

108-15

COUNTY MAINTENANCE OF PROJECT CONSTRUCTED
WITH SECONDARY GAS TAX FUNDS
MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this 14th day of May, 1968, by and between the STATE ROAD DEPARTMENT OF FLORIDA, a component agency of the State of Florida, hereinafter called the Department, and the COUNTY OF NASSAU, hereinafter called the County:

WITNESSETH:

WHEREAS, by Florida Statutes, 1965, 335.041, the expenditure of secondary road funds for the construction and reconstruction of roads, highways and municipal connecting links thereof and city streets was authorized; and

WHEREAS, the County has designated Job No. 74560-3151, SR S-121A, SR S-108 approx. 5.75 mi. E. of Hilliard northerly approx. 2.93 mi. for construction (or reconstruction) from gasoline tax funds accruing to the Department for expenditure in the County under the provisions of Florida Statutes, Section 208.44, and Article IX, Section 16, of the Constitution of the State of Florida; and

WHEREAS, said work has been requested by the County to be completed by the Department under the Department's supervision in accordance with the specifications of the Department; and

WHEREAS, the County desires to assume the maintenance of said road, highway, municipal connecting link or city street after its completion and acceptance by the parties to this Agreement, and subsequent to the removal of said road, highway, municipal connecting link or city street from the secondary system by the Department through Board action;

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That in consideration of the premises and the covenants hereinafter set forth to be kept and performed by each of the parties hereto, it is hereby mutually covenanted and agreed as follows:

1. The Department will add Job No. 74560-3151, SR S-121A, SR S-108 approx. 5.75 mi. E. of Hilliard northerly approx. 2.93 mi. to the state secondary road system and construct or reconstruct said project charging all costs of the project to gasoline tax funds accruing to the Department for use in Nassau County under the provisions of Florida Statutes, Section 208.44, and Article IX of the Constitution of the State of Florida and the construction or reconstruction of said project will be in compliance with requirements of the Florida Statutes and Department Regulations relating to expenditure of secondary gasoline tax funds and construction of roads on the state secondary road system.

2. Said work shall be performed under the Department's supervision in accordance with the specifications of the Department.

3. Upon completion and acceptance by the parties to this Agreement of said road, highway, municipal connecting link or city streets, as described in No. 1, it is understood and agreed that the Department will, by Board action, remove said road, highway, municipal connecting link, or city streets, from the secondary system, and the same, including all lighting and traffic control appurtenances, shall be turned over to the County for maintenance purposes, and the Department shall be released from all liability concerning said road, highway, municipal connecting link or city streets. Attached hereto as Exhibit "A" and incorporated herein as a part of this Agreement is a listing of all said appurtenances.

4. The parties further understand and agree that this Agreement shall be effective, valid and binding in all respects whether the right-of-way involved herein has been purchased in the name of the County or State.

5. The County agrees to indemnify, defend, save and hold harmless the Department from any and all claims of any nature whatsoever arising out of or because of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

WITNESSES:

[Signature]
As to the Department
[Signature]
As to the County

STATE ROAD DEPARTMENT OF FLORIDA
BY: [Signature]
ATTEST: [Signature] Secretary
NASSAU COUNTY, FLORIDA
BY: [Signature] Chairman Board of County Commissioners
Nassau County
ATTEST: [Signature] Clerk of the Circuit Court as ex-officio Clerk of the Board of County Commissioners of Nassau County, Florida

APPROVE AS TO FORM, LEGALITY AND EXECUTION
FLORIDA STATE ROAD DEPARTMENT

BY: [Signature]
ASSISTANT ATTORNEY

RESOLUTION NO. _____

RESOLUTION ADOPTING EXECUTION OF MEMORANDUM OF AGREEMENT BETWEEN STATE ROAD DEPARTMENT, A COMPONENT AGENCY OF THE STATE OF FLORIDA AND COUNTY OF NASSAU, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

WHEREAS, the State Road Department has agreed to construct that certain road described as Job No. 74560-3151, SR S-121A, SR S-108 approx. 5.75 mi. E. of Hilliard northerly approx. 2.93 mi.; and

WHEREAS, Nassau County desires to assume the maintenance of said road in accordance with the Agreement made and entered into between the Department and Nassau County, dated the 14th day of May, 1968.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:

Section 1. That certain Agreement dated the 14th day of May, 1968, by and between the State Road Department of Florida, a component agency of the State of Florida and the County of Nassau be executed by the Chairman of this Board and attested to by the Clerk of the Circuit Court as Ex-officio Clerk of this Board.

