

REC'D MAY 5 - 1972

RESOLUTION NO. 84

OFFICIAL RECORDS

BOOK

123 630

RESOLUTION SETTING TIME AND PLACE FOR
PUBLIC HEARING TO VACATE PORTIONS OF
THE PLAT OF UNIT FIVE, YULEE FARMS,
SAID PLAT BEING RECORDED IN PLAT
BOOK 5, PAGE 16, PUBLIC RECORDS OF NASSAU
COUNTY, FLORIDA.

WHEREAS, RICHARD D. BARKER and MARY K. BARKER, his wife, along
with Joseph M. Ripley, Jr., acting as their attorney, have Petitioned this
Board to adopt and promulgate a proper Resolution vacating the following portions
of the plat of Unit 5, Yulee Farms, more particularly described as follows, viz:

450
All those certain lots, pieces or parcels of land situate, lying and being in
Section 42, Township 2 North, Range 27 East, Nassau County, Florida, being
0.5 mile south of the Town of Yulee, and lying Easterly from U. S. Highway
No. 17, and being further described by metes and bounds as follows: For a
Point of Reference start at the northwest corner of Lot 10 of Unit 4 of
Yulee Farms Subdivision as recorded in Plat Book 3, Page 32 of the Public
Records of Nassau County, Florida; thence go North 83 degrees, 49 minutes
West for 37.5 feet to the center of pavement and 75 foot right of way of U. S.
Highway No. 17; thence go North 6 degrees 11 minutes East along center of
said U. S. Highway No. 17 for 538.14 feet to the Point of Intersection of Vertex
of the curve to the left; thence go North 7 degrees 59 minutes West for
355.99 feet to the Point of Tangency of said Curve; thence continue North 7
degrees 59 minutes West, along the center of the 75 foot right of way of
U. S. Highway No. 17, for 4193.81 feet; thence go at right angles North 82
degrees 01 minutes East for 37.5 feet to the easterly right of way of U. S.
Highway No. 17 and the Point of Beginning; thence continue North 82 degrees
01 minutes East, along Northerly side of the 60 foot Road for 866.8 feet to
westerly side of the 100 foot right of way of the American Telephone and
Telegraph Company; thence go South 12 degrees 38 minutes East, along
said Westerly side of the A. T. & T. Company 100 foot right of way, for
722.38 feet; thence go South 82 degrees 01 minutes West for 525.50 feet; thence
go North 7 degrees 59 minutes West, along the Westerly side of the 60 foot
road for 660.00 feet; thence go South 82 degrees 01 minute West, along South
side of the 60 foot Road, for 400.00 feet to the easterly right of way of U. S.
Highway No. 17; thence go North 7 degrees 59 minutes West, along easterly
right of way of U. S. Highway no. 17 for 60 feet to the Point of Beginning,
This Parcel of land contains 8.75 acres, more or less, and is subdivided
into 12 lots and 3 Roads as shown on the plat of the survey below.

EXCEPT: Any part of said lands used as public roads.

WHEREAS, Section 336.09, Florida Statutes, authorizes this Board to close,
vacate and abandon streets, roads and alley-ways and to renounce and disclaim
the right and interest of the County and of the public in and to lands delineated
on any recorded map or plat as a street, alley-way, road or highway 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 meeting duly assembled that a Public Hearing will be held on said Petition at the Nassau County Courthouse in Fernandina Beach, Florida, on the 14th day of March, A. D. 1972, at 2:00 o'clock P. M.

BE IT FURTHER RESOLVED that Notice of said meeting be published in the Fernandina Beach Newsleader, 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 the following form:

NOTICE OF HEARING FOR THE ABANDONING AND
DISCLAIMING OF THE RIGHT AND INTEREST OF
THE COUNTY AND PUBLIC IN AND TO LANDS
DELINEATED ON A RECORDED PLAT AS STREETS,
ALLEY-WAYS, ROADS OR HIGHWAYS.

