

HOLD HARMLESS  
MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this 13<sup>th</sup> day of May, 1991, by and between the BOARD OF COUNTY COMMISSIONERS, NASSAU COUNTY, FLORIDA, hereinafter called "Commission", and THE AMELIA ISLAND PLANTATION LADIES ASSOCIATION, THE MAGNOLIA GARDEN CLUB, and MARTEX SPRINKLERS and LANDSCAPING, INC.

1. The Commission entered into a Memorandum of Agreement, dated April 3, 1991, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, a Component Agency of the State of Florida, and itself. Said Agreement is attached hereto as Exhibit "A".

2. The above named entities and their members, if any, will be doing planting on a volunteer basis.

3. The Commission covenants and agrees that it will indemnify and hold harmless THE AMELIA ISLAND PLANTATION LADIES ASSOCIATION, THE MAGNOLIA GARDEN CLUB, and MARTEX SPRINKLERS and LANDSCAPING, INC., and all of their officers, agents, and employees from any claim, loss, damage, cost, charge or expense arising out of any act, action, neglect or omission by THE AMELIA ISLAND PLANTATION LADIES ASSOCIATION, THE MAGNOLIA GARDEN CLUB, and MARTEX SPRINKLERS and LANDSCAPING, INC., during the planting

or caused by the planting as set forth in the attached Exhibit "A".

SIGNED, SEALED, and DELIVERED  
in the PRESENCE of:

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

Jim B. Higginbotham  
JIM B. HIGGINBOTHAM  
Its: Chairman

ATTEST: T. J. Greeson  
T. J. GREESON  
Its: Ex-Officio Clerk

THE AMELIA ISLAND PLANTATION  
LADIES ASSOCIATION

Elaine B. Wheeler  
Ann R. Meyer

Judy Y. Maguire  
Its: Treas.

THE MAGNOLIA GARDEN CLUB

Ann R. Meyer

Patricia B. Lee  
Its: Beautification Projects Chairman

MARTEX SPRINKLERS and  
LANDSCAPING, INC.

Elaine B. Wheeler  
Ann R. Meyer

SW Crawford  
Its: V.P.

10(z)

EXHIBIT "A"

MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this 3 day of April, 1991, 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 agrees that if permits are required for this project, the Commission will be responsible for obtaining said permits.

3. 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.

4. 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.

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

6. The COMMISSION hereby understands that this Agreement will be submitted to the DEPARTMENT yearly for their approval. Additionally, the COMMISSION is responsible for acquiring any and all permits as required by law for beautification projects.

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

WITNESSES

  
\_\_\_\_\_  
Donald Ellwood


WITNESSES:


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

WITNESSES:

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

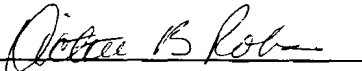
STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

By:   
F.J. Fearnside, III,  
District Maintenance Engineer

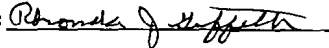
ATTEST: 

By Recommendation:

NASSAU COUNTY  
BEAUTIFICATION BOARD

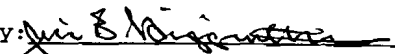
By: 

Victoria B. Robas  
Its: Chairman

Attest: 

Date: 2/14/91

BOARD OF COUNTY COMMISSIONERS,  
NASSAU COUNTY, FLORIDA

By: 

James B. Higginbotham

Its: Chairman

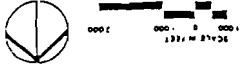
Attest: 