Section 2. That this Agreement be and the same hereby is an obligation and covenant of the County of Nassau in each and every respect and the liabilities therein contained shall be the liabilities of the County of Nassau on a continuing basis for the life of said Agreement.

Section 3. That the Agreement shall be a part of this Resolution in each and every respect and that a certified copy of this Resolution shall be submitted to the State Road Department of Florida and shall accompany each executed copy of the Agreement dated this 14th day of May, 1968.

STATE OF FLORIDA
COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution passed by the Board of County Commissioners of Nassau County, Florida, at meeting held the 14th day of May, A.D. 1968 and recorded in the Commission minutes.

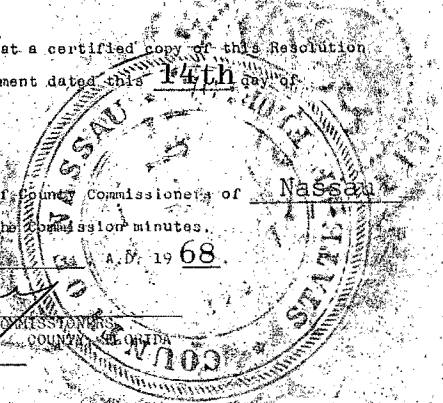
IN WITNESS WHEREOF, I hereunto set my hand and official seal this 14th day of May, A.D. 1968.

(SEAL)

[Signature]
CLERK OF THE BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA

APPROVED BY ROAD BOARD

7-18-68
[Signature]



COUNTY MAINTENANCE OF PROJECT CONSTRUCTED WITH SECONDARY GAS TAX FUNDS MEMORANDUM OF AGREEMENT

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WITNESSETH:

WHEREAS, by Florida Statutes, 1965, 335.041, the expenditure of secondary road funds for the construction and reconstruction of roads, highways and municipal connecting links thereof and city streets was authorized; and

WHEREAS, the County has designated Job No. 74560-3151, SR S-121A, SR S-108 approx. 5.75 mi. E. of Hilliard northerly approx. 2.93 mi. for construction (or reconstruction) from gasoline tax funds accruing to the Department for expenditure in the County under the provisions of Florida Statutes, Section 208.44, and Article IX, Section 16, of the Constitution of the State of Florida; and

WHEREAS, said work has been requested by the County to be completed by the Department under the Department's supervision in accordance with the specifications of the Department; and

WHEREAS, the County desires to assume the maintenance of said road, highway, municipal connecting link or city street after its completion and acceptance by the parties to this Agreement, and subsequent to the removal of said road, highway, municipal connecting link or city street from the secondary system by the Department through Board action;

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That in consideration of the premises and the covenants hereinafter set forth to be kept and performed by each of the parties hereto, it is hereby mutually covenanted and agreed as follows:

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5. The County agrees to indemnify, defend, save and hold harmless the Department from any and all claims of any nature whatsoever arising out of or because of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

WITNESSES:

STATE ROAD DEPARTMENT OF FLORIDA

BY: Executive Director

ATTEST: Secretary

As to the Department

Handwritten signature of the Executive Director of the State Road Department of Florida.

BY: Chairman, Board of County Commissioners

Nassau County

As to the County

Handwritten signature of the Chairman of the Board of County Commissioners of Nassau County.

ATTEST: Clerk of the Circuit Court as ex-officio Clerk of the Board of County Commissioners of Nassau County, Florida

RESOLUTION NO.

RESOLUTION ADOPTING EXECUTION OF MEMORANDUM OF AGREEMENT BETWEEN STATE ROAD DEPARTMENT, A COMPONENT AGENCY OF THE STATE OF FLORIDA AND COUNTY OF NASSAU A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

WHEREAS, the State Road Department has agreed to construct that certain road described as Job No. 74560-3151, SR S-121A, SR S-108 approx. 5.75 mi. E. of Hilliard northerly approx. 2.93 mi. and

WHEREAS, Nassau County desires to assume the maintenance of said road in accordance with the Agreement made and entered into between the Department and Nassau County, dated the 14th day of May, 1968.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:

Section 1. That certain Agreement dated the 14th day of May, 1968, by and between the State Road Department of Florida, a component agency of the State of Florida and the County of Nassau be executed by the Chairman of this Board and attested to by the Clerk of the Circuit Court as Ex-officio Clerk of this Board.

Section 2. That this Agreement be and the same hereby is an obligation and covenant of the County of Nassau in each and every respect and the liabilities therein contained shall be the liabilities of the County of Nassau on a continuing basis for the life of said Agreement.

