

RESOLUTION NO. 2018-___

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, VACATING A SIXTY (60) FOOT RIGHT-OF-WAY LOCATED WITHIN THE DRURY HOMES PLAT AS RECORDED IN PLAT BOOK 5, PAGE 3, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA

WHEREAS, James Dennis is the qualified fee simple land owner of the following described property:

**Lands described in the legal description attached hereto as Exhibit “A”
and by this reference made a part hereof**

WHEREAS, the Board of County Commissioners is authorized to adopt a resolution vacating plats, either in whole or in part, in subdivisions located in Nassau County, pursuant to Section 177.101, Florida Statutes; and

WHEREAS, the petition of James Dennis, owner, and herein referred to as Petitioner, was duly presented to the Board of County Commissioners at its regular meeting on November 26, 2018 in order to set a public hearing; and

WHEREAS, a public hearing was held on January 14, 2019 by the Board of County Commissioners of Nassau County, Florida; and

WHEREAS, it appears that the Petitioner is the fee simple owner of the above-described property, which contains, on the plat, the described sixty (60) foot right-of-way dedicated to Nassau County and its successors, the sixty (60) foot right-of-way depicted on the said plat (See Exhibit “B”) does not serve a public purpose and the Board of County Commissioners has no objections to vacation of the right-of-way; and

WHEREAS, notice was published in accordance with the requirements of Section 177.101(4), Florida Statutes, and all state and county taxes assessed against the Petitioner on the lands to be vacated that are due and payable have been paid in full; and

WHEREAS, a notice of intention to apply to the Board of County Commissioners to vacate the plat was duly published in a newspaper of general circulation in Nassau County, Florida, on January 2, 2019 and January 9, 2019; and

WHEREAS, the Board of County Commissioners, in accordance with Section 177.101(3), Florida Statutes, has determined that vacating a portion of the plat owned by Petitioner will not affect the ownership or right of convenient access of persons owning other parts of the subdivision or adjacent properties, and is in the best interest of the public welfare.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County, Florida, that:

1. Recitals. The above recitals are true and are incorporated as legislative findings.
2. Vacation and Abandonment. Upon request of Petitioner, the Board finds that the following described portion of the plat (the Easement) of the Drury Homes Plat as recorded in Plat Book 5, Page 3, of the public records of Nassau County, Florida (Exhibit "B") is hereby vacated and abandoned insofar as this Board of County Commissioners has the authority to do so and this Board hereby renounces and disclaims any right of the County and the public in and to the above-described property (Easement described in Exhibit "B").
3. This Resolution shall be spread upon the minutes of the Board of County Commissioners of Nassau County, Florida, and said Petitioner shall publish a notice of its adoption one (1) time within thirty (30) days hereafter in a newspaper of general circulation in Nassau County, Florida.

DULY ADOPTED this _____ day of _____, 2019.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

PAT EDWARDS
Its: Chairman

ATTEST AS TO CHAIRMAN'S
SIGNATURE:

JOHN A. CRAWFORD
Its: Ex-Officio Clerk

APPROVED AS TO FORM BY THE
NASSAU COUNTY ATTORNEY:

MICHAEL S. MULLIN

EXHIBIT "A"

All of that certain piece, parcel or tract of land lying and being in the County of Nassau and the State of Florida known and described as follows:

LOT 1, DRURY HOMES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 3 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

EXHIBIT "B"

All of that certain piece, parcel or tract of land lying and being in the County of Nassau and the State of Florida known and described as follows:

A parcel of land being a portion of a 60 foot right-of-way as shown on the Drury Homes Plat as recorded in Plat Book 5, Page 3, of the Public Records of Nassau County, Florida. Said portion being more particularly described as follows:

Commencing at the Southeast corner of Lot 1 as indicated on said Plat:

Thence North 00°15'07" East along the easterly line of Lot 1 of the Plat of Drury Homes, as recorded in Plat Book 5, Page 3, of the Public Records of Nassau County, Florida, also being the westerly line of the Plat of Amelia Oaks, as recorded in Plat Book 8, Page 85 of the Public Records of Nassau County Florida, 101.75 Feet to the point of beginning, said point being the Southeast corner of a 60 foot wide roadway as measured at a right angle to the North line of said Lot 1;

Thence North 79°05'16" West along the northerly line of said Lot 1 213.87 feet to the East right-of-way line of Drury Road as indicated on said Plat;

Thence North 10°57'08" East 60.09 feet along said easterly right-of-way line to the Southwest corner of Lot 3 of said Plat;

Thence South 79°03'34" East 202.54 feet, along the southerly line of said Lot 3 to the Southeast corner of said lot;

Thence South 00°15'07" West along the easterly line of the Plat of Drury Homes, as recorded in Plat Book 5, Page 3, of the Public Records of Nassau County Florida, also being the westerly line of the Plat of Amelia Oaks, as recorded in Plat Book 8, Page 85 of the Public Records of Nassau County Florida, 61.04 Feet to the Northeast corner of said Lot 1 and the point of beginning.

Said lands lying in the City of Fernandina Beach, Nassau County, Florida, containing 12,500 square feet (0.287 acre), more or less.