

RESOLUTION NO. 2006-19

RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, APPROVING AND ADOPTING THE JOINT PARTICIPATION AGREEMENT WITH STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE RELOCATION OF A CONTROL PANEL AND SUPPORTING EQUIPMENT TO THE SOUTHERN PROPERTY LINE OF TURTLE BEACH.

WHEREAS, FDOT and the Town are desirous of the Town concluding the South Phase Drainage Improvements; and

WHEREAS, the improvements benefit all parties however it would be more practical for the Town to perform such improvements; and

WHEREAS, FDOT is supportive of relocating a control panel and supporting equipment from its original permitted location to the southern property line of Turtle Beach, just north of Tropical Drive; and

WHEREAS, FDOT has agreed to pay a lump sum amount not to exceed \$150,000 for actual cost incurred with the Town paying any remainder in relation to the relocation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA THAT:

Section 1. The Foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby incorporated herein.

Section 2. The Agreement attached hereto as Exhibit "A", by and between the Town of Ocean Ridge and State of Florida Department of Transportation providing for payment for relocation of a control panel and supporting equipment from its original permitted location to the southern property line of Turtle Beach, just north of Tropical Drive as enumerated therein, is hereby approved and adopted by the Town Commission, and the Town Manager is directed to execute the agreement, and forthwith forward the same to State of Florida Department of Transportation.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

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Section 5. This Resolution becomes effective immediately upon its passage and adoption.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____.

The Mayor thereupon declared the resolution duly passed and adopted this 4th day of December 4, 2006.

TOWN OF OCEAN RIDGE, FLORIDA

Mayor

Attest:

Town Clerk