

**RESOLUTION NO. 2004 - 351**

**RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A LANDSCAPING AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, FOR MAINTENANCE OF LANDSCAPING AND RIGHTS-OF-WAY ON A PORTION OF UNITED STATES 1 (US-1) NORTH IN ST. JOHNS COUNTY, AT BOTH ENDS OF THE DURBIN CREEK BRIDGE, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE LANDSCAPING AGREEMENT ON BEHALF OF ST. JOHNS COUNTY**

**WHEREAS**, the Board of County Commissioners (Board) of St. Johns County, Florida (County), on August 25, 2004, in preparation for a major sporting event, Super Bowl XXXIX, and for the benefit of residents and visitors in the future, authorized aesthetic enhancements to major gateways leading into the County; and

**WHEREAS**, the Board identified US-1 North as a major gateway, and has requested permission from the Florida Department of Transportation (FDOT) to install non-standard landscaping in the medians at the north and south ends of the Durbin Creek Bridge on US-1 North; and

**WHEREAS**, the FDOT does not install or perform maintenance on non-standard landscaping within the State Road Rights-of-Way; and

**WHEREAS**, the Board has appropriated funds for the installation of landscaping in the medians at the north and south ends of the Durbin Creek Bridge on US-1 North; and

**WHEREAS**, the Board agrees to provide for the maintenance of the above-referenced landscaping once installed; and

**WHEREAS**, both the County and the FDOT believe, that they should enter into a Landscaping Agreement, so that the County can continue providing for the maintenance of landscaping and rights-of-way, within the medians at the north and south ends of the Durbin Creek Bridge on US-1 North; and

**WHEREAS**, the County has reviewed the terms, provisions, conditions, and requirements of the Landscaping Agreement (attached hereto, and incorporated herein); and

**WHEREAS**, the County has determined that accepting the terms of the Landscaping Agreement, and entering into said Landscaping Agreement will serve the interests of the County; and

**WHEREAS**, it is in the collective interests of both the County and the FDOT to have the landscaping and routine right-of-way maintenance activities performed by the same entity.

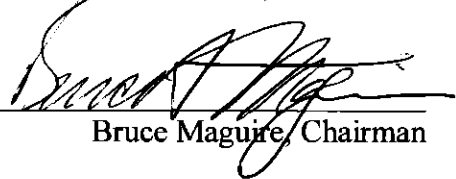
**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above Recitals are hereby incorporated into the body of this Resolution, and are adopted as Findings of Fact.

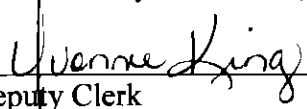
**Section 2.** The Board of County Commissioners hereby approves the terms, provisions, conditions, and requirements of a Landscaping Agreement between St. Johns County, Florida, and the State of Florida, Department of Transportation, for maintenance of landscaping and rights-of-way within the medians at the north and south ends of the Durbin Creek Bridge on US-1 North, and authorizing the County Administrator to execute the Landscaping Agreement in substantially the form attached, on behalf of the County.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of December, 2004.

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

  
Bruce Maguire, Chairman

**ATTEST:** Cheryl Strickland, Clerk

By:   
Deputy Clerk

RENDITION DATE 12/02/04