TO WHOM IT MAY CONCERN:

You will take notice that the Board of County Commissioners of Nassau County, upon the Petition of Richard D. Barker and Mary K. Barker, his wife, will at 2:00 o'clock P. M. on the 14th day of March, A. D. 1972, at the County Courthouse in Fernandina Beach, Florida, consider and determine whether or not the County will vacate, abandon, discontinue and close, and will renounce and disclaim any right of the County and public in and to any land or interest therein delineated upon the Road-ways or Alley-ways which are more particularly described as follows:

All those certain lots, pieces or parcels of land situate, lying and being in Section 42, Township 2 North, Range 27 East, Nassau County, Florida, being 0.5 mile South of the Town of Yulee, and lying Easterly from U. S. Highway No. 17, and being further described by metes and bounds as follows: For a Point of Reference start at the northwest corner of Lot 10 of Unit 4 of Yulee Farms Subdivision as recorded in Plat Book 3, Page 32 of the Public Records of Nassau County, Florida; thence go North 83 degrees, 49 minutes West for 37.5 feet to the center of pavement and 75 foot right of way of U. S. Highway No. 17; thence go North 6 degrees 11 minutes East along center of said U. S. Highway No. 17 for 538.14 feet to the Point of Intersection of Vertex of the curve to the left; thence go North 7 degrees 59 minutes West for 355.99 feet to the Point of Tangency of said Curve; thence continue North 7 degrees 59 minutes West, along the center of the 75 foot right of way of U. S. Highway No. 17, for 4,193.81 feet; thence go at right angles North 82 degrees 01 minutes East for 37.5 feet to the easterly right of way of U. S.

Highway No. 17 and the Point of Beginning; thence continue North 82 degrees 01 minutes East, along Northerly side of the 60 foot Road for 866.8 feet to westerly side of the 100 foot right of way of the American Telephone and Telegraph Company; thence go South 12 degrees 38 minutes East, along said Westerly side of the A. T. & T. Company 100 foot right of way, for 722.38 feet; thence go South 82 degrees 01 minutes West for 525.50 feet; thence go North 7 degrees 59 minutes West, along the Westerly side of the 60 foot road for 660.00 feet; thence go South 82 degrees 01 minute West, along South side of the 60 foot Road, for 400.00 feet to the easterly right of way of U. S. Highway No. 17; thence go North 7 degrees 59 minutes West, along easterly right of way of U. S. Highway No. 17 for 60 feet to the Point of Beginning, This parcel of land contains 8.75 acres, more or less, and is subdivided into 12 lots and 3 Roads as shown on the plat of the survey below.

EXCEPT, any part of said lands used as public roads.

Persons interested may appear and be heard at the time and place specified.

BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BY: J. W. Jones
J. W. Jones, Chairman

ATTEST:

D. O. Oxley
D. O. Oxley, Ex-Officio Clerk

ADOPTED THIS 8th day of February, A. D. 1972.

BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BY: J. W. Jones
J. W. Jones, Chairman

D. O. Oxley
D. O. Oxley, Ex-Officio Clerk



4520
FILED AND RECORDED
IN OFFICE
1972 MAY -5 PM 2:29
D. O. OXLEY
CLERK CIRCUIT COURT
NASSAU COUNTY, FLA.

THE FERNANDINA BEACH NEWS-LEADER

Published Weekly

FERNANDINA BEACH, NASSAU COUNTY, FLORIDA

ten feet wide roadways or alleyways, and have been delineated on said plat.

BE IT FURTHER RESOLVED that the right and interest of Nassau County and the public in said roadways or alleyways above described be, and the same is hereby renounced and disclaimed, and any easement heretofore owned, held, claimed or used by or on behalf of the public therein is hereby abrogated and that said Resolution, renounces and disclaims any right or interest of the County and Public in said Plat of said roadways or alleyways as described herein.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

ATTEST:
/s/ D. O. Oxley
Ex-Officio Clerk

/s/ J. W. Jones
By: Chairman

BE IT FURTHER RESOLVED that the Clerk of the Circuit Court of Nassau County, Florida, is hereby directed to record in the deed records of Nassau County the Proof of Publication of Notice of Public Hearing, this Resolution, and the Proof of Publication of Notice of Adoption of this Resolution.

