BOCC AGENDA ITEM

Item Title: Marian Drive Abandonment Set Public Hearing

Date: 6/13/2022

Department: Engineering Services

Background:

Ryan and Sarah Stewart, applicant, submitted an application to petition the Board to abandon a portion of Marian Drive, Fernandina Beach as shown on attached map.

Engineering Services has reviewed the petition and recommends the Board to set a Public Hearing on July 25th, 2022 to consider the abandonment of a portion of Marian Drive.

Request:

Set a Public Hearing to consider the abandonment of a portion of Marian Drive, Fernandina Beach. Staff recommends July 25, 2022.

Financial/Economic Impact to Future Years Budgeting Process or Effect on Citizens:

If approved at a Public Hearing, the County would no longer be responsible for maintenance and repair of this portion of roadway.

Action Requested and Recommendation:

Set a Public Hearing to consider the abandonment of a portion of Marian Drive, Fernandina Beach. Staff recommends July 25, 2022.

Is this action consistent with the Nassau County Comprehensive Land Use Plan?

Yes

Funding Source:

N/A

APPROVED BOCC

DATE 6-13-22 (m)

Additional Information Needed for Contracts/Agreements (If Applicable)

Contract Number assigned by Contracts Management:

N/A

For non-governmental agencies, has the document been sent to the vendor for signature?

N/A

Does the document need to be recorded? If so, who will pay the recordation fee?

N/A

Are there any special mailing instructions? (Include contact name, address, deadline for submittal, how to mail such as express mail, FedEx, etc):

N/A

How many originals are needed?

N/A

ATTACHMENTS:

Description	Upload Date	Type
Resolution re: Marian Drive Abandonment	6/2/2022	Cover Memo
Aerial Map	5/16/2022	Backup Material

Marian Drive - Abandonment Application	5/16/2022	Backup Material
Marian Drive - Legal Description	5/16/2022	Backup Material
Survey	5/16/2022	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Engineering	Companion, Robert	Approved	5/16/2022 - 12:56 PM
Engineering	Bell, Amy	Approved	6/3/2022 - 8:53 AM

Nassau County Public Works
96161 Nassau Place
Yulee, Florida 32097
904-530-6225

Marlin Drive

PROCEDURES FOR VACATION, ABANDONMENT, OR CLOSING OF A ROAD, ROADWAY, STREET, ALLEYWAY, LOT OR SUBDIVISION PLAT.

Applications for Abandonment of right-of-way must be submitted to the Engineering Services Department between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. The application must be accompanied by a $368.00 review fee, $100 legal fee and a certified mailing fee of $6.96 for each property owner and utility company with utilities located within 300 feet of proposed abandoned property. These fees are non-refundable. The following items must be included at time of submittal.

1.) Completed original application form.
2.) Names and mailing address of all owners and utility companies with utilities within a 300 feet radius of the proposed vacated/abandoned property. The applicant shall obtain this information from the Nassau County Property Appraiser's website (www.nassauflpa.com).
3.) Licensed surveyor or attorney must certify a legal description of the road, roadway, Street, alleyway, lot or subdivision proposed to be abandoned.
4.) A tax map showing the property or portion of the property must be highlighted.

The applicant shall be responsible for providing the required documents as stated above. The Public Works Department cannot assist in the preparation of the required documents.

Upon receipt of completed application and fees:

1.) The Public Works Department will forward the application to the Board of County Commissioners.
2.) The Board of County Commissioners will set a time and date for a public hearing.
3.) The County will forward all necessary legal advertisements to the local newspaper for advertisement. The advertisement shall run for two (2) consecutive weeks prior to the public hearing.
Payment for the advertisement is the sole responsibility of the applicant and is payable directly to the newspaper in which it was published.
4.) Upon approval of the application, the Board of County Commissioners will adopt a resolution vacating / abandoning the proposed property.

Nassau County Public Works
96161 Nassau Place
Yulee, Florida 32097

APPLICATION FOR VACATION, ABANDONMENT, OR CLOSING OF A ROAD,ROADWAY, STREET, ALLEYWAY, LOT OR SUBDIVISION PLAT.

Address or General Location: 1304 Marian Drive Fernandina Beach, FL 32034

Property Identification Number: 00003002005000H0000

PART ONE - APPLICANT INFORMATION:

Applicant:

Name: Ryan and Sarah Stewart

Address: 1304 Marian Drive Fernandina Beach, FL 32034

Telephone Number: (718) 044.0704 Fax Number: ----------

Owner (If same as Applicant N/A)

Name: ----------

Address: ----------

Telephone Number: ---------- Fax Number: ----------

Nassau County Public Works
96161 Nassau Place
Yulee, Florida 32097

OWNER'S CONSENT AND DESIGNATION OF AGENCY

I, Ryan and Sarah Stewart, the owner of the following described property

(Give legal description): 1304 Marian Drive. Legal description attached.

