

RESOLUTION NO. 2022/2023-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AUTHORIZING THE EXECUTION AND ENTRY INTO A CONSTRUCTION & MAINTENANCE AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND CLAY COUNTY RELATED TO FINANCIAL PROJECT NUMBER 446154-1-52-01 DESCRIBED AS SR 15/US 17 FROM BALL ROAD TO BLACK CREEK SHARED USE PATH.

Recitals

WHEREAS, the State of Florida Department of Transportation (the “Department”) will construct a Shared Use Path via Financial Project Number 446154-1-52-01 at certain real property located in Clay County, Florida owned by the Department and known as State Road 15/US 17; and

WHEREAS, the Department has prepared and requires the Department and Clay County to enter into a Construction and Maintenance Agreement related to the construction and maintenance of the Shared Use Path; and

WHEREAS, for purposes of the Construction and Maintenance Agreement, the term “Shared Use Path” means and shall refer to the construction of an approximately one mile long and approximately 8 to 10-foot-wide asphalt/concrete path including, without limitation, all signage and pavement markings, drainage pipe/structures, pedestrian/bicycle railing, road widening, barrier wall, drainage, asphalt turnouts and ADA improvements, commencing at Ball Road and extending approximately one (1) mile to Black Creek Shared Use Path Park Driveway; and

WHEREAS, the Department shall fund and construct the Shared Use Path on the Property as identified in the Construction and Maintenance Agreement; and

WHEREAS, upon completion of construction, the Department shall own, operate, maintain and repair the Department Maintained Improvements located on the Bridge and all On System Improvements associated with State Road 15/US 17 and the County shall perpetually operate, maintain, and repair the Agency Maintained Improvements as described in the Construction and Maintenance Agreement; and

WHEREAS, the Department has the authority under Section 334.044, Florida Statutes, to enter into the Construction and Maintenance Agreement with the County.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Board of County Commissioners of Clay County, Florida (the “Board”), does hereby authorize Clay County to enter into and execute the Construction and Maintenance Agreement bearing Financial Project Number 446154-1-52-01 along with any future supplemental agreements, contracts, amendments, or other documents to the Construction and Maintenance Agreement.

Section 2. The Board’s Chairman and the Clay County Clerk of Court and Comptroller as Ex Officio Clerk to the Board are hereby authorized and directed to execute this Resolution and the Construction and Maintenance Agreement along with any future supplemental agreements, contracts, amendments, or other documents to the Construction and Maintenance Agreement. A copy of the executed Resolution shall be attached to the Construction and Maintenance Agreement and delivered to the Department forthwith.

Section 3. This Resolution shall become effective immediately upon its adoption.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida this _____ day of January, 2023.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, Its Chairman

ATTEST:

Tara S. Green
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board