

RESOLUTION NO. 2002- 182

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AN AGREEMENT FOR ROAD AND BRIDGE IMPROVEMENTS UPON A PORTION OF COUNTY ROAD 13 TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO THE DEEP CREEK BRIDGE.**

**WHEREAS**, the State of Florida Department of Transportation has presented an Agreement to St. Johns County to allow improvements to Deep Creek Bridge located on County Road 13 in St. Johns County, Florida; and

**WHEREAS**, it is necessary that a portion of County Road 13, as described in the Agreement attached hereto as Exhibit "A" incorporated by reference and made a part hereof, be temporarily transferred to the state highway system until the improvements can be completed; and

**WHEREAS**, upon completion of the improvement project St. Johns County and State of Florida Department of Transportation shall execute a map to be recorded in the Map Book of the Clerk of Circuit Court along with a memo transferring the road back to St. Johns County.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:**

Section 1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Chairman of the Board of County Commissioners is hereby authorized to execute the agreement which allows the State of Florida Department of Transportation to complete improvements to the Deep Creek Bridge located on County Road 13.

Section 3. A certified copy of this Resolution along with the original executed duplicate Agreements shall be forwarded forthwith to the State of Florida Department of Transportation, 1109 South Marion Avenue, Mail Station 2014, Lake City, Florida, 32025-5874.

Section 4. A copy of the Agreement shall be duly recorded in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED, this 17<sup>th</sup> day of September, 2002.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA.**

BY: James E. Bryant  
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

Patricia Alexander  
Deputy Clerk

RENDITION DATE 9-20-02



Exhibit "A" to Resolution

**AGREEMENT**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter referred to as "FDOT", and ST. JOHNS COUNTY, FLORIDA, hereinafter referred to as the "SJC".

**WITNESSETH:**

WHEREAS, FDOT desires and SJC agrees to certain bridge and road improvements in St. Johns County, Florida, and;

WHEREAS, the road improvements are to be located on what is now a County road, and;

WHEREAS, in order for FDOT to undertake and complete the work the road must be transferred to the state highway system.

NOW, THEREFORE, in consideration of the premises and covenants hereinafter contained, the parties agree as follows:

1. That portion of County Road 13 in St. Johns County, Florida, from Bennie Smith Road easterly, crossing Deep Creek to Byrd Road, located in Sections 34, 38 and 27, Township 9 South, Range 28 East, St. Johns County, Florida, shall be transferred to the state highway system.

2. The transfer shall be accomplished by the recording of a map in the Clerk of the Circuit Courts Map Book and by a memorandum recorded on the Official Records of St. Johns County, Florida.

3. At the completion of the project SJC and the FDOT shall execute a map to be recorded on the Map Book of the Clerk of Circuit Courts of St. Johns County, Florida, and a memorandum to be recorded on the Official Records of St. Johns County, Florida, transferring the road to St. Johns County, Florida.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date and year first above written.

Signed, sealed and delivered  
In the presence of:

ST. JOHNS COUNTY, FLORIDA

\_\_\_\_\_  
Print: \_\_\_\_\_

By: \_\_\_\_\_  
Print: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_  
Print: \_\_\_\_\_

Witnesses as to St. Johns County, Florida

Attest: \_\_\_\_\_  
Clerk of the Courts  
St. Johns County, Florida

Signed, sealed and delivered  
In the presence of:

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Print: \_\_\_\_\_

By: \_\_\_\_\_  
Print: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_  
Print: \_\_\_\_\_

