

A G R E E M E N T

THIS AGREEMENT entered into this 28th day of June, 2004, by and between the BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as the "County", and the ALLIED VETERANS OF THE WORLD, INC: & AFFILIATES POST NO. 5, INC., a Florida not-for-profit corporation, hereinafter referred to as "Allied".

WHEREAS, Allied is constructing a building in NASSAU, CO. Hilliard, for which \$4,461.25 is due for impact fees; and

WHEREAS, Allied has requested of the County that it waive said impact fees; and

WHEREAS, currently the Impact Fee Ordinance does not contain a provision to waive said fees; and

WHEREAS, the County desires to amend the Impact Fee Ordinance to provide said a provision.

NOW, FOR and IN CONSIDERATION of ten and no/100 dollars (\$10.00), and other mutually agreed consideration, the parties agree as follows:

1. Allied hereby certifies that it is a 501(c)(3) non profit organization pursuant to the Internal Revenue Code, as amended.

2. Allied is preparing to construct a building for which \$4,461.25 in impact fees will be due.

3. Allied has requested that the County waive said impact fees.

4. The Impact Fee Ordinance does not contain a provision for waiving said fees.

5. The County has a public hearing scheduled for July 12, 2004, at 7:00 p.m. to consider an amendment to the Impact Fee Ordinance providing a process for waiving impact fees for non-profit veterans organizations pursuant to the Internal Revenue Code Section 501(c)(3), as amended, as well as for the Boys and Girls Club.

6. Pursuant to the County's action at its meeting on June 9, 2004, Allied will not be required to pay the required impact fee at this time in order to acquire a building permit for its building.

7. Allied hereby acknowledges that, should the amendment to the Impact Fee Ordinance to waive said fees not be approved by the Board of County Commissioners, Allied will pay the required impact fee amount within ten (10) days of the date of the non-approval by the County.

8. Should Allied not provide the requisite funds as provided herein, the Building Official shall place a "Stop Work" order at the construction site.

9. Time is of the essence.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



FLOYD L. VANZANT
Its: Chairman

ATTEST:



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

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

ALLIED VETERANS OF THE WORLD,
INC: & AFFILIATES POST NO. 5,
INC.



WILLIAM R. FOREHAND
Its: POST Commander

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NASSAU COUNTY
BOARD OF COUNTY COMMISSIONERS
 P. O. Box 1010
 Fernandina Beach, Florida 32035-1010

Nick Deonas
 Ansley Acree
 Vickie Samus
 Floyd L. Vanzant
 Marianne Marshall

Dist. No. 1 Fernandina Beach
 Dist. No. 2 Fernandina Beach
 Dist. No. 3 Yulee
 Dist. No. 4 Hilliard
 Dist. No. 5 Callahan

July 6, 2004

J. M. "Chip" OXLEY, JR.
 Ex-Officio Clerk

MICHAEL S. MULLIN
 County Attorney

Mr. William R. Forehand
 Allied Veterans of the World, Inc.
 And Affiliates Post No. 5, Inc.
 54130 U.S. Highway 1
 Hilliard, FL 32046

RE: Agreement between Nassau County and Allied Veterans of the World, Inc.
 And Affiliates Post No. 5, Inc. regarding payment of impact fees

Dear Mr. Forehand:

During the regular session of the Nassau County Board of County Commissioners held June 28, 2004, the Board approved the referenced agreement explaining that should an ordinance regarding an exemption from paying impact fees not pass the Board's approval on July 12, 2004, the Veterans' group would be responsible for payment of impact fees in the amount of \$4,461.25. The original document is enclosed with this letter for your signature.

I have also enclosed a self-addressed envelope for your convenience in returning the document to my office.

If I can be of any service to you in the interim, please let me know.

Sincerely,

J.M. Oxley, Jr. Clerk
by Bradley, J.C.

J.M. "Chip" Oxley, Jr.
 Ex-Officio Clerk

Enclosures

ALLIED VETERANS OF THE WORLD, INC POST 5 PH 904-845-4871 541530 U S HWY 1 HILLIARD, FL 32046		4126 64-584/612 BRANCH 715
Pay to the Order of	<i>NASSAU COUNTY</i>	<i>07-18-04</i> Date
For	<i>TER HOLLAND</i>	<i>\$ 10 00</i> Dollars
SOUTHEASTERN BANK		<i>[Signature]</i>
MICR: ⑆061205844⑆ 150 4100586⑆ 4126		



NASSAU COUNTY
BOARD OF COUNTY COMMISSIONERS
P. O. Box 1010
Fernandina Beach, Florida 32035-1010

Nick Deonas
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Marianne Marshall

Dist. No. 1 Fernandina Beach
Dist. No. 2 Fernandina Beach
Dist. No. 3 Yulee
Dist. No. 4 Hilliard
Dist. No. 5 Callahan

July 19, 2004

J. M. "Chip" OXLEY, JR.
Ex-Officio Clerk

MICHAEL S. MULLIN
County Attorney

Mr. William R. Forehand
Post Commander
Allied Veterans of the World, Inc.
And Affiliates Post No. 5, Inc.
54130 U.S. Highway 1
Hilliard, FL 32046

RE: Agreement between Nassau County and Allied Veterans of the World, Inc.
And Affiliates Post No. 5, Inc. regarding payment of impact fees

Dear Mr. Forehand:

Thank you for returning the signed agreement between Nassau County and your organization regarding the payment of impact fees should a proposed ordinance exempting your organization from the payment of impact fees not pass the Board's approval. I am pleased to advised that the Board of County Commissioners, during a regular session held July 12, 2004, adopted Ordinance 2004-32, an ordinance amending Ordinance 87-17, known as the "Impact Fee Ordinance," as amended, regarding exemptions from impact fees. I have enclosed a certified copy of the ordinance for your records.

I am also returning your check No. 4126 in the amount of \$10, because the fee mentioned in the agreement is standard contract language and will not be collected.

If I can be of any further service to you, please let me know.

Sincerely,

J.M. "Chip" Oxley, Jr.
Ex-Officio Clerk

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Enclosures