

RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF NASSAU COUNTY,  
FLORIDA, VACATING PORTIONS OF THE  
PLAT OF THE SUBDIVISION OF PIERCES  
SUBDIVISION, NASSAU COUNTY.

WHEREAS, JACK J. PITTS and MARY DORA PITTS, his wife, as  
Petitioners, have submitted their Petition to the Board praying for the vaca-  
tion of a portion of the Plat of Pierces Subdivision, which Plat is recorded  
in Plat Book 3, page 66, and said portions to be vacated being more partic-  
ularly described as follows, viz:

All that certain piece or parcel of land situate, lying and  
being in Section 42, Township 2 North, Range 27 East,  
Nassau County, Florida, and being further described by  
metes and bounds as follows: For a Point of Beginning  
start at the Northwest corner of Lot 43 of PIERCES SUB-  
DIVISION as recorded in Plat Book 3, page 66, of the public  
records of said Nassau County; thence go South 6 degrees  
11 minutes West along the west line of said Lot 43 for 795  
feet to its southwest corner; thence go South 83 degrees 49  
minutes East along the south line of said Lot 43 for 278.7  
feet; thence go North 54 degrees 33 minutes East along the  
southeasterly side of said Lot 43 for 188.98 feet to south-  
west corner of Lot 25; thence continue North 54 degrees  
33 minutes East for 1007.62 feet along the southeast line  
of Lots 25, 35, 36, 41, 42 and the south end of Francis Road  
and John Road to northeast corner of Lot 42 and the south  
right of way of Radio Avenue (has 100 foot right of way);  
thence go North 83 degrees 49 minutes West along the South  
side of said Radio Avenue and the north side of Lots 42, 40,  
39, 31, 30, 43 and the north end of John Road and Francis  
Road for 1173.1 feet to the Point of Beginning. All lots are  
part of PIERCES SUBDIVISION. This parcel of land is further  
known as all of Lots Numbered Twenty-five (25) through Forty-  
three (43), both inclusive, and also all of Francis Road and  
John Road according to said PIERCES SUBDIVISION. This  
parcel of land contains 13.25 acres, more or less, and is  
all of the land described in Official Records Book 1, page  
34, and Official Records Book 41, page 349, public records  
of Nassau County, Florida, plus all of Francis Road and  
John Road.

EXCEPT any part of said lands used as public roads.

and said Petition having been examined; and

WHEREAS, this Board finds that the said JACK J. PITTS and MARY  
DORA PITTS, his wife, are the owners in fee simple of all of the lands  
embraced within the Plat of Pierces Subdivision, as above described, as same  
appears of record in Plat Book 3, Page 66, of the Public Records of Nassau  
County, Florida, and,

WHEREAS, it appears to this Board and the Board finds it to be true that the Public Ways shown on Plat of Pierces Subdivision have never been opened or used as public streets, boulevards, roads or alleys; and,

WHEREAS, it appears to this Board and the Board finds that Petitioners are the successors in interest to the lands included within said platted streets, and are the only persons with a real interest in their use as a Public Way, and the Petitioners now desire to have said Public Ways vacated and closed to the general public and the title to said lands revested in Petitioners as successors to the dedicators; and,

WHEREAS, it has further been shown conclusively to this Board that the relief prayed for by said Petition will not affect adversely any parties other than Petitioners; and,

WHEREAS, Petitioners have duly proven that all County taxes have heretofore been paid, including current taxes on all of the lands included within the Plat of Pierces Subdivision, and that Petitioners have in all other respects complied in substance and in fact with the provisions of the Laws of Florida in such cases made and provided and are entitled to the relief petitioned for;

NOW, THEREFORE, BE IT RESOLVED BY THIS THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, at its regular session on this the 17th. day of November, 1965, as follows:

That pursuant to authority under the provisions of Sections 192.29, 192.30 and 193.30, Florida Statutes, as amended, the Board does hereby consent to, authorize and direct the revocation, cancellation and vacation of portions of the Plat of Pierces Subdivision, as is more particularly hereinabove described and set forth, as same appears of record in Plat Book 3, page 66, of the current public records of Nassau County, Florida; and that the Board of County Commissioners does hereby declare said portions of said Plat as having been revoked, cancelled and vacated and that the Public Ways shown on said Plat be, and they are hereby abandoned, relinquished, vacated and forever closed, and that all right, title, interest, easement and right of

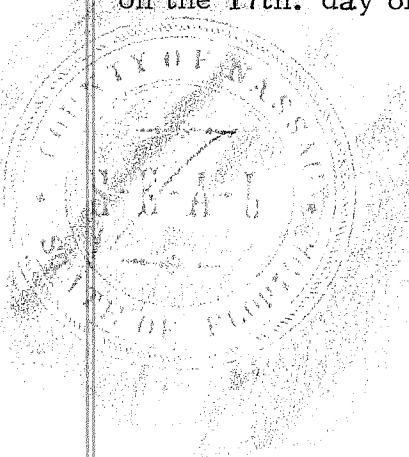
usage heretofore acquired by dedication or otherwise shall be by this resolution declared to be relinquished and is hereby granted, transferred, delivered to and revested in Petitioners as the owners of the lands described above.

That a certified copy of this resolution be filed in the office of the Clerk of the Circuit Court of Nassau County, Florida, and recorded in the Public Records thereof.

That a copy of this resolution be furnished to the Tax Assessor of Nassau County, Florida.

ADOPTED this the 17th. day of November, 1965.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the Board of County Commissioners of Nassau County, Florida, at a meeting held in Fernandina Beach, Nassau County, on the 17th. day of November, 1965.



D. O. Oxley  
D. O. OXLEY, Clerk of the Board of  
County Commissioners of Nassau County,  
Florida.

82588

FILED AND RECORDED  
IN OFFICE

1965 DEC 22 PM 1:45

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

RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF NASSAU COUNTY,  
FLORIDA, VACATING PORTIONS OF THE  
PLAT OF THE SUBDIVISION OF PIERCES  
SUBDIVISION, NASSAU COUNTY.

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southeasterly side of said Lot 43 for 188.98 feet to south-  
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of Lots 25, 35, 36, 41, 42 and the south end of Francis Road  
and John Road to northeast corner of Lot 42 and the south  
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all of the land described in Official Records Book 1, page  
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of Nassau County, Florida, plus all of Francis Road and  
John Road.

EXCEPT any part of said lands used as public roads.

and said Petition having been examined; and

WHEREAS, this Board finds that the said JACK J. PITTS and MARY  
DORA PITTS, his wife, are the owners in fee simple of all of the lands  
embraced within the Plat of Pierces Subdivision, as above described, as same  
appears of record in Plat Book 3, Page 66, of the Public Records of Nassau  
County, Florida, and,

WHEREAS, it appears to this Board and the Board finds it to be true that the Public Ways shown on Plat of Pierces Subdivision have never been opened or used as public streets, boulevards, roads or alleys; and,

WHEREAS, it appears to this Board and the Board finds that Petitioners are the successors in interest to the lands included within said platted streets, and are the only persons with a real interest in their use as a Public Way, and the Petitioners now desire to have said Public Ways vacated and closed to the general public and the title to said lands revested in Petitioners as successors to the dedicators; and,

WHEREAS, it has further been shown conclusively to this Board that the relief prayed for by said Petition will not affect adversely any parties other than Petitioners; and,

WHEREAS, Petitioners have duly proven that all County taxes have heretofore been paid, including current taxes on all of the lands included within the Plat of Pierces Subdivision, and that Petitioners have in all other respects complied in substance and in fact with the provisions of the Laws of Florida in such cases made and provided and are entitled to the relief petitioned for;

NOW, THEREFORE, BE IT RESOLVED BY THIS THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, at its regular session on this the 17th. day of November, 1965, as follows:

That pursuant to authority under the provisions of Sections 192.29, 192.30 and 193.30, Florida Statutes, as amended, the Board does hereby consent to, authorize and direct the revocation, cancellation and vacation of portions of the Plat of Pierces Subdivision, as is more particularly hereinabove described and set forth, as same appears of record in Plat Book 3, page 66, of the current public records of Nassau County, Florida; and that the Board of County Commissioners does hereby declare said portions of said Plat as having been revoked, cancelled and vacated and that the Public Ways shown on said Plat be, and they are hereby abandoned, relinquished, vacated and forever closed, and that all right, title, interest, easement and right of

usage heretofore acquired by dedication or otherwise shall be by this resolution declared to be relinquished and is hereby granted, transferred, delivered to and revested in Petitioners as the owners of the lands described above.

