

RESOLUTION NO. 98-92

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY ("COUNTY") TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO MODIFY A CONTRACT WITH NORTH BEACH INVESTMENT, INC. ("NORTH BEACH") BASED UPON A CHANGE IN CIRCUMSTANCES BENEFITING BOTH PARTIES.

Whereas, NORTH BEACH proposed to THE COUNTY a project initiative to improve certain public roads in the area of St. Johns County known locally as North Beach; and

Whereas, NORTH BEACH would be benefited through the improvement of said roads due to the property interest North Beach has in that general area; and

Whereas, the COUNTY, though not initiating the project, recognizes the public benefit and potential tax payer savings of the NORTH BEACH offer; and

Whereas, the Board of County Commissioners on January 27, 1998 authorized the County Administrator or his designee to enter into a contract pertaining to such project, and the COUNTY and NORTH BEACH entered into a contract for such services on February 5, 1998; and

Whereas, it has come to the attention of both parties that a new type of road construction method known as the "cold mix process" could be used by the COUNTY to complete the project in a manner more efficient and at less expense than the method contemplated by the parties' contract; and

Whereas, NORTH BEACH has subsequent to the contract offered to pay the COUNTY three hundred thousand dollars (\$300,000) for the COUNTY ("NORTH BEACH funds") to complete the project with the cold mix process method, and the COUNTY accepts that offer;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County that:

1. All the Whereas clauses above are hereby duly made findings of this Board;
2. The County Administrator, or his designee, is authorized to modify the COUNTY's contract with NORTH BEACH, dated February 5, 1998, to allow the COUNTY to complete the construction of the roadways described in that contract, and to continue paving the roadways as identified in Exhibit "A" (hereby attached and incorporated into this Resolution) for as long and far as the NORTH BEACH funds provide, in consideration of receipt of three hundred thousand dollars (\$300,000) from NORTH BEACH, said payment to be made as soon as practical after the effective date of this Resolution, and receipt of satisfactory test results from an independent testing laboratory, as previously requested by this Board.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 28th day of April, 1998.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Moses A. Floyd*
"Coach" M.A. Floyd, Chair




ATTEST: CHERYL STRICKLAND, CLERK

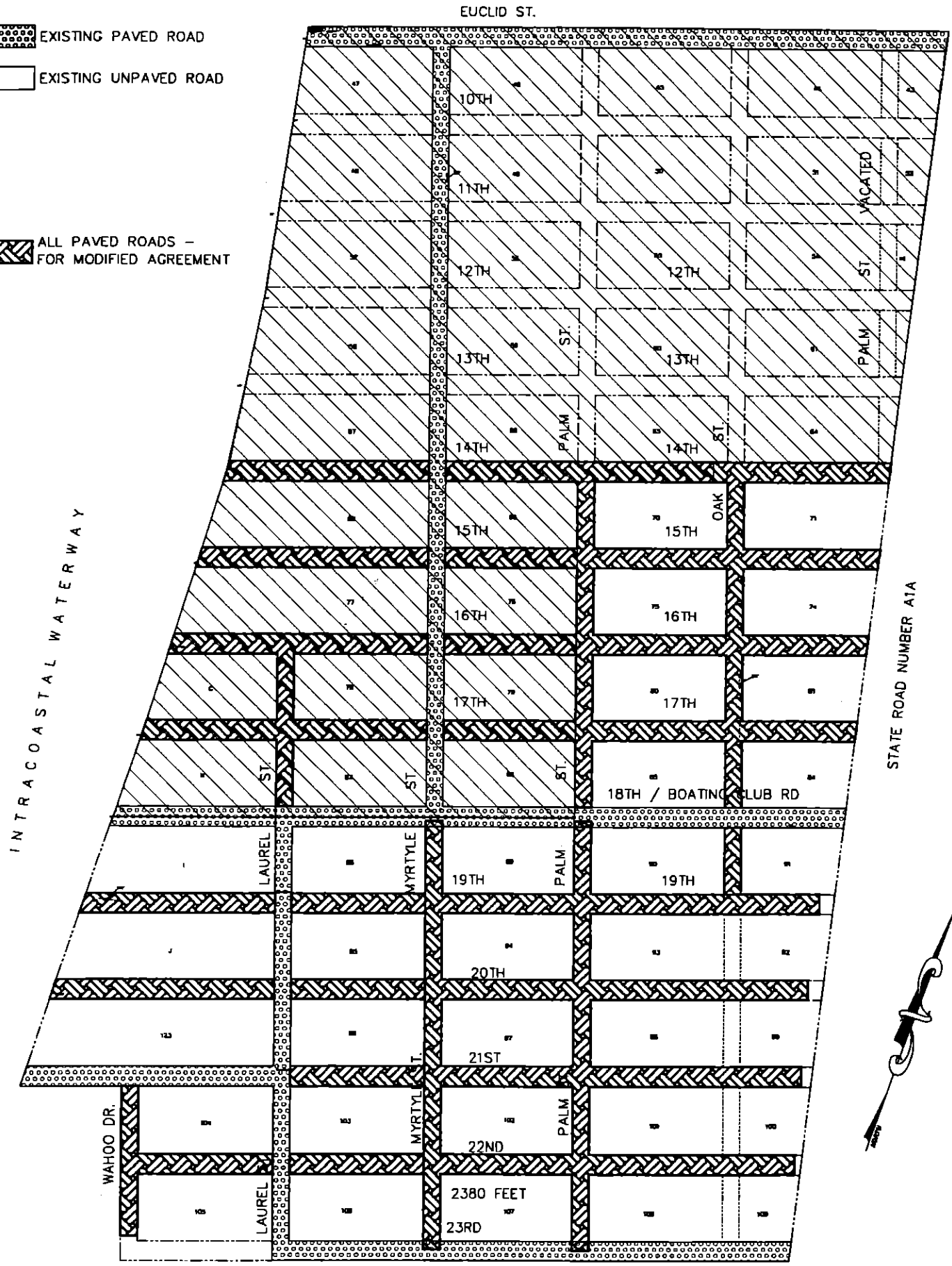
By: *Yvonne Carter*
Deputy Clerk

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LEGEND

1940 FEET

-  EXISTING PAVED ROAD
-  EXISTING UNPAVED ROAD
-  ALL PAVED ROADS - FOR MODIFIED AGREEMENT



NORTHBEACH
 PROPOSED MODIFIED AGREEMENT