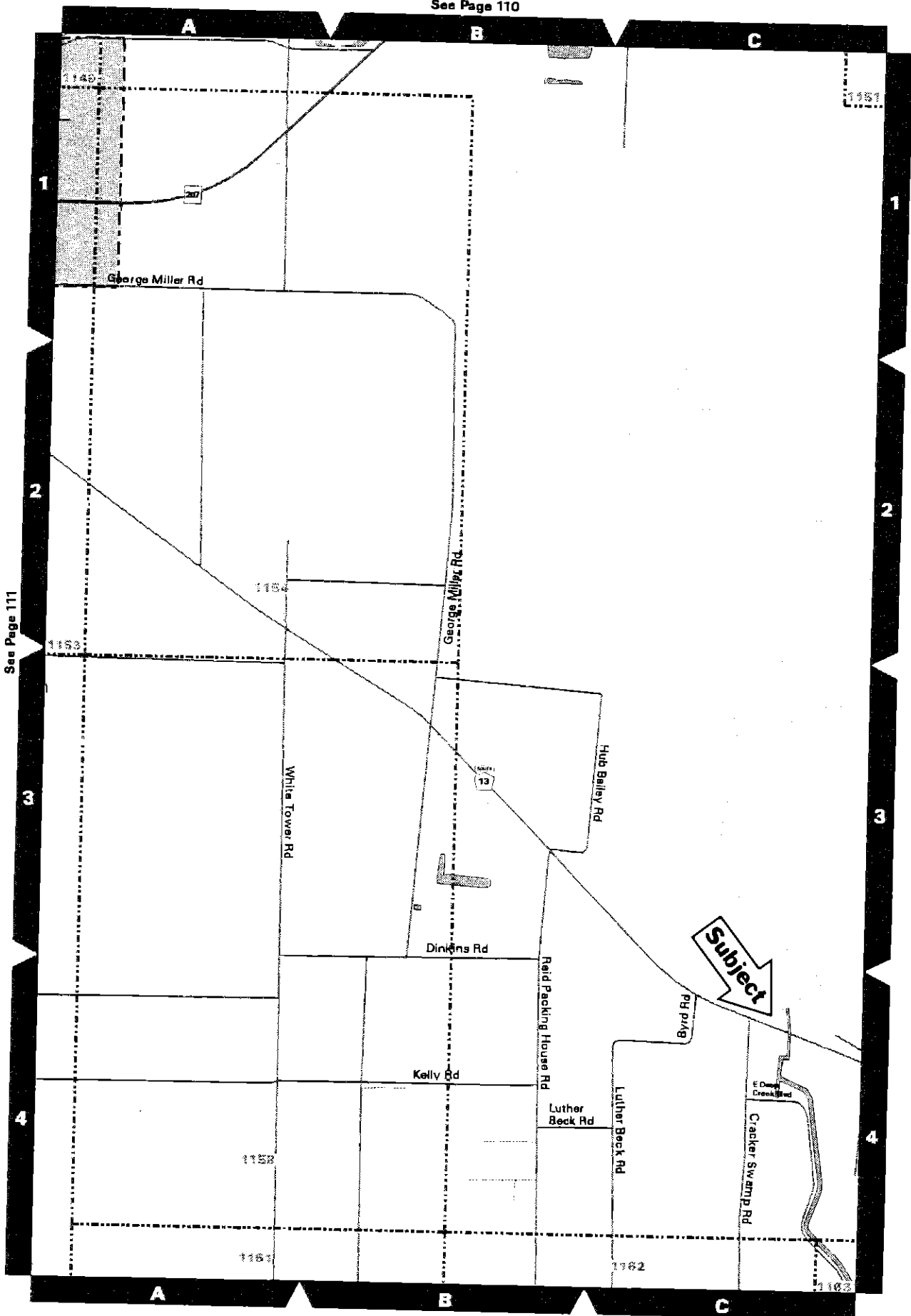
Witnesses as to FDOT

Attest: \_\_\_\_\_  
Print: \_\_\_\_\_  
  
Attest: \_\_\_\_\_  
Executive Secretary

\_\_\_\_\_  
FOR DEPARTMENT USE ONLY

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
Attorney, Department of Transportation



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**AGENDA ITEM**  
**ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS**

*Deadline for Submission - Monday 9 a.m. - One Week Prior to BCC Meeting*

**September 17, 2002**

**BCC MEETING DATE**

**TO:** Ben W. Adams, Jr., County Administrator                      **DATE:** August 22, 2002

**FROM:** Mary Ann Blount, Real Estate Manager

**SUBJECT OR TITLE:** Resolution authorizing the execution of the agreement to the State of Florida Department of Transportation to allow improvements to Deep Creek Bridge located on County Road 13.