ADOPTED this 14th day of March, A. D. 1972.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

BY: /s/ J. W. Jones
Chairman

ATTEST:
/s/ D. O. Oxley
Ex-Officio Clerk

IT

STATE OF FLORIDA
COUNTY OF NASSAU:

Before the undersigned authority personally appeared

Ray Caldwell

who on oath says that he is Business Manager of The Fernandina Beach News-Leader a weekly newspaper published at Fernandina Beach in Nassau County Florida; that the attached copy of advertisement, being a _____

Legal Notice

in the matter of Resolution Vacating Portions of the
Plat of Unit 5, Yulee Farms

in the _____ Court, was published in said newspaper in the issues of April 6,

Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me

this 10th day of April

Ray Caldwell

A. D. 1972

Walter L. Freeman
(SEAL) Notary Public

4522

FILED AND RECORDED
IN OFFICE

1972 MAY -5 PM 2:30

Notary Public, State of Florida at Large
My commission expires Aug. 10, 1975

D. O. OXLEY
CLERK CIRCUIT COURT
NASSAU COUNTY, FLA.

RESOLUTION VACATING PORTIONS OF THE PLAT OF UNIT 5, YULEE FARMS, SAID PLAT BEING RECORDED IN PLAT BOOK 5, PAGE 16, PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, AND THE RENOUNCING AND DISCLAIMING OF ANY RIGHT OR ANY INTEREST OF THE COUNTY AND THE PUBLIC IN SAID PLAT OR ROADWAYS OR ALLEYWAYS CONTAINED THEREIN.

WHEREAS, a public hearing was held at 2:00 o'clock p.m. on March 14, A.D. 1972, at the Nassau County Courthouse in Fernandina Beach, Nassau County, Florida, pursuant to a Notice duly published as provided by law upon the Petition of RICHARD D. BARKER and MARY K. BARKER, his wife, along with JOSEPH M. RIPLEY, JR., acting attorney, requesting this Board to vacate the following portions of the Plat of Unit 5, of Yulee Farms more particularly described as follows, and vacating and abandoning the roadways or alleyways hereinafter described and renouncing and disclaiming the right of the public and the County in and to said roadways or alleyways:

All those certain lots, pieces or parcels of land situated, lying and being in Section 42, Township 2 North, Range 27 East, Nassau County, Florida, being 0.5 mile south of the Town of Yulee, and lying Easterly from U.S. Highway No. 17, and being further described by metes and bounds as follows: For a Point of reference start at the northwest corner of Lot 10 of Unit 4 of Yulee Farms Subdivision as recorded in Plat Book 3, Page 32 of the Public Records of Nassau County, Florida; thence go North 83 degrees, 49 minutes West for 37.5 feet to the center of pavement and 75 foot right of way of U.S. Highway No. 17; thence go North 6 degrees 11 minutes East along center of said U.S. Highway No. 17 for 538.14 feet to the Point of Intersection of Vertex of the curve to the left; thence go North 7 degrees 59 minutes West for 355.99 feet to the Point of Tangency of said Curve; thence continue North 7 degrees 59 minutes West, along the center of the 75 foot right of way of U.S. Highway No. 17, for 4198.81 feet; thence go at right angles North 82 degrees 01 minutes East for 37.5 feet to the easterly right of way of U.S. Highway No. 17 and the Point of Beginning; thence continue North 82 degrees 01 minutes East, along Northerly side of the 60 foot Road for 866.8 feet to westerly side of the 100 foot right of way of the American Telephone and Telegraph Company; thence go South 12 degrees, 38 minutes East, along said Westerly side of the A.T.&T. Company 100 foot right of way, for 722.38 feet; thence go South 82 degrees 01 minutes West for 525.50 feet; thence go North 7 degrees 59 minutes West, along

the westerly side of the 60 foot road for 660.00 feet; thence go South 82 degrees 01 minutes West along South side of the 60 foot Road, for 400.00 feet to the easterly right of way of U.S. Highway No. 17; thence go North 7 degrees 59 minutes West, along easterly right of way of U.S. Highway No. 17 for 60 feet to the Point of Beginning. This parcel of land contains 8.75 acres, more or less, and is subdivided into 12 lots and 3 Roads as shown on the plat of the survey below. Except: Any part of said lands used as public roads.