Section 3. That the Agreement shall be a part of this Resolution in each and every respect and that a certified copy of this Resolution shall be submitted to the State Road Department of Florida and shall accompany each executed copy of the Agreement dated this 14th day of May, 1968.

STATE OF FLORIDA COUNTY OF

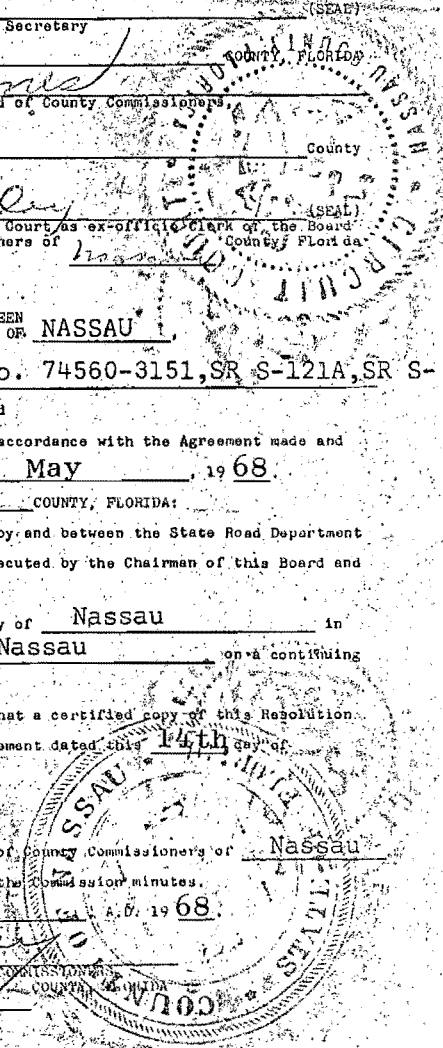
I HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution passed by the Board of County Commissioners of Nassau County, Florida, at meeting held the 14th day of May, A.D. 1968 and recorded in the Commission minutes.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 14th day of May, A.D. 1968.

(SEAL)

Handwritten signature of the Clerk of the Board of County Commissioners of Nassau County.

CLERK OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY



RESOLUTION OF BOARD OF COUNTY
COMMISSIONERS OF NASSAU COUNTY
REGARDING USE OF EXCESS 80% SURPLUS
GAS TAX OR 80% SEVENTH CENT GAS TAX
TO PAY PRINCIPAL AND INTEREST ON
THE \$2,000,000 NASSAU COUNTY GENERAL
OBLIGATION AND REVENUE BONDS.

WHEREAS, by the terms of the Nassau County \$2,000,000 General Obligation and Revenue Bonds the County is required to levy and collect sufficient ad valorem taxes to pay the principal of and interest on said obligations if called on to do so by the State Board of Administration, or to provide for such payment from other funds in lieu of such levy and collection of ad valorem taxes, and

WHEREAS, pursuant to said terms, Mr. E. O. Rolland, Executive Director of the State Board of Administration, in a letter dated May 29, 1968, called upon the Board of County Commissioners of Nassau County to levy and collect the amount of \$52,657.10, to meet bond requirements due by July 31, 1969, or in lieu of such levy and collection, to make this amount available on or before that date from other funds, and

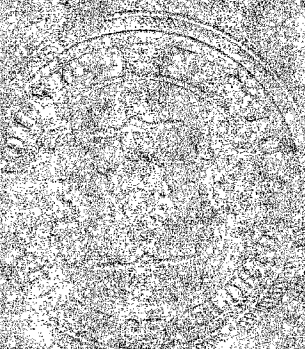
WHEREAS, it now appears that there will be sufficient excess 80% Surplus Gas Tax or 80% Seventh Cent Gas Tax accruing to The State Road Department of Florida for use in Nassau County which is uncommitted to the Ocean Highway and Port Authority bonds or to the \$2,000,000 Nassau County General Obligation and Revenue Bonds to pay the said \$52,657.10 called for, and

WHEREAS, it appears that such funds may be legally used for the purpose of making this payment.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County that the State Road Department

is hereby requested to pay to the State Board of Administration, sufficient funds from the uncommitted or excess 80% Surplus Gas Tax or 80% Seventh cent Gas Tax accruing to the State Road Department of Florida for the use in Nassau County as such to meet the debt service requirements in the amount of \$52,657.10, on or before July 31, 1969.

ADOPTED this 11th day of June A. D. 1968.