Hereby petition the Nassau County Board of County Commissioners for the abandonment of right-of-way herein described and understand that in the event this abandonment request is granted, I shall receive and be responsible for property obtained pursuant to the abandonment,

And affirm that Ryan and Sarah Stewart
(Applicant's / Agent's Name)

Is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of Nassau County Board of County Commissioners and are not returnable.

(Owner's Signature)

The foregoing instrument was acknowledged before me this 28 day of March, 2022

by Saran Stewart, who is personally known to me or has produced _____

(type of document provided) as identification and who did / did not take an oath.

Elaine Matts
(Printed name of Notary)

Elaine Matts
(Signature of Notary)

Commission Number: GG 307142, My Commission Expires June 22, 2023

(NOTARY SEAL)

ELAINE MATTS
Notary Public - State of Florida
Commission # GG 307142
My Comm. Expires Jun 22, 2023
Bonded through National Notary Assn.

PHONE (904) 530-6225

Nassau County Public Works
96161 Nassau Place
Yulee, Florida 32097

PART TWO: PROPERTY INFORMATION

Legal Description of the Area to be Abandoned (attach separate sheet if necessary):

Please see attached survey with imagery and description of the area requested for abandonment.

Existing Condition of the Right-of-Way (i.e. Improved / Unimproved, is it being utilized for access):

The current condition of the right-of-way is the drive way to the property. It is in good condition.

Intended Use of the Right-of-Way:

The right-of-way will continue to be used as drive way for 1304 Marian Drive.

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MARIAN DR
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1347
AUTUMN TRC
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RESOLUTION NO. 2022-129

A RESOLUTION SETTING THE TIME AND PLACE FOR PUBLIC HEARING ON THE CLOSING, VACATING, AND ABANDONING OF THOSE CERTAIN RIGHTS OF WAYS OR THE RENOUNCING AND DISCLAIMING OF ANY RIGHT OR INTEREST OF SAID NASSAU COUNTY, FLORIDA, AND THE PUBLIC IN SAID RIGHTS OF WAY OR ALLEYS.

WHEREAS, Ryan and Sarah Stewart, applicant, has petitioned the Board of County Commissioners of Nassau County, Florida, to vacate, abandon, discontinue and close, and to renounce and disclaim the right and interest of Nassau County, Florida, and the public in and to those certain rights of ways or alleys described as follows:

LEGAL DESCRIPTIONS ATTACHED HERETO AS EXHIBIT "A"

WHEREAS, Florida Statutes, authorizes this Board to close, vacate and abandon rights of ways or alleys and to renounce and disclaim the right and interest of Nassau County, Florida, and of the public in and to lands delineated on any recorded map or plat as a right of way or alley outside of the corporate limits of any municipality after giving notice of and holding a public hearing to determine whether such action should be taken.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County, Florida, in a meeting duly assembled on the 13th day of June, 2022, that a public hearing will be held on said petition at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau

Place, Yulee, Florida, on the 25th day of July, 2022 at 6:00 p.m. or as soon thereafter as the matter may be heard.

BE IT FURTHER RESOLVED that notice of said meeting will be published in a newspaper of general circulation in Nassau County, Florida at least two weeks prior to the date of said hearing, said notice to be in substantially to form as indicated on the attached.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

~~AARON BELL~~ Jeff Gray, Vice Chairman
Its: ~~Chairman~~

ATTEST AS TO CHAIRMAN'S SIGNATURE:

JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney

DENISE C. MAY

MANZIE & DRAKE LAND SURVEYING

LEGAL DESCRIPTION
MARCH 15, 2022
PREPARED FOR: SARAH & RYAN STEWART
1304 MARIAN DRIVE RIGHT-OF-WAY ABANDONMENT

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN SECTION TWELVE (12), TOWNSHIP TWO (2) NORTH, RANGE TWENTY-EIGHT (28) EAST, NASSAU COUNTY, FLORIDA, AND BEING PART OF MARIAN DRIVE (A VARIABLE WIDTH RIGHT-OF-WAY) AS REFERRED TO ON AN UNRECORDED PLAT BY GEORGE W. LOVESEE. FINISHED 30 NOV., '66, FOR PHILLIP'S ENTERPRISES, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF AMELIA ROAD (A 60 FOOT-RIGHT OF WAY), AND A LINE PARALLEL TO AND 282.6 FEET NORTHERLY FROM THE NORTH EDGE OF SAID SECTION 12; THENCE SOUTH 80°24'00" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 956.00 FEET; THENCE AT RIGHT ANGLES SOUTH 09°36'00" EAST , A DISTANCE OF 389.07 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1433, PAGE 411 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE ALONG THE PERIMETER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1433, PAGE 411, THE FOLLOWING TWO (2) COURSES: (1) SOUTH 09°43'50" EAST, A DISTANCE OF 143.16 FEET; (2) THENCE SOUTH 67°28'17" WEST A DISTANCE OF 237.59 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH 29°04'21" WEST, A DISTANCE OF 79.98 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MARIAN DRIVE (A 60 FOOT RIGHT-OF-WAY AT THIS POINT) AND THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 40.00 FEET; THENCE SOUTHEASTERLY AND SOUTHWESTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MARIAN DRIVE (A VARIABLE WIDTH RIGHT-OF-WAY AND CUL-DE-SAC) AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 177°46'10", AN ARC DISTANCE OF 124.11 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 29°04'21" EAST, A DISTANCE OF 78.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.06 ACRE MORE OR LESS

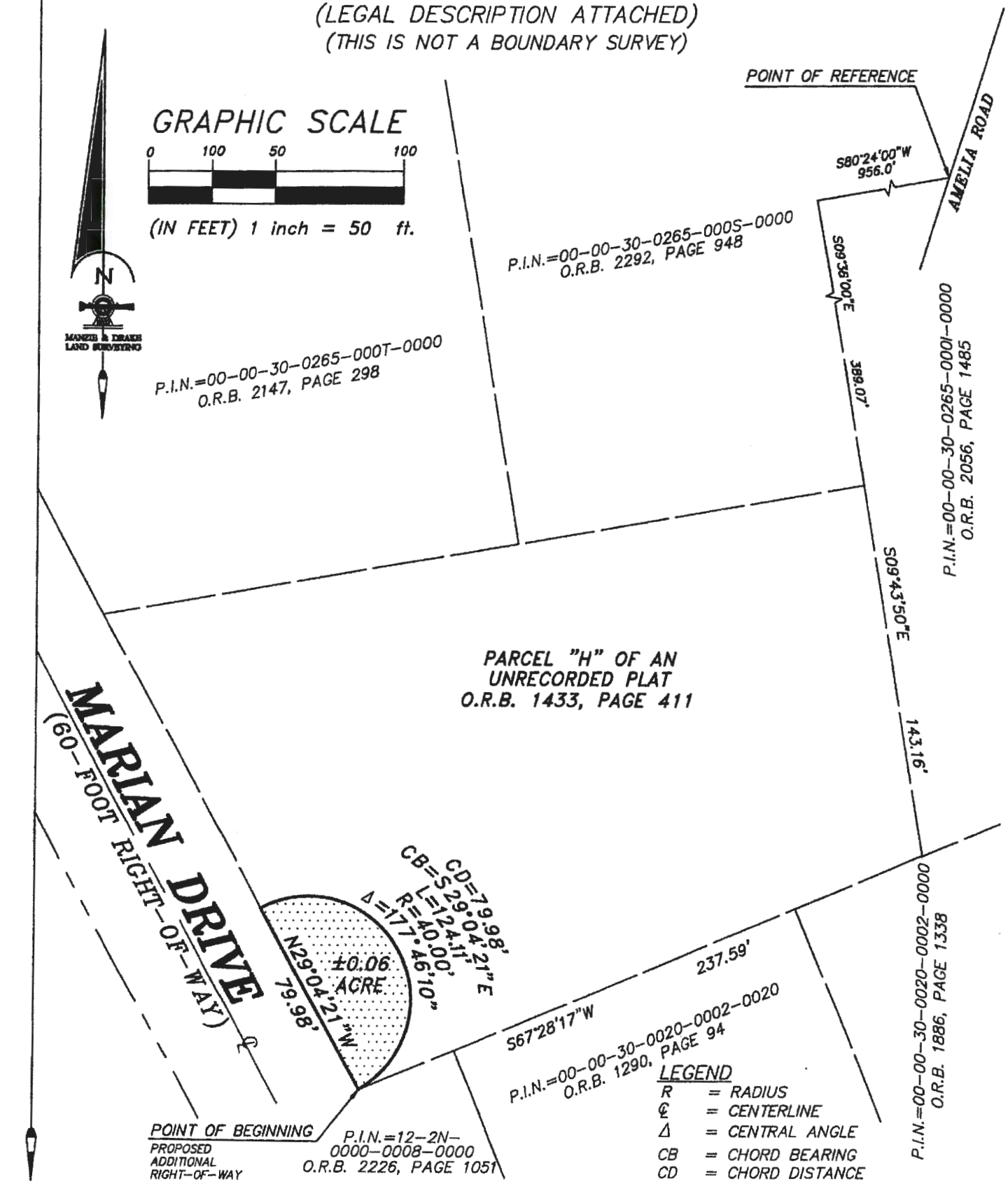
MICHAEL A. MANZIE, P.L.S.
FLORIDA REGISTRATION NO. 4069
JOB NO. 16788 3/15/22

