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11-14-00

Florida Department of Transportation

JEB BUSH
GOVERNOR

Post Office Box 1089
Mail Station 2014
Lake City, Florida 32056-1089

THOMAS F. BARRY, JR.
SECRETARY

November 13, 2000

The Honorable J. M. "Chip" Oxley, Jr.
Nassau County Clerk
Post Office Box 1010
Fernandina Beach, Florida 32035-1010

**Subject: Financial Project ID: 212633-1-52-01
Federal Project ID: 3061 002 U
Maintenance Agreement
Sidewalk Construction on County Road 105A from Fletcher Avenue
to Amelia Island Parkway**

Dear Mr. Oxley:

Enclosed for your files is a fully executed copy of the **Maintenance Agreement** for the construction of sidewalk on County Road 105A from Fletcher Avenue to Amelia Island Parkway in Nassau County Florida.

Thank you for your assistance in securing approval and execution of this agreement. Should you have questions or need additional information I can be reached at 1-800-749-2967, Extension 3683.

Sincerely,

Joye H. Brown
Assistant District Planning Manager

JHB:jb

Enclosure

CC: Mr. Bill Taylor, Nassau County Public Works
Mr. Joe Jordan, District Right of Way Manager
Mr. Fred Wright, Consultant Design Engineer
Ms. Leena Patil, District Work Program Administrator
Ms. Barbara Cloud, Federal Aid Coordinator
Mr. Mike Green, Production Management

MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this 9th day of November 2000, by and between the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, hereinafter called the "DEPARTMENT" and the NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS, hereinafter called the "AGENCY".

WITNESSETH

WHEREAS, the DEPARTMENT is preparing to undertake a project which is known as the construction of a sidewalk on County Road 105A from Fletcher Avenue to Amelia Island Parkway in Nassau County, Florida, Financial Project ID 212633-1-52-01, which will be of benefit to the AGENCY; and

WHEREAS, the project requires agreement by the AGENCY to maintain the project.

NOW, THEREFORE, in consideration of the premises, the parties agree:


1. The DEPARTMENT will undertake the project and obtain federal approval for participation.
2. Upon completion and acceptance the AGENCY will assume responsibility for maintenance of the sidewalk on County Road 105A in Nassau County.
3. To the extent permitted by law, the AGENCY shall indemnify, defend, save and hold harmless the DEPARTMENT and all its officers, agents, or employees from all suits, actions, claims, demands, liability of any nature whatsoever arising out of, because, or due to breach of this agreement by the AGENCY, its subcontractor, agents or employees, or due to any negligent act, or occurrence of omission of commission of the AGENCY, its subcontractors, agents or employees. Neither the AGENCY nor any of its agents will be liable under this section for damages arising out of injury or damages to persons or property directly caused or resulting from the sole negligence of the DEPARTMENT or any of its officers, agents, or employees. The parties agree that this clause shall not waive the provisions of Section 768.28, F. S. or any similar provision of law.

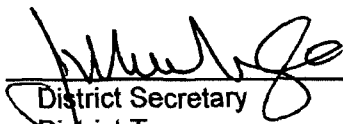
Financial Project ID: 212633-1-52-01
Federal Project ID: 3061 002 U
AGREEMENT DATE: 11-9-2000

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals on the day and year first above written.

NASSAU COUNTY
BOARD OF COUNTY COMMISSIONERS


STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

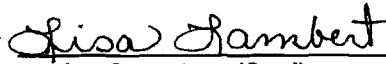
BY: 
Nick D. Deonas
TITLE: Chairman

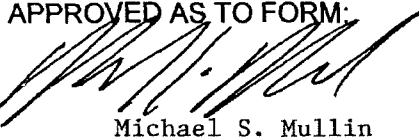
BY: 
District Secretary
District Two

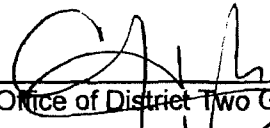
DATE: October 23, 2000

DATE: Nov. 9, 2000

ATTEST: 
J. M. "Chip" Oxler (Seal)
TITLE: Ex-Officio Clerk

ATTEST: 
Executive Secretary (Seal)

APPROVED AS TO FORM:

Michael S. Mullin
AGENCY Attorney
DATE: 10/26/00

APPROVED AS TO FORM AND LEGALITY:

Office of District Two General Counsel
DATE: 11/06/00

FLORIDA

LANTON CRILES
GOVERNOR



DEPARTMENT OF TRANSPORTATION

THOMAS F. BARRY, JR.
SECRETARY

MEMORANDUM

DATE: July 21, 1998

TO : Thomas F. Barry, Jr., Secretary

FROM:  Huey R. Hawkins, District Secretary

COPIES:

SUBJECT: Delegation of Authority

Anytime during my absence from the District, I hereby delegate authority to sign correspondence, and execute documents that require my signature to James W. MacLaughlin, Director of Operations, or in his absence Dave Byrd, Director of Production, or in his absence Jean Jones, Director of Administration, or in her absence Aage Schroder, Director of Planning. This authority is effective immediately and will stay in effect until modified or rescinded by me.

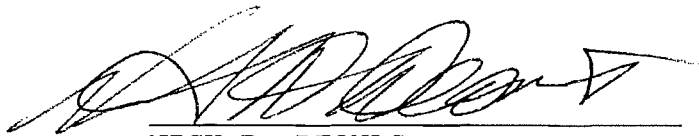
RESOLUTION 2000 - 169

A RESOLUTION AUTHORIZING THE EXECUTION OF THE MAINTENANCE AGREEMENT FOR THE PROJECT KNOWN AS COUNTY ROAD 105A FROM FLETCHER AVENUE TO THE AMELIA ISLAND PARKWAY.

WHEREAS, the Florida Department of Transportation desires the execution of a Maintenance Agreement for the Project known as "Sidewalk Construction - County Road 105A from Fletcher Avenue to the Amelia Island Parkway.

NOW, THEREFORE, BE IT RESOLVED this 23rd day of October, 2000, by the Board of County Commissioners of Nassau County, Florida, that the Chairman of the Board of County Commissioners is hereby authorized to execute the Maintenance Agreement between the Board of County Commissioners and the Florida Department of Transportation for the Project known as "Sidewalk Construction - County Road 105A from Fletcher Avenue to the Amelia Island Parkway.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



NICK D. DEONAS
Its: Chairman

A CERTIFIED TRUE COPY

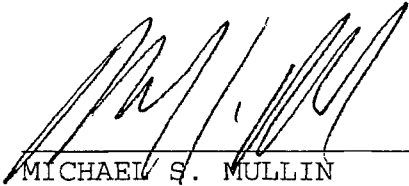
J. M. O'Leary, Jr.
EX-OFFICIO Clerk to the Board of County Comm.
Nassau County, Florida
Jeanne K. Blanchard
Deputy Clerk

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney


MICHAEL S. MULLIN

h/anne/res/dot-maintenance-agmt-res