

TEMPORARY CONSTRUCTION AGREEMENT

THIS AGREEMENT dated this 9th day of March, 2005, 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 DAVID & SHARON RANDA, whose address is 1620 OCEAN FOREST DRIVE, FERNANDINA BEACH, FL 32034, hereinafter referred to as "Grantor".

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

1. Grantor hereby grants to the County a temporary construction easement to the real property set forth in the attached Exhibit "A".

2. This temporary construction easement shall be in full force and effect for three (3) months from the date of commencement of construction.

3. County shall have the right to extend the temporary construction easement for one (1) additional three (3) month period upon written notification to Grantor. Grantor will be compensated a rate of ten and 31/Dollars (\$10.31) for each day the easement is extended.

4. This Temporary Construction Easement is required in order to correct invert and elevation errors, made by a

Contractor under contract with Nassau County, while installing the storm drainage pipe as part of the County's overall Scott Road Roadway & Drainage Improvements project.

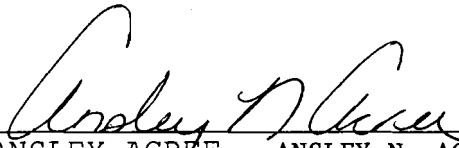
5. The County agrees to maintain staked erosion control protection throughout the duration of the project.

6. Grantor acknowledges receipt of the sum of \$13,393.14 from the County and further acknowledges that Grantor is responsible for the replacement of all affected improvements previously negotiated and accepted by the Board of County Commissioners as set forth in Exhibit "B".

7. Grantor has read this Agreement and understands the provisions set forth herein.

8. Time is of the essence.

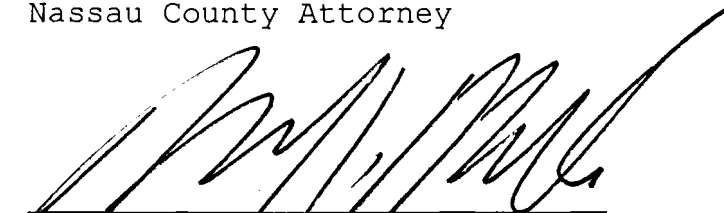
BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


~~ANSLEY ACREE~~ ANSLEY N. ACREE
Its: Chairman

ATTEST:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney




MICHAEL S. MULLIN

"GRANTOR"



DAVID RANDA



SHARON RANDA

h/anne/scott-road/temp-const-easement

EXHIBIT "A"

MANZIE & DRAKE LAND SURVEYING

Michael A. Manzie, P.L.S. • Vernon N. Drake, P.S.M. • Frank L. Bowen, P.S.M.

LEGAL DESCRIPTION DRAINAGE EASEMENT

A PORTION OF LOT 15, "OCEAN FOREST", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 124, OF THE OFFICIAL RECORDS OF NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 15; THENCE NORTH 51°40'19" EAST, ALONG THE NORTH LINE OF SAID LOT 15, A DISTANCE OF 23.97 FEET; THENCE SOUTH 36°59'30" EAST A DISTANCE OF 89.95 FEET TO THE SOUTHERLY LINE OF SAID LOT 15; THENCE SOUTH 51°28'49" WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 15, A DISTANCE OF 21.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 38°19'41" WEST, ALONG THE WESTERLY LINE OF SAID LOT 15, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 2061.76 SQUARE FEET MORE OR LESS.



MICHAEL A. MANZIE, P.L.S.
FLORIDA REGISTRATION NO. 4069
JOB NO. 16023

	<u>Property Owner 1st Request</u>	<u>Property Owner 2nd Request</u>	<u>Negotiating Comm. Counter Offer</u>
David & Sharon Randa - Lot 15 Ocean Forest			
Replacement of Landscaping	\$1,713.40	\$1,731.40	\$1,731.40
Replacement of Rubber Mulch	\$1,313.29	\$1,313.29	\$1,313.29
Replacement of Sod	\$1,248.80	\$1,248.80	\$1,248.80
Electrical Wiring for Outside Yard Lighting	\$1,600.00	\$1,600.00	\$1,600.00
Removal & Replacement of Fencing	\$6,071.86	\$6,071.86	\$6,071.86
Replacement of Wooden Swing/Play Set (incl. labor)	\$1,848.28	\$0.00 *	\$0.00
Sprinkler System Repair	\$500.00	\$500.00	\$500.00
Loss of Use of Yard From Construction in 2002	\$9,000.00	\$2,430.00 **	\$0.00
Loss of Use of Yard-Temporary Construction Easement	\$18,000.00	\$1,215.00 ***	\$927.79
Total	\$41,295.63	\$16,110.35	\$13,393.14
*During negotiations County & Owner agreed that the play set would be relocated during construction. If play set is found to be damaged or if stability is compromised as a result of physically moving the set, the County will replace or repair the set up to the amount of quote \$1565.00.			
**Amount was calculated based on the square footage impacted 2061.76 SF at \$.45/SF (x) 2. The duration of construction in 2002 was 180 days, twice the time of the current TCE requested.			
***Amount was calculated based on the square footage impacted 2061.76 SF at \$.45/SF. The TCE is good for a period of 90 days.			



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

Jim B. Higginbotham
Ansley Acree
Tom Branam
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

JOHN A. CRAWFORD
Ex-Officio Clerk

MICHAEL S. MULLIN
County Attorney

MIKE MAHANEY
County Administrator

March 11, 2005

David and Sharon Randa
1620 Ocean Forest Drive
Fernandina Beach FL 32034

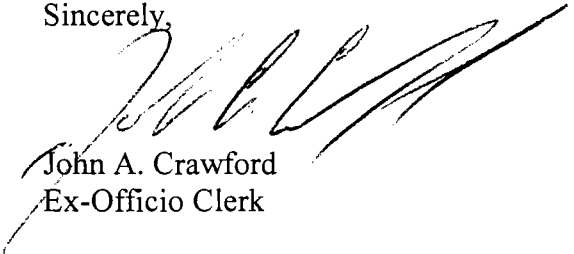
RE: Temporary Construction Agreement

Dear Mr. and Mrs. Randa:

During a regular session of the Nassau County Board of County Commissioners held March 9, 2005, the Board approved the referenced easement in order to make the necessary corrections to the storm drainage pipe. An original executed agreement is enclosed for your records.

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

Sincerely,


John A. Crawford
Ex-Officio Clerk

Enclosure