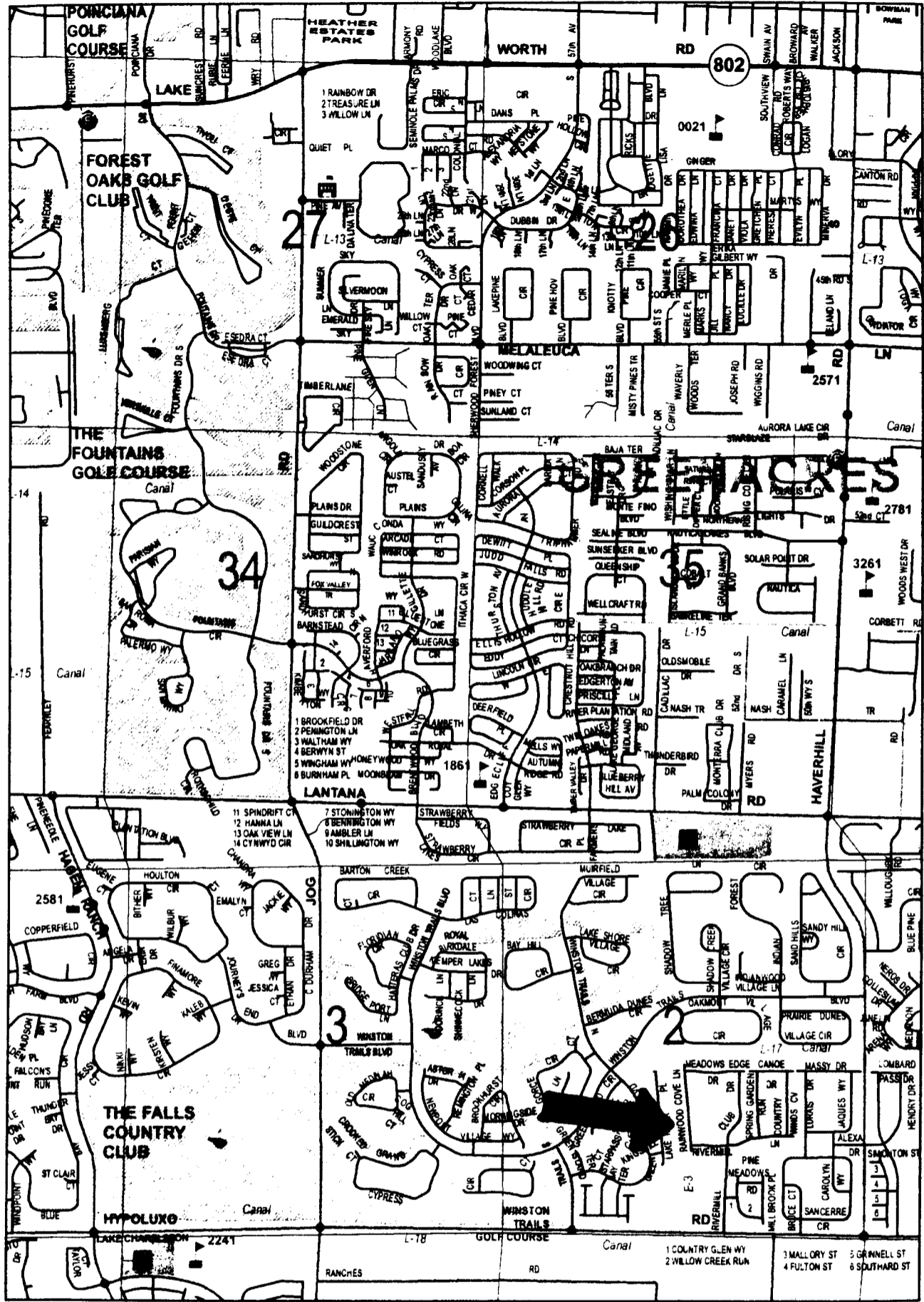


TWP 44

TWP 44

TWP 45



**AGREEMENT FOR TRAFFIC CONTROL JURISDICTION BETWEEN PALM
BEACH COUNTY AND RIVERMILL HOMEOWNERS ASSOCIATION
INCORPORATED**

THIS AGREEMENT, made and entered into this _____ day of _____, 2013 and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, hereinafter **County**, and **RIVERMILL HOMEOWNERS ASSOCIATION INCORPORATED** representing a private residential community located in Palm Beach County, Florida, hereinafter **Community**.

