

RESOLUTION NO. 2008- 17

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A MEMORANDUM OF AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF A BRIDGE ON PABLO ROAD AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY.**

RECITALS

**WHEREAS**, Pursuant to Section 336.467 Florida Statutes, St. Johns County (hereinafter "County") and the Florida Department of Transportation (hereinafter "Department") have the authority to enter into agreements for the improvements of County Roads, Bridges and other Transportation Facilities; and

**WHEREAS**, the Department is preparing to undertake a project which is known as the Bridge Replacement of Bridge # 784038 over Pablo Road Ponte Vedra Canal in St. Johns County, Florida, Financial Project ID: 212367-4-52-01, which will be of benefit to the County; and

**WHEREAS**, the Department and the County desire to enter into a Memorandum of Agreement subject to terms and conditions, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, for such purposes; and

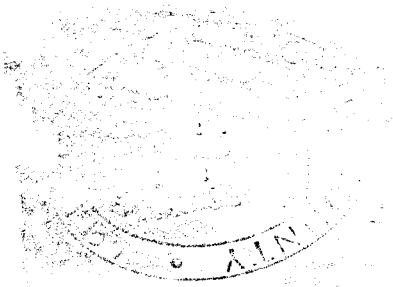
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AS FOLLOWS:**

Section 1. The above recitals are incorporated into the body of this Resolution as findings of fact.

Section 2. The Board of County Commissioners hereby approves the Memorandum of Agreement subject to the terms and conditions and authorizes the Chairman of the Board of County Commissioners to execute the Agreement on behalf of the County.

Section 3. The Clerk is instructed to file the original Memorandum of Agreement in the Public Records of St. Johns County Florida.

PASSED AND ADOPTED this 23<sup>rd</sup> day of January, 2008.



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

By: *Thomas G. Manuel*  
Thomas G. Manuel, Chairman

ATTEST: Cheryl Strickland, Clerk

*Pam Halterman*  
Deputy Clerk

RENDITION DATE 1/25/08

# EXHIBIT A

Financial Project ID: 212367-4-52-01

## MEMORANDUM OF AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ST. JOHNS COUNTY

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, hereinafter called the "DEPARTMENT" and the ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS, hereinafter called the "AGENCY".  
WITNESSETH

WHEREAS; Pursuant to Section 336.467, Florida Statutes, Florida counties and the State of Florida, Department of Transportation have authority to enter agreements for the improvement of County Roads, Bridges and other Transportation Facilities by the DEPARTMENT; and

WHEREAS; the DEPARTMENT is preparing to undertake a project which is known as the Bridge replacement of Bridge # 784038 over Pablo Road Ponte Vedra Canal in St. Johns County, Florida, which will be of benefit to the AGENCY; and

WHEREAS, the DEPARTMENT may utilize its power of Eminent Domain to acquire needed right-of-way in the name of the DEPARTMENT; and upon completion and acceptance by the DEPARTMENT, the AGENCY will assume ownership of the right-of-way and responsibility for maintenance.

WHEREAS, the DEPARTMENT may acquire any necessary environmental permit(s) on behalf of the AGENCY.

NOW, THEREFORE, in consideration of the premises, the parties agree:

1. The DEPARTMENT will undertake projects and obtain federal approval for participation, which may include but not be limited to, design, right-of-way, permits, construction and other activities to facilitate satisfactory completion of projects within the limits described above. Upon completion and acceptance by the DEPARTMENT, the AGENCY will assume the responsibility for management and maintenance of the project.

2. The DEPARTMENT's standard landscaping is grass, sod and mitigated trees. In cases where the project improvements consist of non-standard features the following shall apply:

The AGENCY agrees to maintain such non-standard landscaping and streetscaping features which may include but not be limited to, brick/concrete pavers, stamped concrete, stamped asphalt, patterned/textured pavement, decorative lighting, decorative crosswalks, tree wells, plant beds, mulched areas, aesthetic/decorative plants, aesthetic/decorative trees and irrigation systems. In the case of irrigation systems, the AGENCY agrees to pay any fees associated with connection to the County, City or Municipality's water service.

AGREEMENT DATE: \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals on the day and year first above written.

ST. JOHNS COUNTY BOARD OF  
COUNTY COMMISSIONERS

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_

BY: \_\_\_\_\_

District Secretary  
District Two

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

ATTEST: \_\_\_\_\_

(Seal)

Executive Secretary (Seal)

TITLE: \_\_\_\_\_

APPROVED AS TO FORM:

APPROVED AS TO FORM AND  
LEGALITY:

\_\_\_\_\_  
AGENCY Attorney

\_\_\_\_\_  
Office of District Two General Counsel

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_