ 579, 580; Code 1868, §§ 643, 644; Code 1873, §§ 604, 605; Code 1882, §§ 604, 605; Civil Code 1895, §§ 520, 521; Civil Code 1910, §§ 640, 641; Code 1933, §§ 95-201, 95-202; Code 1933, § 95A-202, enacted by Ga. L. 1973, p. 947, § 1.)

Editor's notes. — Ga. L. 2001, p. 1215, § 2, not codified by the General Assembly, provides that: "No state agency shall name or rename any state road, bridge, interchange, or any part of a road in honor of, or with the name of, any person unless such action is approved by a joint resolution or

Act of the General Assembly which is approved by the Governor or becomes law without such approval. This Code section shall not apply to a political subdivision of the state naming any road which is under the jurisdiction of such political subdivision."

JUDICIAL DECISIONS

Removal of road from official map. — Where the Department of Transportation removed a road from the official map for the state highway system and placed it on the official map for the county road system and the county adopted a resolution accepting the road, the evidence established that the department had no obligation to maintain the road. *Georgia DOT v. Smith*, 210 Ga. App. 741, 437 S.E.2d 811 (1993).

Liability for maintenance of road where written notice not given. — State department of transportation was responsible for maintaining a bypass on a road because the department had taken over maintenance of the road even though it had not yet given the statutory written notice of the road becoming a part of the state highway system. *DOT v. Carr*, 254 Ga. App. 781, 564 S.E.2d 14 (2002).

32-4-22. Creation of Developmental Highway System.

(a) There is created as a part of the state highway system a system of public roads to be known as the Developmental Highway System which shall consist of the following road corridors (not in order of priority):

- (1) Appalachian;
- (2) The South Georgia Parkway;