

M E M O R A N D U M   O F   A G R E E M E N T

THIS AGREEMENT, made and entered into this 14th day of May 1990, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, a Component Agency of the State of Florida, hereinafter called the "Department" and the BOARD OF COUNTY COMMISSIONERS, NASSAU COUNTY, FLORIDA, hereinafter called "Commission."

1. The Commission desires to plant elaeagnus, cabbage palms, pampas grass and dwarf oleanders on the north and south sides of the approaches to the Thomas J. Shave Bridge located over the Intracoastal Waterway on Amelia Island, Nassau County, Florida. Attached Map A is a general location map showing intended planting area. Exhibit A is a landscape drawing showing design and species list. Currently this area is grass and no clearing is required to plant per attached plan.

2. The COMMISSION covenants and agrees that it will indemnify and hold harmless DEPARTMENT and all of DEPARTMENT'S officers, agents, and employees from any claim, loss, damage, cost, charge or expense arising out of any act, action, neglect or omission by the COMMISSION during the performance of the contract, whether direct or indirect, and whether to any person or property to which DEPARTMENT or said parties may be subject, except that neither the COMMISSION nor any of its sub-contractors will be liable under this section for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of DEPARTMENT or any of its officers, agents or employees.

3. The FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT II SECRETARY shall decide all questions, difficulties and disputes of any nature whatsoever relating to the maintenance of said area that may arise under or by reason of this AGREEMENT, the prosecution or fulfillment of the services hereunder and the character, quality, amount and value thereof; and his final decision upon all such claims, questions and disputes relating to maintenance shall be final and conclusive upon the parties hereto. Claims of third parties shall not be subject to this paragraph.

4. The COMMISSION agrees to notify the local Maintenance Engineer twenty-four, (24), hours in advance of starting construction.

5. The COMMISSION hereby understands that this Agreement will be submitted to the DEPARTMENT yearly for their approval.

6. This Agreement is non-transferable and non-assignable in whole or in part.

WITNESSES

\_\_\_\_\_  
\_\_\_\_\_

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_

F.J. Fearnside, III,  
District Maintenance Engineer

ATTEST: \_\_\_\_\_

By Recommendation:

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

NASSAU COUNTY  
BEAUTIFICATION BOARD

By: James B. Higgenbotham  
James B. Higgenbotham  
Its: Co-Chairman

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

WITNESSES:

James B. Higgenbotham  
Robert K. Kuntz

BOARD OF COUNTY COMMISSIONERS,  
NASSAU COUNTY, FLORIDA

By: Jimmy L. Higgenbotham  
Jimmy L. Higgenbotham

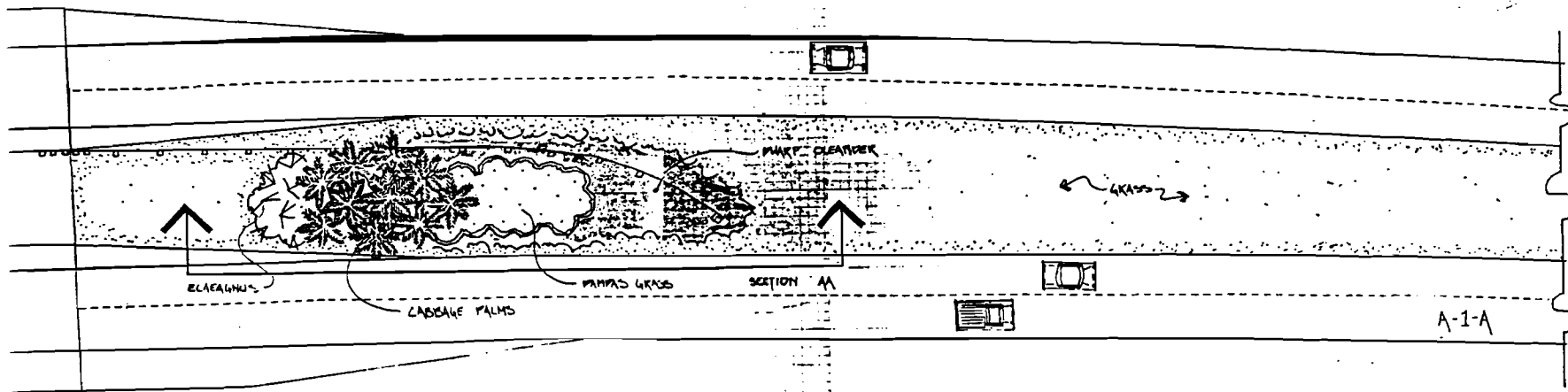
Its: Chairman

Attest: [Signature]

Date: 5-14-90



1250  
- 1250  
- 1250



- PLANT LIST**
- 20 Cabbage Palm (14-22", none)
  - 20 Elaeagnus (3 gal)
  - 100 Pampas Grass (3 gal)
  - 160 Dwarf Oleander (3 gal)

**NOTES:**

- 1. PLANT LOCATION IS APPROXIMATE ACTUAL PLACEMENT TO BE MADE IN FIELD
- 2. IRRIGATION IS OPTIONAL DUE TO DROUGHT TOLERANT PLANTS
- 3. LIGHTING - IRRIGATION TO BE DISCUSSED
- 4. MIRROR IMAGE OF PLANTING ON NORTH SIDE OF DRIVE BRIDGE

AMELIA ISLAND / FERNANDINA BEACH  
ENTRY WAY BEAUTIFICATION  
SHAVE BRIDGE  
SCALE: 1" = 20'-0"  
JULY 1989  
H.B. WILLIAMS FL CA #124