BOARD OF COUNTY COMMISSIONERS OF
NASSAU COUNTY, FLORIDA.

By:

J. W. Jones

AS ITS CHAIRMAN

ATTEST:

[Signature]

EX OFFICIO CLERK

RESOLUTION OF BOARD OF COUNTY
COMMISSIONERS OF NASSAU COUNTY
REGARDING USE OF EXCESS 80% SURPLUS
GAS TAX OR 80% SEVENTH CENT GAS TAX
TO PAY PRINCIPAL AND INTEREST ON
THE \$2,000,000 NASSAU COUNTY GENERAL
OBLIGATION AND REVENUE BONDS.

WHEREAS, by the terms of the Nassau County \$2,000,000 General Obligation and Revenue Bonds the County is required to levy and collect sufficient ad valorem taxes to pay the principal of and interest on said obligations if called on to do so by the State Board of Administration, or to provide for such payment from other funds in lieu of such levy and collection of ad valorem taxes, and

WHEREAS, pursuant to said terms, Mr. E. O. Rolland, Executive Director of the State Board of Administration, in a letter dated ^{July 24, 1968} May 29, 1968, called upon the Board of County Commissioners of Nassau County to levy and collect the amount of ^{52,610.20} \$52,657.10, to meet bond requirements due by July 31, ¹⁹⁷⁰ 1969, or in lieu of such levy and collection, to make this amount available on or before that date from other funds, and

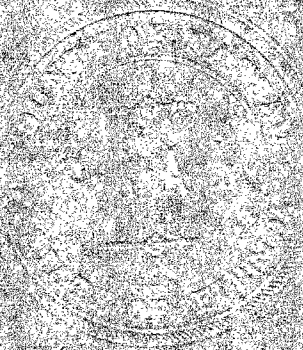
WHEREAS, it now appears that there will be sufficient excess 80% Surplus Gas Tax or 80% Seventh Cent Gas Tax accruing to The State Road Department of Florida for use in Nassau County which is uncommitted to the Ocean Highway and Port Authority bonds or to the \$2,000,000 Nassau County General Obligation and Revenue Bonds to pay the said ^{52,610.20} \$52,657.10 called for, and

WHEREAS, it appears that such funds may be legally used for the purpose of making this payment.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County that the State Road Department

is hereby requested to pay to the State Board of Administration,
sufficient funds from the uncommitted or excess 80% Surplus Gas
Tax or 80% Seventh cent Gas Tax accruing to the State Road
Department of Florida for the use in Nassau County as such to
meet the debt service requirements in the amount of \$52,610.20^{52,610.20}
on or before July 31, 1969¹⁹⁷⁰.

ADOPTED this 11th day of June A. D. 1968.



BOARD OF COUNTY COMMISSIONERS OF
NASSAU COUNTY, FLORIDA.

By:

J. W. Jones
As Its Chairman

ATTEST:

D. Ashley
Ex Officio Clerk

NASSAU COUNTY GENERAL OBLIGATION AND REVENUE BONDS

DATED AUGUST 1, 1954

Bond Requirements for the Year Ending July 31, 1969

Interest due 2-1-69 - - - - -	\$ 16,110.00
Interest due 8-1-69 - - - - -	16,110.00
Principal due 8-1-69 - - - - -	130,000.00
Bank Handling Charge - - - - -	117.10
Required Reserve - - - - -	167,540.00

Total Required -- - - - - \$ 329,877.10

LESS:

Cash Balance 7-31-68- - - - -	\$ 3,639.97
\$176,500 Par Value Investments	
Carried At - - - - -	168,282.36
Due by State Road Department	
8-1-68 to 7-31-69- 115,000.00	
<u>Less:</u>	
Net Earnings 8-1-67	
to 7-31-68 - - - - -	<u>-9,702.33</u>
	<u>105,297.67</u>
	277,220.00

Balance due by County 8-1-68 to 7-31-69 - - - - - \$ 52,657.10

DATE July 29, 1968

OFFICE COMMUNICATION

FROM Emmett L. Owens, Engineer of Secondary Roads **FLORIDA STATE ROAD DEPARTMENT**

TO Mr. R. G. L'Amoreaux, Engineer of Traffic and Planning
ATTN: Mr. M. E. Fletcher

COPIES TO Messrs. J. W. Jones and J. D. Ward

SUBJECT Maintenance Agreement - Job No. 74560-3151

Attached hereto is an executed agreement between the Department and Nassau County regarding the maintenance of the subject project.

An executed counterpart is being forwarded to Nassau County.

ELO
ELO:bsd
Attachment