WITNESSETH:

WHEREAS, Community owns/or controls the roadways within its development as private roads; and

WHEREAS, Section 316.006(3) provides that County may exercise traffic control jurisdiction over private roads by written agreement after consultation with the Palm Beach County Sheriff's Office, hereinafter Sheriff; and

WHEREAS, Community wishes to contract with the County for performance of law enforcement services and functions relating to traffic control within its boundaries in Palm Beach County, Florida.

NOW, THEREFORE, in consideration of the mutual representations, terms, and covenants contained herein, the parties hereto agree as follows:

1. The above recitations are true and correct and incorporated herein.
2. Community desires to have the Sheriff and his deputies control traffic upon its roadways during normal patrol hours (hereinafter Services). Should Community desire deputies to be situated in its development at times outside normal hours, Community understands that a separate contract shall be executed for additional services and Community will be invoiced for such additional services.

P.O. Box 1989
West Palm Beach, FL 33402-1989

With a copy to:

Dan Weisberg, P.E., Director
Traffic Division
Palm Beach County Engineering and
Public Works Department
P.O. Box 21229
West Palm Beach, FL 33416-1229

COMMUNITY:

Rivermill Homeowners Association
Attention: Heidi Thoms (President)
c/o Banyan Property Management
2328 S Congress Ave St 1-C
West Palm Beach, FL 33406
561-649-8585

As to contract administration of the Operational Matters under this Agreement:

SHERIFF:

Palm Beach County Sheriff's Office
Attention: Commander of Traffic Division
3228 Gun Club Road
West Palm Beach, FL 33406
(561) 688-3508

10. The exercise of the traffic enforcement jurisdiction provided for herein shall be in addition to the jurisdictional authority presently exercised by County and Sheriff under law, and nothing in this Agreement shall be construed to limit or remove any jurisdictional authority.

11. The parties to this Agreement and their respective officers and employees shall not be deemed to assume any liability for the acts, omissions, and negligence of the other party. Further, nothing herein shall be construed as a waiver of sovereign immunity by either party, pursuant to Section 768.28, Florida Statutes.

12. The parties acknowledge that they have consulted with Sheriff as required by Florida Statutes 316.006(3)(b)(2). See acknowledgment of consultation a copy of which is attached hereto and incorporated herein as Exhibit C.

13. In the event that any section, paragraph, sentence, clause, or provision hereof be held by a court of competent jurisdiction to be valid, such shall not effect the remaining portions of this Agreement and the same shall remain in full force and effect.

14. This Agreement represents the entire understanding between the parties, and supersedes all other negotiations, representations, or agreement, either written or oral, relating to this Agreement.

15. This Agreement shall be construed by and governed by the laws of the State of Florida.

16. Any costs or expenses (including reasonable attorney's fees) associated with the enforcement of the terms and/or conditions of this Agreement shall be borne by the respective parties.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day and year first written above.

COMMUNITY:

Rivermill Homeowners Association
Attention: Heidi Thoms (President)
c/o Banyan Property Management
2328 S Congress Ave St 1-C
West Palm Beach, FL 33406
561-649-8585

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: Heidi Thoms
Heidi Thoms, President

By: _____
Steven L. Abrams, Mayor

ATTEST:
CHRISTINE BLUNDON, LCAM

ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

By: Christine Blundon

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: _____
County Attorney

By: Dan Masby

November 15, 2011

Rivermill Homeowners Association, Inc.
c/o Banyan Property Management
2328 South Congress Avenue - Suite 1C
West Palm Beach FL 33406

Exhibit A

**Re: Rivermill – Traffic Control Study
Follow-Up Site Visit and Letter of Compliance**

Dear Directors:

On April 8 and 9, 2011, a traffic control study was performed at the Rivermill community, a gated residential subdivision located in unincorporated Palm Beach County, Florida. The purpose of this study was to assess traffic control devices along the roadways within the community, and to identify and recommend possible improvements, if necessary, so that traffic enforcement by the Palm Beach County Sheriff's Department may be procured.