Date: 2-18-91

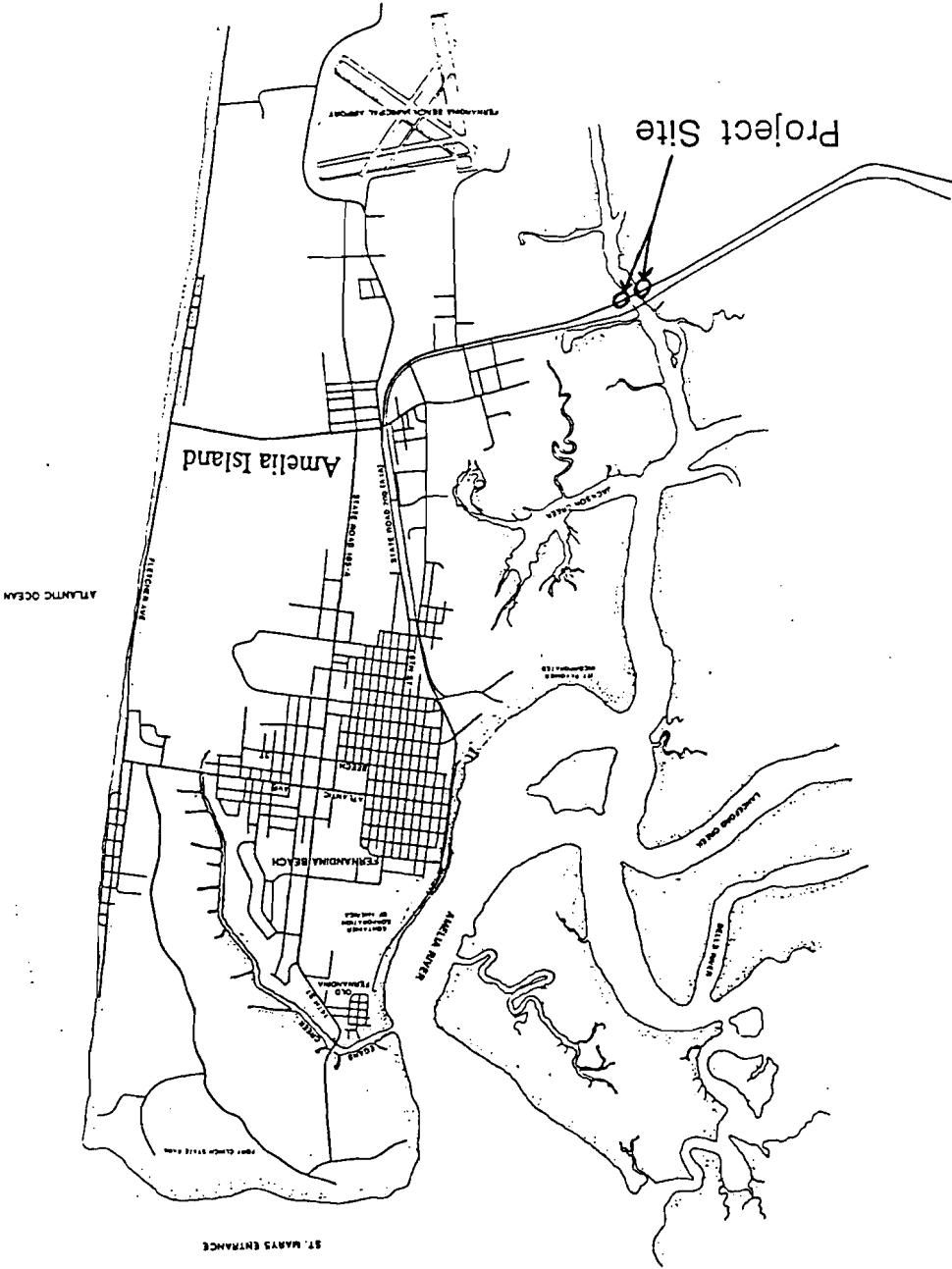
Florida

Nassau County

Map A



GENERAL LOCATION MAP

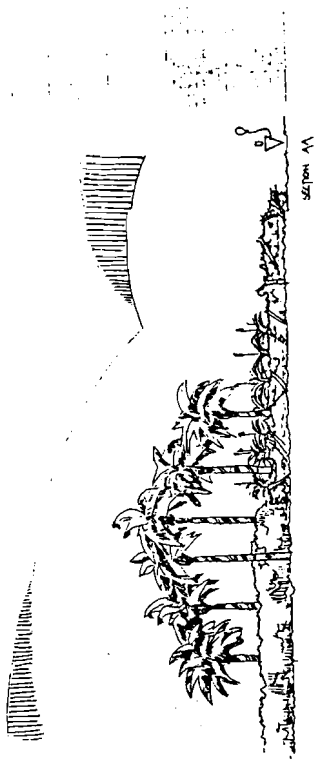
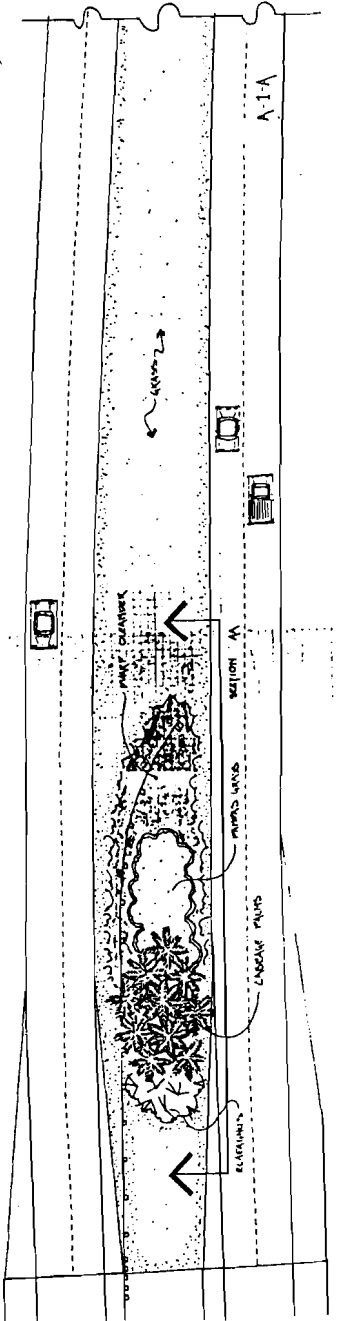




