

**STIPULATION OF PARTIES
FOR THE CLOSING OF CLYATT CIRCLE
HIGHWAY-RAIL GRADE CROSSING
NASSAU COUNTY, FLORIDA**

Nassau County, hereinafter referred to as "COUNTY," CSX Transportation, Inc., hereinafter referred to as "RAILROAD," and Florida Department of Transportation, hereinafter referred to as "DEPARTMENT," by and through their undersigned representatives hereby file this Stipulation of Parties as follows:

1. The COUNTY has filed an application with the DEPARTMENT to close the public highway-rail grade crossing at Clyatt Circle, Crossing Number 643314 X, pursuant to Section 335.141(1), Florida Statutes. A copy of the application is attached hereto and made a part hereof as EXHIBIT "A."
2. The Clyatt Circle crossing is a two (2) lane rural street railroad grade crossing located at RAILROAD Mile Post 617.48, near the Town of Hilliard, in Nassau County, Florida, as set forth on the map attached hereto and made a part hereof as EXHIBIT "B."
3. The railroad tracks at Clyatt Circle are classified as two (2) main line tracks and one (1) switch track. According to the RAILROAD, there are eighty-two (82) train movements per day. The current maximum train speed on the main line tracks at this location is seventy-nine (79) miles per hour.
4. The RAILROAD, at the RAILROAD's expense, will remove the crossing surface and roadway pavement ten (10) feet from both sides of the railroad track centerline at the Clyatt Circle crossing and restore the RAILROAD's right of way at the crossing with removal of all evidence of the crossing.

5. The RAILROAD, at the RAILROAD's expense, will remove the highway railroad grade crossing warning devices at the crossing. After closure work has been performed, the COUNTY, at the COUNTY's expense, will erect on each side of the closed crossings, if needed, signs and object markers as identified in the DEPARTMENT'S Standard Index 17349, outside of the RAILROAD'S right-of-way as provided in Exhibit "C."
6. All work by the COUNTY will be coordinated with the RAILROAD to ensure that all applicable railroad requirements such as flagging, insurance, etc. are adhered to.
7. All parties agree that the closure of Clyatt Circle crossing can be applied, with the closure of the Harts Road highway-rail grade crossing (Crossing Number 620823 E), to the opening of a new crossing at the realignment of William Burgess Boulevard at a future date, if the COUNTY chooses to submit opening and closure applications, and provided the design plans are accepted by the RAILROAD and DEPARTMENT, and all work by the COUNTY is consistent with current Manual of Uniform Traffic Control Devices (MUTCD), American Association of State Highway and Transportation Officials (AASHTO) Policy, and the DEPARTMENT'S Manual of Uniform Minimum Standards For Design, Construction, and Maintenance for Streets and Highways (Florida's Green Book).
8. This Stipulation of Parties has been executed by all parties having an interest in this matter, and further, all parties of this stipulation waive hearing rights provided by Chapter 120, Florida Statutes, and request the DEPARTMENT to issue authority in accordance with Section 335.141(1), Florida Statutes and Rule 14-57.012, Florida Administrative Code.
9. The DEPARTMENT authorizes the closure of Clyatt Circle highway-rail grade crossing as evidenced by the execution of this Stipulation of Parties.

(THIS CONCLUDES THE BODY OF THIS STIPULATION OF PARTIES)

CSX TRANSPORTATION, INC. - RAILROAD

By: *Richard M. Kadlick*
(Authorized Signature)

Printed Name: Richard M. Kadlick

Title: Vice President - Engineering • Mechanical Standards • Quality

Date: 1/7/04

NASSAU COUNTY - COUNTY

Owner:
Board of County Commissioner
Nassau County, Florida

Vickie Samus
Floyd Vanzant, Chairman
Vickie Samus

Attest: *J.M. Oxley, Jr.*
J.M. "Chip" Oxley, Jr.
Its: Ex-Officio Clerk

Approved as to form by the County Attorney

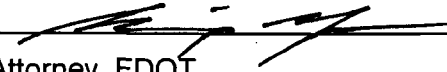
Michael S. Mullin
Michael S. Mullin, Esquire

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: *Maureen O'Connell*
State Public Transportation Administrator

Date: 01-28-04

DEPARTMENT OF TRANSPORTATION
LEGAL REVIEW

By: 
Attorney, FDOT

Date: 1-28-04

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
RAILROAD GRADE CROSSING APPLICATION

725-080-66
RAIL
1000

ROAD NAME OR NUMBER	COUNTY/CITY NAME
CLYATT CIRCLE	NASSAU COUNTY

A. IDENTIFICATION:

Submitted By:

Application For:

Applicant JACK J. D'AMATO

Title DIRECTOR OF PUBLIC WORKS

Telephone 904-491-3610

Address 213 NASSAU PLACE
YULEE, FLORIDA 32097

- Closing a public at-grade rail/highway crossing by:
 roadway removal
- Opening a public at-grade rail/highway crossing by:
 new rail line construction
 new roadway construction
- Conversion of an existing crossing by:
 private crossing to public at-grade rail/highway crossing

