

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, entered into this 3 day of June, A.D., 1985, between Nassau County, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as the "County", and the town of Hilliard, hereinafter referred to as the "City", for the purpose of providing for the division and distribution of the proceeds of the local option gas tax imposed by the County pursuant to Chapter 336.025, Laws of Florida.

W I T N E S S E T H:

WHEREAS, Chapter 336.025, Laws of Florida, as reposes on the County the authority to levy, in addition to other taxes allowed by law, a local option gas tax upon every gallon of motor fuel and special fuel sold in the County and taxed under the provisions of Chapter 206, Florida Statutes; and,

WHEREAS, pursuant to said enactment, the County, in anticipation of the levy of the local option gas tax, may establish by interlocal agreement with one or more of the municipalities located in Nassau County representing a majority of the incorporated area population within the County, a distribution formula for dividing the proceeds of the local option gas tax among the County government and all eligible municipalities within Nassau County; and,

WHEREAS, The County entered into negotiations with all of the municipalities located within Nassau County, Florida eligible to receive a portion of the local option gas tax; and,

WHEREAS, the County intends to enter into an interlocal agreement with each municipality as well as the municipality that represents a majority of the incorporated area population within Nassau County; and,

WHEREAS, the City, which is a party to this agreement, is a municipality located within Nassau County, Florida, and is

eligible to receive a portion of the local option gas tax, and desires to jointly establish with the County a distribution formula pursuant to Section 336.025(3)(a)(1), Florida Statutes.

WHEREAS, in consideration of the growth within the county and the city and the need for road improvements, the city and the county acknowledge the necessity for a gas tax.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and pursuant to Section 163.01, et seq., Florida Statutes, the "Florida Interlocal Cooperation Act of 1969", the parties hereto agree as follows:

1. Upon its levy by the County, the local option gas tax shall be divided among, and distributed to the County and the eligible municipalities within the County as follows:

<u>RECIPIENT</u>	<u>SHARE OF PROCEEDS</u>
Nassau County	50%
City of Fernandina Beach	30%
City of Hilliard	11%
City of Callahan	9%

2. This agreement is to take effect on September 1, 1985 and terminate on August 31, 1990.

3. If, during the term of this agreement, any party hereto become ineligible to receive a share of the local option gas tax for any reason, any funds otherwise undistributed because of ineligibility shall be distributed to eligible governments within Nassau County in proportion to other monies distributed pursuant to paragraph 1 herein.

4. The County and the City advocate a four-cent (\$.04) per gallon levy and this agreement is expressly contingent upon the County adopting the ordinance prior to July 1, 1985, which levies a tax of four-cent (\$.04) per gallon upon every gallon of motor fuel and special fuel sold in the County, such tax to be effective on September 1, 1985.

5. By execution of this agreement, neither the County nor the City will be deemed to have waived any rights or remedies they may have available under the laws of the State of Florida.

6. This agreement may be executed in counterparts and each fully executed counterpart shall be deemed an original instrument.

7. Upon adoption of an ordinance levying the local option gas tax by the County, the County shall provide the State of Florida Department of Revenue the distribution proportions established by this agreement prior to September 1, 1985.

8. A copy of this agreement and all subsequent amendments hereto shall be filed by the County with the Clerk of the Circuit Court of Nassau County, Florida, upon its execution by all parties hereto.

9. This agreement may be amended only in writing approved by all parties executing this agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed by their duly authorized officials on the day and year first above-written.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

By: John F. Claxton
JOHN F. CLAXTON, CHAIRMAN

ATTEST:

By: T.J. Greeson
T.J. GREESON, CLERK

TOWN OF HILLIARD

By: Wiley Webb
WILEY WEBB, PRESIDENT
TOWN COUNCIL

ATTEST:

By: Betty Wingate
TOWN CLERK