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RESOLUTION NO. R2023-12

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AMENDMENT NUMBER ONE (1) TO LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE VILLAGE OF WELLINGTON FOR MEDIAN LANDSCAPING IN THE MEDIAN OF STATE ROAD 7 (US 441) BETWEEN FOREST HILL BOULEVARD AND MEDICAL PARK BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as part of the continual updating of the State of Florida Highway System, the State of Florida Department of Transportation (FDOT) has constructed and maintains State Road 7 (US 441) between Forest Hill Boulevard and Medical Park Boulevard within the corporate limits of the Village (Exhibit A – Location Map); and

WHEREAS, on March 20, 2007, Village Council approved with Resolution R2007-47 the Joint Participation Agreement and the Maintenance Memorandum of Agreement between the Village of Wellington and State of Florida Department of Transportation (Exhibit B – Resolution R2007-47).

WHEREAS, FDOT requires the execution of an Amendment Number One (1) to Landscape Maintenance Memorandum of Agreement (Agreement) by the Village in order to approve the landscaping plans for State Road 7 (US 441) between Forest Hill Boulevard and Medical Park Boulevard (Exhibit C – FDOT Amendment No. 1 to LMMOA); and

WHEREAS, Wellington Regional Medical Center LLC (WRMC) has expressed their desire to install and maintain landscaping within the median of State Road 7 (US 441) between Forest Hill Boulevard and Medical Park Boulevard and provided an executed agreement (Exhibit D – WRMC Landscape Maintenance Agreement); and

WHEREAS, an Agreement has been prepared setting forth the parties' obligations and is attached hereto as Exhibit C – FDOT Amendment No. 1 to LMMOA.

NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S COUNCIL that:

SECTION 1. The foregoing recitals are hereby affirmed and ratified as being true and correct.

SECTION 2. The Village Council hereby accepts and approves the Agreement between the State of Florida Department of Transportation and the Village of Wellington and hereby authorizes the Mayor and Village Clerk to execute such Agreement.

SECTION 3. This Resolution shall become effective immediately upon adoption.

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PASSED AND ADOPTED this ____ day of September, 2023.

ATTEST:

WELLINGTON

By: _____
Chevelle D. Addie, Clerk

By: _____
Anne Gerwig, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Laurie S. Cohen, Village Attorney