B. CROSSING LOCATION:

FDOT/AAR Crossing Number: 643 314X

Jurisdiction for Street or Roadway by Authority of: City County State

Local Popular Name of Street or Roadway: CLYATT CIRCLE

Railroad Company: CSX

Railroad Mile Post: 617.48

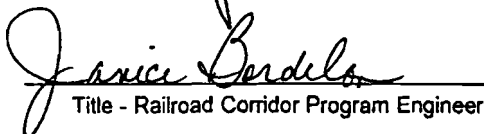
SUBMITTED FOR THE APPLICANT BY:



Title

DATE: 12-3-01

APPLICATION APPROVED FOR THE DEPARTMENT BY:



Title - Railroad Corridor Program Engineer

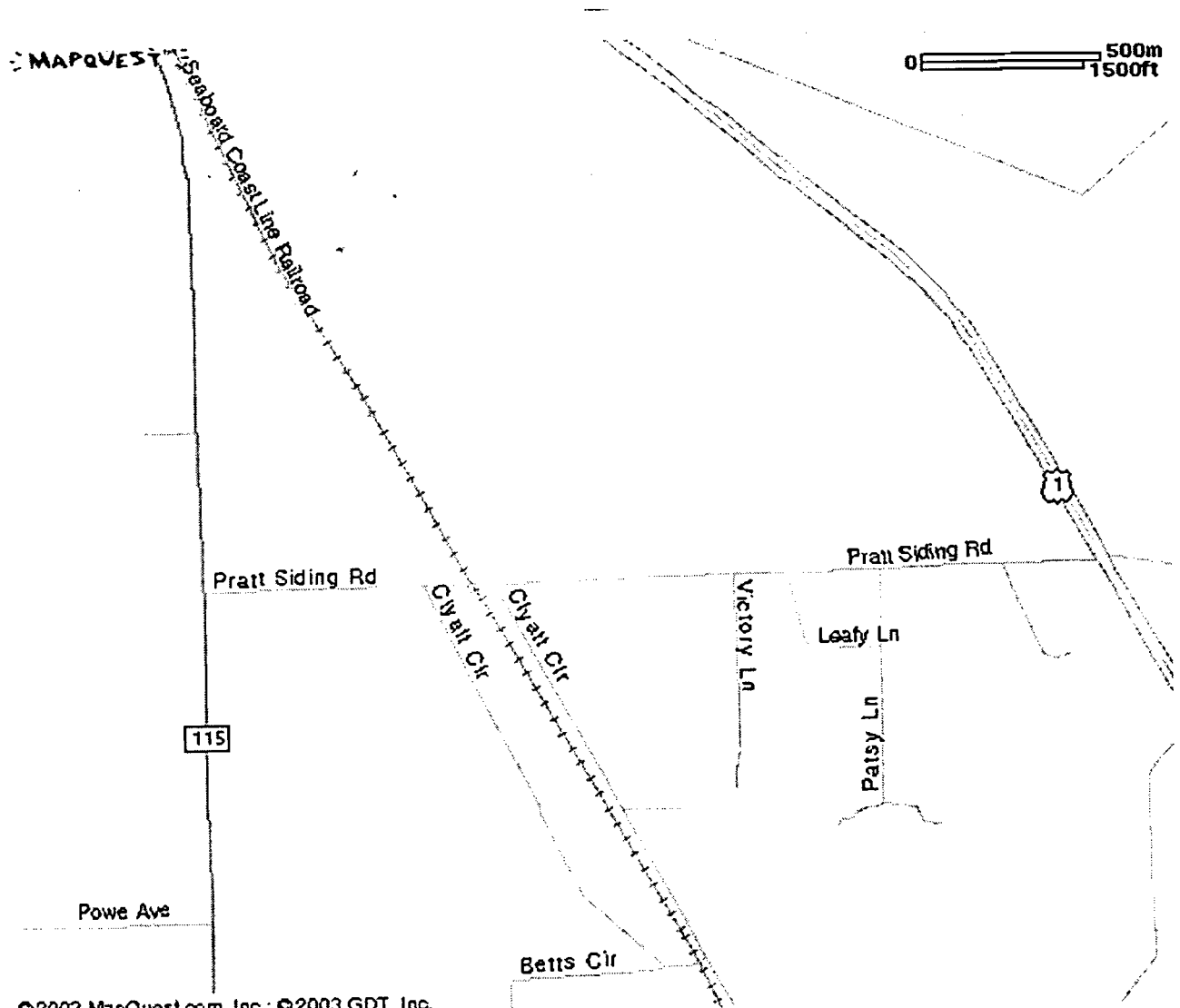
DATE: 12-3-01

REFERENCES:

(Specific Legal Authority) 334.044 F.S., 120.57 F.S.
(Law Implemented) 335.141 F.S.
(Administrative Rule) 14-46.003 D.O.T.
Rail Manual Topic No. 725-080-002, Chapter 3