Upon completion of the traffic control study, including the field investigation and the subsequent assessment of the existing conditions to the applicable MUTCD standards, several deficiencies were identified for correction. Recommendations were also provided as suggested improvements only, and do not affect the criteria used to evaluate the Rivermill community for procurement of traffic enforcement by the Palm Beach County Sheriff's Department. The results of this study were reported to Rivermill Homeowners Association on May 6, 2011.

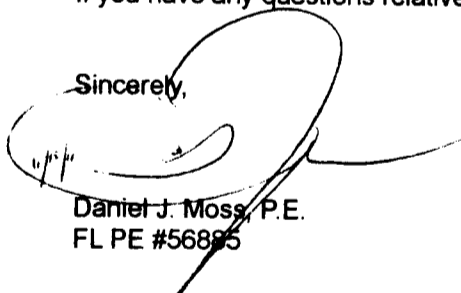
Upon receipt of notification from the Rivermill Homeowners Association in November, 2011, that all deficiencies were corrected, a final site visit was scheduled and conducted on November 12, 2011. Each deficiency identified in the Traffic Control Study has been satisfactorily addressed.

This letter serves to notify you that the Rivermill community is in full compliance with all required corrections to the noted deficiencies, and currently meets the applicable federal, state and local standards for traffic control features, including those set forth in the *Manual on Uniform Traffic Control Devices (MUTCD)*, 2009 Edition, published by the United States Department of Transportation Federal Highway Administration, December 2009.

All conditions observed, documented, and reported in this letter of compliance are the results of the follow-up site visit conducted on the date indicated and are only representative of the conditions existing at the time of the inspection.

If you have any questions relative to this letter of compliance, please feel free to call me at (561) 662-0819.

Sincerely,



Daniel J. Moss, P.E.
FL PE #56895



Exhibit B

BANYAN
PROPERTY MANAGEMENT, INC.
Dedicated to Your Community

April 23, 2013

PBC TRAFFIC ENGINEERING
ATTN: ROBERT PATANE
2300 N JOG RD – 3RD FLOOR
WPB FL 33411

Re: PBSO Agreement – Rivermill

To whom it may Concern:

This is to inform you that Rivermill Homeowners Association maintains all their streets and has in Rivermill. In addition all streets are in code to the Palm Beach County rules and guidelines.

If you have any questions please feel free to contact me at (561)252-1958.

Regards

A handwritten signature in cursive script, appearing to read "Chris Blundon".

Chris Blundon LCAM
For and on Behalf of the
Board of Directors of
Rivermill Homeowners
Association

2328 South Congress Avenue • Suite 1-C • West Palm Beach, FL 33406
(561) 649-8585 • Fax (561) 649-0188

www.banyanproperty.com

PBSO ACKNOWLEDGMENT OF CONSULTATION

Ric L. Bradshaw, Sheriff of Palm Beach County, Florida, hereby acknowledges that Palm Beach County has consulted with a designee of the Palm Beach County Sheriff's Office regarding the agreement for enforcement of the state traffic laws over the private road or roads which are owned or controlled by RIVERMILL HOA, INC, a private residential community.

FISCAL IMPACT

There is no fiscal impact to the Palm Beach County Sheriff's Office resulting from routine enforcement in regard to the Agreement for Traffic Control Jurisdiction between Palm Beach County and RIVERMILL HOA, INC,

Date: 5/3/13/
By: [Signature]
Title: Sheriff