

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION  
COUNTY OF VOLUÑA  
CITY OF NEW PORT RICHEY  
January 5, 1982

ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEW PORT RICHEY, FLORIDA, MADE AND PASSED AT A REGULAR MEETING OF SAID BOARD OF COMMISSIONERS HELD AT THE CITY OF NEW PORT RICHEY, FLORIDA, ON THE 5th day of January, 1982.

RESOLUTION

That the Board of Commissioners of the City of New Port Richey, Florida, hereby approves and authorizes the City of New Port Richey, Florida, to enter into an agreement with the State of Florida, Department of Transportation, for the construction of a new bridge over the Volusia River, and to execute all necessary documents in connection therewith.

That the Board of Commissioners of the City of New Port Richey, Florida, hereby approves and authorizes the City of New Port Richey, Florida, to enter into an agreement with the State of Florida, Department of Transportation, for the construction of a new bridge over the Volusia River, and to execute all necessary documents in connection therewith.

That the Board of Commissioners of the City of New Port Richey, Florida, hereby approves and authorizes the City of New Port Richey, Florida, to enter into an agreement with the State of Florida, Department of Transportation, for the construction of a new bridge over the Volusia River, and to execute all necessary documents in connection therewith.

That the Board of Commissioners of the City of New Port Richey, Florida, hereby approves and authorizes the City of New Port Richey, Florida, to enter into an agreement with the State of Florida, Department of Transportation, for the construction of a new bridge over the Volusia River, and to execute all necessary documents in connection therewith.

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That the Board of Commissioners of the City of New Port Richey, Florida, hereby approves and authorizes the City of New Port Richey, Florida, to enter into an agreement with the State of Florida, Department of Transportation, for the construction of a new bridge over the Volusia River, and to execute all necessary documents in connection therewith.

That the Board of Commissioners of the City of New Port Richey, Florida, hereby approves and authorizes the City of New Port Richey, Florida, to enter into an agreement with the State of Florida, Department of Transportation, for the construction of a new bridge over the Volusia River, and to execute all necessary documents in connection therewith.

11. The CITY further agrees that any adjustments, changes or relocation of facilities will be made by the CITY with expedition and promptness so as to cause no delay to the DEPARTMENT or its construction of the construction of such construction or reconstruction work; provided, however, that the CITY will not be liable for any delay beyond its control; and that such "Relocation Work" will be done in accordance with the DEPARTMENT'S engineering of the CITY; further agrees that all construction of such adjustments, changes or relocation of facilities or utilities are done in full conformity with the construction project, the CITY is fully responsible for handling of any kind of claims that may be asserted against the CITY due to delay caused by the City's negligence and that the CITY shall be held responsible for "Relocation Work" with its own funds or advertise or let a contract for the same and that the DEPARTMENT shall have no authority to proceed.

12. The CITY further agrees that it will maintain and keep in repair, or cause to be maintained and kept in repair, all such relocated, changed or relocated CITY owned or operated facilities or utilities within the State Highway System and to comply with all laws, rules and regulations of the DEPARTMENT. (Revised Exhibit B)

13. The DEPARTMENT agrees to furnish the CITY with all necessary highway construction materials necessary for the CITY to facilitate the CITY'S "Relocation Work."

14. The DEPARTMENT further agrees that the CITY may relocate its facilities upon the State's right of way in accordance with the terms of the standard permit required by the State Statutes, or any other laws, rules or regulations published or adopted lawfully adopted by the DEPARTMENT. (Revised Exhibit B)

15. It is hereby agreed that the CITY's plans, maps or sketches showing any such facility or utility to be relocated, changed or relocated on any individual "Relocation Work" project, and when approved by the DEPARTMENT, shall be a contract in law.

16. The CITY shall be responsible for adequacy, safety and safe, harmless and adequate utility service to all utility subscribers and shall be solely responsible for any contractual liability arising out of the performance of any project of the City, its employees, contractors, or its subcontractors, and the City shall be responsible for any claims, damages or losses caused or sustained by the City or its employees, contractors or subcontractors. It is specifically agreed that the CITY shall be responsible for any claims, damages or losses caused or sustained by the City or its employees, contractors or subcontractors.

It is understood that this indemnification agreement does not cover nor indemnify the DEPARTMENT for any negligence or malfeasance of the contract.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed, signed and published in accordance with law.

WITNESSES:

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

BY: *Bruce R. Gordon*  
Director of Aircraft Section

ATTEST: *Joyce W. Yarn* 181110  
Executive Secretary

WITNESSES:

CITY OF NEW PORT RICHEY, FLORIDA

*Betty Lee Spivey*  
*Att. Mercedis*

BY: *George W. Henry*  
Mayor-Councilman

BY: *June Lockset Ballance*  
City Clerk

DEPARTMENT OF TRANSPORTATION  
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*JWK*