BE IT FURTHER RESOLVED that the Clerk of this Board shall cause to be published, within 30 days after the adoption of this Resolution, in one issue of the Fernandina Beach News Leader, a newspaper of general circulation published in Nassau County, Florida, a notice of the adoption of this Resolution closing, vacating and abandoning all of those certain roadways or alleyways in said plat as described in said Petition together with roadways or alleyways located therein in Plat Book 5, Page 16, Public Records of Nassau County, Florida, and the renouncing and disclaiming of any right or interest of the County and the public in said roadways or alleyways.

NOTICE is hereby given that the Board of County Commissioners of Nassau County, Florida, did on March 14, 1972, at 2:00 o'clock p.m. adopt a Resolution vacating said plat, vacating and abandoning those certain roadways or alleyways and said plat described as follows:

All those certain lots, pieces or parcels of land situated, lying and being in Section 42, Township 2 North, Range 27 East, Nassau County, Florida, being 0.5 mile south of the Town of Yulee, and lying Easterly from U.S. Highway No. 17, and being further described by metes and bounds as follows: For a Point of Reference start at the Northwest corner of Lot 10 of Unit 4 of Yulee Farms Subdivision as recorded in Plat Book 3, Page 32 of the Public Records of Nassau County, Florida; thence go North 83 degrees, 49 minutes West for 37.5 feet to the center of pavement and 75 foot right of way of U.S. Highway No. 17; thence go North 6 degrees 11 minutes East along center of said U.S. Highway No. 17 for 538.14 feet to the Point of Intersection of Vertex of the curve to the left; thence go North 7 degrees 59 minutes West for 355.99 feet to the Point of Tangency of said Curve; thence continue North 7 degrees 59 minutes West, along the center of the 75 foot right of way of U.S. Highway No. 17, for 4193.81 feet; thence go at right angles North 82 degrees 01 minutes East for 37.5 feet to the easterly right of way of U.S. Highway No. 17 and the Point of Beginning; thence con-

tinue North 82 degrees 01 minutes East, along Northerly side of the 60 foot Road for 866.8 feet to westerly side of the 100 foot right of way of the American Telephone and Telegraph Company; thence go South 12 degrees, 38 minutes East, along said Westerly side of the A.T.&T. Company 100 foot right of way, for 722.38 feet; thence go South 82 degrees 01 minutes West for 525.50 feet; thence go North 7 degrees 59 minutes West, along the Westerly side of the 60 foot road for 660.00 feet; thence go South 82 degrees 01 minute West, along South side of the 60 foot Road, for 400.00 feet to the easterly right of way of U.S. Highway No. 17; thence go North 7 degrees 59 minutes West, along easterly right of way of U.S. Highway No. 17 for 60 feet to the Point of Beginning. This parcel of land contains 8.75 acres, more or less, and is subdivided into 12 lots and 3 Roads as shown on the plat of the survey below. Except: Any part of said lands used as public roads.

WHEREAS, no one appeared at said hearing to oppose said Petition, and,

WHEREAS, this Board has determined that said Plat and roadways and alleyways located thereon are not now used by the public in any manner whatsoever nor has it been being opened or cleared or in any manner whatsoever used as a roadway or alleyway in recent times nor is the same useful, or necessary to the proper enjoyment of any other property in the surrounding area.

