

RESOLUTION R-03-136

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE DISPOSAL OF CONSTRUCTION DEBRIS FROM THE 66TH STREET WEST STORAGE YARD BY DONATION AT NO CHARGE AS SURPLUS PROPERTY HAVING NO COMMERCIAL VALUE

WHEREAS, Section 274.06, Florida Statutes, provides that upon a determination that property is without commercial value it may be donated, destroyed or abandoned; and

WHEREAS, Manatee County Highway Maintenance Storage Yard and the facility at 66th Street West contain an excess of construction debris consisting primarily of a mixture of concrete, soil, and asphalt rubble; and

WHEREAS, during 1998, bids were solicited and it was found that the similar material referenced by this resolution could only be disposed of at a net cost to the County (exclusive of landfill fee).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, as follows:

1. Construction debris stored at the 66th Street West Highway Maintenance Storage Yard is of no commercial value and may be donated to Woodruff & Sons, Inc., without charge.

2. Woodruff & Sons, Inc., must provide its own loaders, drivers, trucks and other machines for the removal of the construction debris and agree to release and hold the County harmless from any claims for damages of Woodruff & Sons, Inc., its officers, agents, employees or contractors arising out of the conditions on County's property, including any condition caused by the negligence of the County, the moving, crushing, loading, hauling, and cleaning of the construction debris and all other general activities pursuant to this Resolution, except for damage caused by the gross negligence or intentional acts of the County or the County's officers, agents, employees or contractors.

ADOPTED, with a quorum present and voting this the 3rd day of June, 2003.

ATTEST: R.B. SHORE

By: Susan L. Rose
Clerk of the Circuit Court



BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: [Signature]
Chairman