117 SOUTH 9TH STREET, FERNANDINA BEACH, FL 32034
OFFICE (904) 491-5700 • FAX (904) 491-5777 • TOLL FREE (888) 832-7730
www.manzieanddrake.com

MANZIE & DRAKE LAND SURVEYING

SKETCH OF LEGAL DESCRIPTION

(LEGAL DESCRIPTION ATTACHED)
(THIS IS NOT A BOUNDARY SURVEY)



LEGEND

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OFFICE (904)491-5700 WWW.MANZIEANDDRAKE.COM

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Resolution No. 2022-129

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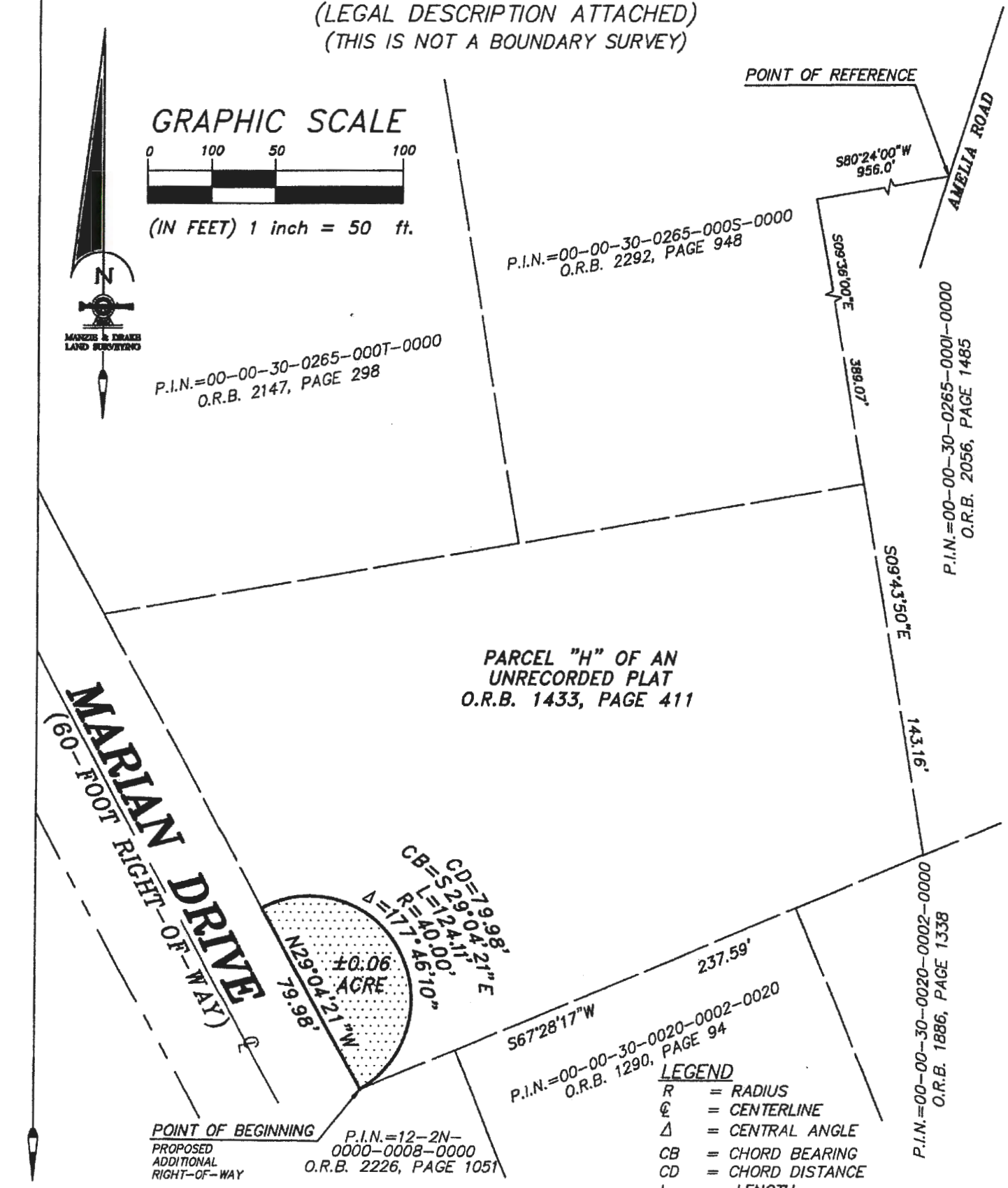

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