WHEREAS, this Board has determined that the dedication of said roadway or alleyway has never been accepted by any affirmative action by this Board, and

WHEREAS, this Board finds that said roadway or alleyway lies wholly without the corporate limits of any municipality and that this Board is authorized to close said roadway or alleyway by the authority granted in Section 336.09, Florida Statutes, and

WHEREAS, this Board has determined that it is in the best interest of Nassau County that said Plat be vacated, and that said roadways or alleyways located therein be closed, vacated and abandoned and that the interest of Nassau County and the Public be renounced and disclaimed therein.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, in meeting duly assembled that said roadways or alleyways as hereinbefore described in the preamble hereto be, and the same is hereby closed, vacated, and abandoned to the same ex-

PETITION OF RICHARD D. BARKER AND MARY K. BARKER, HIS WIFE, FOR THE VACATING OF THE PLAT OF UNIT FIVE, YULEE FARMS SUBDIVISION, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGE 16, IN THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

TO: THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

Your Petitioners, RICHARD D. BARKER and MARY K. BARKER, his wife, respectfully request this Honorable Body to vacate the following portions of the Plat of Unit 5, Yulee Farms, recorded in Plat Book 5, Page 16, of the Public Records of Nassau County, Florida, more particularly described as follows:

All those certain lots, pieces, parcels and portions of land, lying and being in Section 12, Township 22 North, Range 27 East, Nassau County, Florida, being 0.5 mile south of the Town of Yulee, and lying Easterly from U. S. Highway No. 17, and being further described by metes and bounds as follows: For a Point of Reference start at the northwest corner of Lot 10 of Unit 4 of Yulee Farms Subdivision as recorded in Plat Book 3, Page 32 of the Public Records of Nassau County, Florida; thence go North 83 degrees, 49 minutes West for 37.5 feet to the center of pavement and 75 foot right of way of U. S. Highway No. 17; thence go North 6 degrees 11 minutes East along center of said U. S. Highway No. 17 for 538.14 feet to the Point of Intersection of Vertex of the curve to the left; thence go North 7 degrees 59 minutes West for 355.99 feet to the Point of Tangency of said Curve; thence continue North 7 degrees 59 minutes West, along the center of the 75 foot right of way of U. S. Highway No. 17, for 4193.81 feet; thence go at right angles North 82 degrees 01 minutes East for 37.5 feet to the easterly right of way of U. S. Highway No. 17 and the Point of Beginning; thence continue North 82 degrees 01 minutes East, along Northerly side of the 60 foot Road for 866.8 feet to westerly side of the 100 foot right of way of the American Telephone and Telegraph Company; thence go South 12 degrees 38 minutes East, along said Westerly side of the A. T. & T. Company 100 foot right of way, for 722.38 feet; thence go South 82 degrees 01 minutes West for 525.50 feet; thence go North 7 degrees 59 minutes West, along the Westerly side of the 60 foot road for 660.00 feet; thence go South 82 degrees 01 minute West, along South side of the 60 foot Road, for 400.00 feet to the easterly right of way of U. S. Highway No. 17; thence go North 7 degrees 59 minutes West, along easterly right of way of U. S. Highway no. 17 for 60 feet to the Point of Beginning. This Parcel of land contains 8.75 acres, more or less, and is subdivided as shown on the plat of the survey below.

Your Petitioners would show that they own all of said lands as described therein having obtained title from Kerbar Investment Company, Inc., by appropriate instrument recorded in Official Records Book 111, Page 535 on April 9, 1971 in the Official Records of Nassau County, Florida.

Petitioners would further show that none of the road-ways or alley-ways as delineated on said plat with the exception of the road designated therein as Stevens Road have ever been used as road-ways or alley-ways, nor are they now useful or needed as such, except for Stevens Road.

Petitioners would further show that none of the property included in said plat is a part of any municipal corporation and that all of said property is situated in the County of Nassau, State of Florida.

Petitioners further allege that the granting of the prays herein will adversely affect no third parties.

WHEREFORE, your Petitioners pray that this Honorable Body will close, vacate and abandon and renounce and disclaim the right and interest of the County and the public in and to the lands described above, and vacate said plat.


Richard D. Barker


Mary K. Barker