<u>      </u>	<b>BUSINESS ITEM</b>	<u>      </u>	<b>BONDS</b>	<u>      </u>	<b>ORDINANCE</b>	<u>      </u>	<b>PUBLIC HEARING</b>
<u>  X  </u>	<b>CONSENT AGENDA</b>	<u>      </u>	<b>APPOINTMENTS</b>	<u>  X  </u>	<b>RESOLUTION</b>	<u>      </u>	<b>BID AWARD</b>
<u>      </u>	<b>WORKSHOP</b>	<u>      </u>	<b>REPORT</b>	<u>      </u>	<b>CONTRACT</b>	<u>      </u>	<b>EX PARTE COMMUNICATIONS</b>

**BACKGROUND INFORMATION:** (Attach additional pages if necessary)

The Florida Department of Transportation has presented an Agreement to facilitate improvements to Deep Creek Bridge located on County Road 13. Per the agreement it is necessary that a portion of County Road 13 be temporarily transferred to State of Florida Department of Transportation to allow for the construction of these improvements.

Upon completion of the improvement project, a map shall be executed and recorded in the Map Book of the Clerk of Circuit Court along with a memo transferring the road back to St. Johns County. The project will be completed by approximately October 2003.

It is in the best interest of the public to authorize these improvements for the safety of the citizens of St. Johns County.

**IF FUNDING IS REQUIRED, INDICATE THE SOURCE OF FUNDS & IF BUDGETED**                             **YES**                             **NO**

**Source:**

**SUGGESTED MOTION/RECOMMENDATION/ACTION:**

**Motion to adopt Resolution No. 2002-\_\_\_\_\_ authorizing the execution of the agreement with State of Florida Department of Transportation for the improvements to the Deep Creek Bridge.**

**Administration:**        **Initials**

  X   **FORWARDED TO BCC**                        X   **SUPPORTING MATERIAL ATTACHED**



# Florida Department of Transportation

JEB BUSH  
GOVERNOR

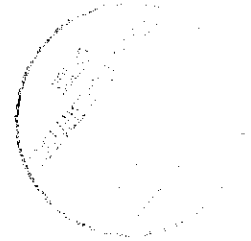
**PLEASE NOTE NEW ADDRESS**

1109 South Marion Avenue THOMAS F. BARRY, JR.  
Mail Station 2014 SECRETARY  
Lake City, Florida 32025-5874

August 2, 2002

Mr. Ben W. Adams, Jr.  
St. Johns County Administrator  
Post Office Drawer 349  
St. Augustine, Florida 32085-0349

**Subject: Financial Project ID: 212382-1-43-01  
Right of Way Agreement  
County Road 13 at Deep Creek Bridge No. 784004**



Dear Mr. Adams:

Enclosed for execution are two (2) copies of an Agreement to facilitate the replacement of Deep Creek Bridge No. 784004 on County Road 13 in St. Johns County. This Agreement details the transfer of the County Road to facilitate the acquisition of necessary parcels of right of way.

Please do not date the Agreement on Page 1 as other approvals must be secured prior to establishing the execution date. In addition to executing the attached Agreement, a resolution must be adopted and a certified copy attached to each copy of the Agreement.

**Your assistance in securing execution by August 31, 2002 is appreciated.** Should you have questions or need additional information I can be reached at 1-800-749-2967, Extension 7883.

Sincerely,

Jove H. Brown  
Assistant District Planning Manager

JHB:jb

Attachments

CC: Mr. Joe Jordan, District Right of Way Manager  
Ms. Marcia Henderson, Deputy District Right of Way Manager, Production  
Ms. Dale Menninger, Right of Way