ATTACHMENTS:

- Location Map
 Letters of Support (opening/closing)



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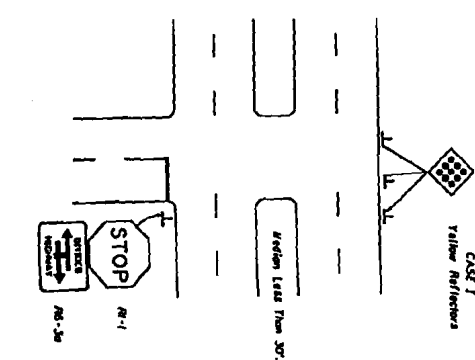
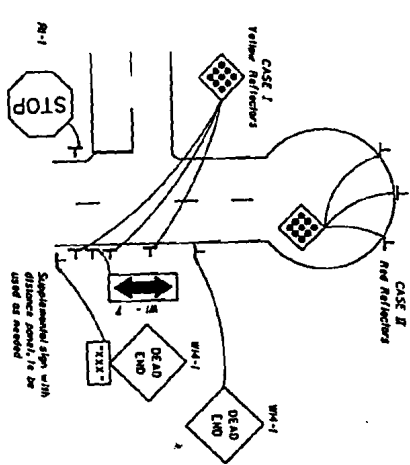
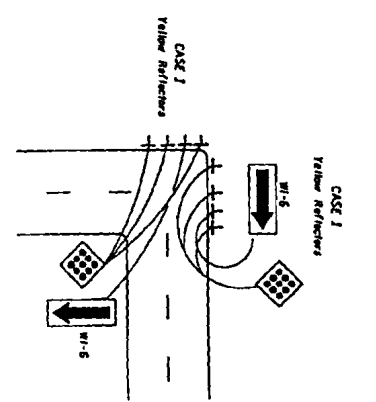
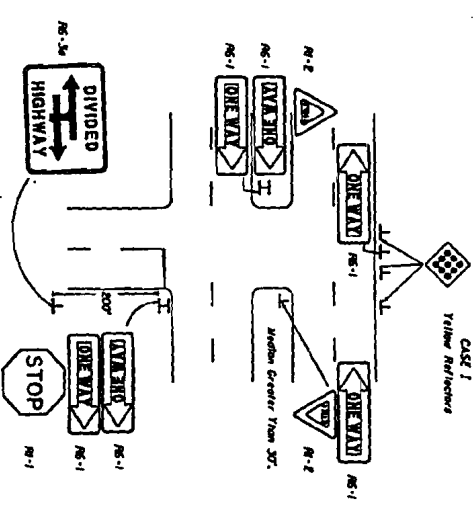


CASE I Type I Object Markers shall consist of three yellow reflectors mounted on a yellow reflective background or consist of a reflective panel of the same size with Type III-A, III-B or III-C yellow sheeting.

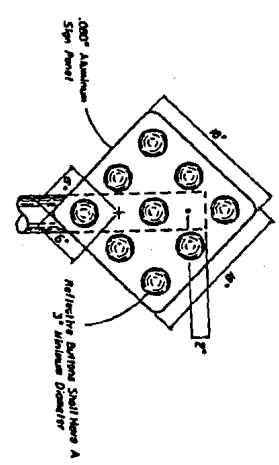
CASE II End of Road Markers shall consist of three red reflectors mounted on a red reflective background or consist of a reflective panel of the same size with Type III-A, III-B or III-C red sheeting.

NOTES:

1. This sheet applicable to residential and other streets only. Major streets to be indicated on a case by case basis.
2. "Intersection" two-way streets and reflectors are optional. The need should be based on a review of each location.
3. For additional details on aluminum road sign, sheet (except diamond panel, sign post, material and bolts, nuts and washers see sheet nos. 10550 and 10555.
4. Case I Installation - The arrow points and object markers must be spaced approximately 20' interval from the edge of the travel lane.
5. Object and sign shall be placed a sufficient distance in front of the vehicle operator to avoid the stop and by turning off, if possible, of the power to the intersecting street.
6. For general marking see sheet no. 10345
7. No general is required unless specified.



ONE WAY signs (R-1) are not authorized on residential streets. All other instructions with relation to signs of this type shall be followed as they appear on the sign itself.



Supports shall be driven 3' into the ground.
 R-1, R-2, R-3, Aluminum Round Post or 2.5" x 2.5" Steel Tapped Round Post.
 Aluminum Post for Aluminum Signs Round Post with 1/2" diameter hole for 3/8" diameter Street Post Nut. Bolt with Flat Washer under Head and Lockwasher under Head.
 Diamond Panel Arrangement in accordance with the Sign Attachment Detail on sheet no. 10555.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
 TRAFFIC CONTROLS FOR
 STREET TERMINATIONS

Checked By:	Approved By:	Checked By:	Approved By:
Checked Date:	Approved Date:	Checked Date:	Approved Date:
Sheet No.:	Sheet No.:	Sheet No.:	Sheet No.:
10/1	10/1	10/1	10/1