

29-33

RESOLUTION NOS. 29-33  
PROJECT AGREEMENT

SECONDARY ROAD SYSTEM

MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this 14<sup>th</sup> day of April, 1970, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 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~~ acquisition of Right of Way for roads, highways, and municipal connecting links thereof and city streets was authorized: and

WHEREAS, the County has designated S.R. 200 - S.R. 9 (I-95 to S.R. 5 (U.S. 17)) for the acquisition of Rights of Way

~~from~~ 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 specifications of the Department.

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 S.R. 200 - S.R. 9 (I-95 to S.R. 5 (U.S. 17)) for the acquisition of Rights of Way

~~to the state~~ Primary 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 ~~XXXXXX~~ <sup>said acquisition of Rights of Way</sup> ~~XXXXXX~~

~~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 ~~XXXXXX~~ <sup>primary</sup> ~~XXXXXX~~ on the State ~~XXXXXX~~ <sup>secondary</sup> road system.

2. The County does hereby authorize the Department to pursue said project through the ~~planning, preliminary engineering~~ right of way acquisition ~~and construction~~ phases in an orderly, uninterrupted sequence, according to the usual practices, standards and specifications of the Department. The time schedule for project completion is to be established by the Department of Transportation after due consideration for the availability of money, manpower and time. All work will be performed under the Department's supervision and in accordance with the specifications of the Department.

3. The County agrees to furnish to the Department free, clear and unencumbered title to all land required for rights of way, borrow pits and easements in connection with said project. Acquisition of said rights of way, borrow pits and easements shall be done under the supervision of the Department and in accordance with the Department's project schedule.

4. 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 said road, highway, municipal connecting link or city street will become a part of the Primary system and will be maintained by the Florida Department of Transportation.

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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 OF FLORIDA DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_

BY: \_\_\_\_\_  
Director of Administration

As to the Department

ATTEST: \_\_\_\_\_ (SEAL)  
Secretary

Margie Johnson

NASSAU COUNTY, FLORIDA

R. D. [Signature]

BY: [Signature]  
Chairman, Board of County Commissioners

As to the County

Nassau County

ATTEST: [Signature] (SEAL)  
Clerk of the Circuit Court as ex-officio Clerk of the Board of County Commissioners of Nassau County, Florida

RESOLUTION NO. 29-33

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

WHEREAS, the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION has agreed to construct that certain road described as S.R. 200 - S.R. 9 (I-95 to S.R. 5 (U.S. 17))

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

Section 1. That certain Agreement dated the 14<sup>th</sup> day of APRIL, 19 70, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 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 OF FLORIDA DEPARTMENT OF TRANSPORTATION and shall accompany each executed copy of the Agreement dated this 14<sup>th</sup> day of April, 19 70.

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 14<sup>th</sup> day of April, A.D. 19 70, and recorded in the Commission minutes.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 14<sup>th</sup> day of April, A.D. 19 70.

(SEAL)

  
CLERK OF THE BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA