

RESOLUTION NO. 2004 5

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE POND SYSTEM MAINTENANCE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA AND THE ST. AUGUSTINE OCEAN AND RACQUET CLUB CONDOMINIUM ASSOCIATION, INC., PROVIDING THAT SAID AMENDMENT WILL MODIFY SAID AGREEMENT IN ORDER TO ACCOUNT FOR DESIGN CHANGES TO THE JOINT DETENTION/RETENTION FACILITY THAT WILL ACCOMMODATE THE STORM WATER PERMIT REQUIREMENTS FOR THE A1A BEACH BOULEVARD THREE-LANE TRANSPORTATION PROJECT.

RECITALS

WHEREAS, St. Johns County, Florida ("County") presently owns, and is desirous of improving, a public rights-of-way known as A1A Beach Blvd.; and

WHEREAS, in an effort to provide for needed storm water treatment on the A1A Beach Boulevard Three Lane Transportation Project, on August 22nd, 2002 the County Administrator, with the approval of the Board of County Commissioners, executed a Pond System Maintenance Agreement with the St. Augustine Ocean and Racquet Club Condominium Association, Inc. ("Association"); and

WHEREAS, as a result, the County and Association wish to amend the Pond System Maintenance Agreement, and Section 6 of the Agreement "Miscellaneous" provides a mechanism whereby the parties may modify the terms; and

WHEREAS, a Grant of Drainage and Access Easement was given to St. Johns County by Sea Winds Condominium Association of St. Augustine Beach, Inc. for the purpose of providing drainage outfall from the Ocean and Racquet Club Condominium Association, Inc.; and

WHEREAS, the County and Association agree that a modification of the Agreement is required.

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 Amendment to the Pond System Maintenance Agreement among the County and Association attached hereto is hereby approved, and the County Administrator is authorized to execute the Amendment to the Pond System Maintenance Agreement.

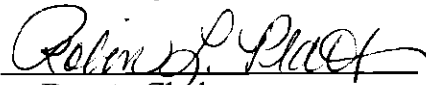
Section 3. The Clerk of St. Johns County (the "Clerk") is instructed to record the Amendment to the Pond System Maintenance Agreement in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED, this 13th day of January, 2004

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

By: 
Karen R. Stern, Chair

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 1/13/2004