AMELIA ISLAND / FERNANDA BEACH  
CITY WAY BEAUTIFICATION  
SHORE BRIDGE  
SCALE: 1" = 20'-0"  
JULY 1993  
115 WILLIAMS PL. LA 7126

NOTES:  
1. PLANT LOCATION IS APPROXIMATE  
2. PLANT PLACEMENT TO BE  
CONFIRMED BY FIELD SURVEY  
3. PLANTING IS OPTIONAL AND TO  
BE DONE AT THE DISCRETION OF THE  
CLIENT  
4. PLANTING MATERIALS TO BE  
OBTAINED BY THE CLIENT  
5. PLANTING TO BE DONE BY THE  
CLIENT

PLANT LIST  
20 Coastal Palms (12-17' - 20' tall)  
20 Dwarf Palms (15' - 18' tall)  
100 Dwarf Palms (15' - 18' tall)  
100 Dwarf Palms (15' - 18' tall)



DISTRICT TWO  
MEMORANDUM

DATE: 1/5/90

TO: Carol Worth, Assistant Maintenance Engineer

FROM: Tom Dyal, District Permit Coordinator *TD*

COPIES TO: FILE

SUBJECT: Nassua County - Beautification Board

CONSULTANT: Victoria Robas - 261-0753

PROJECT/WPI NO: N/A

SECTION: 74060 S.R. A1A M.P. STA:

*Plant  
wildflowers  
ridges*

COMMENTS: PROPOSAL OK AT: (A1A AT US-17, YULEE AND  
A1A AT SADLER ROAD.) THE ONE AT SHAVE  
BRIDGE NEEDS TRAFFIC OPS TO LOOK AT,  
IS PROPOSAL ACCEPTABLE IF GUARDRAIL IS  
INSTALLED.



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TRANSMITTAL MEMORANDUM

MAIL STATION
DISTRICT

TO: CAROL WORTH

FROM: BIJAN BEHZADI

Date: 1-25-90

SEE ME

HANDLE

REPLY

APPROVE

SUBJECT: NAUSSAU COUNTY - BEAUTIFICATION BOARD  
SECTION 74060 S.R. A1A

THE PROPOSED FURRO RAIL SHOULD MEET THE DESIGN  
CRITERIA STATED IN STANDARD INDEX 401 WITH THE  
APPROPRIATE TRANSITION.

INTERSECTION SIGN DISTANCES SHOULD BE PROVIDED AT  
ALL NEARBY INTERSECTIONS.



DISTRICT PERMITS  
MEMORANDUM

Date 1 2:90

To Brent Hargrove (General Counsel)

From David Ellwood, Permit Technician

Copies To File

Subject PERMITTEE: Nassau County - Beautification Board

CONSULTANT: Victoria Robas (904)-261-0753

PROJECT/WPI NO.: N/A

SECTION: 74060 S.R.: 200 M.P.: STA.:

PERMIT NO.:

Attn: wording modified in agreement (2nd. REVIEW)

The attached proposed project is submitted for your review  
and comments.

DATE: 1/10-90

REVIEWED BY: Kim O'Connor

RECOMMENDATIONS: Len Higgin bottom set for the Board with that

a resolution for, is he acting under a resolution. Could

you include language that the Board is responsible for reviewing

and all permits required by law, and those that

check off the existing environmental

any clearing and planting, or just planting? Where Higgin bottom

signed, would have been inserted to - character

his name in the blank on the agreement with "ITS: "

DATE DUE

1/10/90

JAN 09 1990

JAN 9 1990

GENERAL COUNSEL

CONTRACT # 218