ACKNOWLEDGEMENT AND MUTUAL TERMINATION OF AUGUST 9, 2010 INTERLOCAL AGREEMENT BETWEEN MARTIN COUNTY AND THE CITY OF STUART REGARDING CONVEYANCE OF RIGHT OF WAY, AND FOR CONSTRUCTION OF WILLOUGHBY BOULEVARD EXTENSION

This ACKNOWLEDGEMENT AND MUTUAL TERMINATION ("TERMINATION") dated _____, 2019, is made by and between MARTIN COUNTY, a political subdivision of the State of Florida, 2401 S.E. Monterey Road, Stuart, FL 34996 ("COUNTY") and the CITY OF STUART, a municipal corporation of the State of Florida ("CITY").

WITNESSETH:

WHEREAS, on August 9, 2010 the COUNTY and the CITY entered into an Interlocal Agreement regarding the conveyance of Willoughby Boulevard Extension right-of-way through the Poppleton Creek Watershed Project and for other purposes resulting in the construction of the Willoughby Boulevard Extension, recorded in Official Records Book 2473 Page 540, which was amended by the First Amendment thereto on July 10, 2012, recorded in Official Records Book 2590 Page 284, all of the public records of Martin County, Florida (collectively the "Interlocal Agreement"); and

WHEREAS, the CITY contributed funds totaling Five Hundred and Fifty-Six Thousand Dollars ($556,000.00) to the COUNTY for right-of-way costs pursuant to the Interlocal Agreement; and

WHEREAS, the COUNTY has issued to the CITY a reimbursement of the unexpended funds contributed by the CITY totaling Four Hundred and Seventy-Four Thousand Six Hundred and Nine Dollars and Twenty-Four Cents ($474,609.24); and

WHEREAS, the COUNTY and the CITY no longer wish to be bound by the terms set forth in the Interlocal Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and benefits, the parties do hereby agree as follows:

A. Acknowledgement and Receipt of Funds.

CITY hereby acknowledges receipt of funds from the COUNTY as reimbursement in full of funds contributed pursuant to the terms of the Interlocal Agreement totaling Four Hundred and Seventy-Four Thousand Six Hundred and Nine Dollars and Twenty-Four Cents ($474,609.24).

B. Mutual Termination of August 9, 2010 Interlocal Agreement.

COUNTY and CITY hereby mutually terminate their August 9, 2010 Interlocal Agreement, as amended on July 10, 2012, effective on the date of this TERMINATION dated _____, 2019.

IN WITNESS WHEREOF, the parties hereto have executed this TERMINATION effective on the date written above.

BOARD OF COUNTY COMMISSIONERS,
MARTIN COUNTY, FLORIDA

_____
EDWARD V. CIAMPI, CHAIRMAN

ATTEST:

_____
CAROLYN TIMMANN, CLERK OF THE CIRCUIT COURT AND COMPTROLLER

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

_____
, COUNTY ATTORNEY

CITY OF STUART,
a municipal corporation of the State of Florida

_____
REBECCA S. BRUNER, MAYOR

ATTEST:

_____
MARY R. KINDEL, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

_____
MICHAEL J. MORTELL, CITY ATTORNEY