That a certified copy of this resolution be filed in the office of the Clerk of the Circuit Court of Nassau County, Florida, and recorded in the Public Records thereof.

That a copy of this resolution be furnished to the Tax Assessor of Nassau County, Florida.

ADOPTED this the 17th. day of November, 1965.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the Board of County Commissioners of Nassau County, Florida, at a meeting held in Fernandina Beach, Nassau County, on the 17th. day of November, 1965.

---

D. O. OXLEY, Clerk of the Board of  
County Commissioners of Nassau County,  
Florida.

BEFORE THE BOARD OF COUNTY  
COMMISSIONERS IN AND FOR  
NASSAU COUNTY, FLORIDA.

IN THE MATTER OF:  
PETITION BY JACK J. PITTS AND  
MARY DORA PITTS, HIS WIFE,  
OWNERS, TO VACATE <sup>PORTIONS OF</sup> THE PLAT  
OF PIERCES SUBDIVISION, SAID  
PLAT BEING RECORDED IN PLAT  
BOOK 3, PAGE 66, PUBLIC REC-  
ORDS OF NASSAU COUNTY, FLORIDA.

Your Petitioners, JACK J. PITTS and MARY DORA PITTS, his wife,  
acting pursuant to and in accordance with the provisions of Sections 192.29,  
192.30 and 193.30, Florida Statutes, as amended, respectfully petition this  
honorable body to adopt and promulgate a proper resolution vacating the  
following portions of the plat of Pierces Subdivision, more particularly  
described as follows, viz:

All that certain piece or parcel of land situate, lying and  
being in Section 42, Township 2 North, Range 27 East,  
Nassau County, Florida, and being further described by  
metes and bounds as follows: For a Point of Beginning  
start at the Northwest corner of Lot 43 of PIERCES SUB-  
DIVISION as recorded in Plat Book 3, page 66, of the public  
records of said Nassau County; thence go South 6 degrees  
11 minutes West along the west line of said Lot 43 for 795  
feet to its southwest corner; thence go South 83 degrees 49  
minutes East along the south line of said Lot 43 for 278.7  
feet; thence go North 54 degrees 33 minutes East along the  
southeasterly side of said Lot 43 for 188.98 feet to south-  
west corner of Lot 25; thence continue North 54 degrees  
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of Lots 25, 35, 36, 41, 42 and the south end of Francis  
Road and John Road to northeast corner of Lot 42 and the  
south right of way of Radio Avenue (has 100 foot right of  
way); thence go North 83 degrees 49 minutes West along  
the south side of said Radio Avenue and the north side of  
Lots 42, 40, 39, 31, 30, 43 and the north end of John Road  
and Francis Road for 1173.1 feet to the Point of Beginning.  
All lots are part of PIERCES SUBDIVISION. This parcel  
of land is further known as all of Lots Numbered Twenty-  
five (25) through Forty-three (43), both inclusive, and  
also all of Francis Road and John Road according to said  
PIERCES SUBDIVISION. This parcel of land contains 13.25  
acres, more or less, and is all of the land described in  
Official Records Book 1, page 34, and Official Records Book  
41, page 349, public records of Nassau County, Florida,  
plus all of Francis Road and John Road.

EXCEPT any part of said lands used as public roads.

which is a subdivision which plat is recorded in Plat Book 3, page 66, of the public records of Nassau County, Florida, a true copy of which plat is attached hereto as Exhibit "A" and reference to which is prayed. In support of this petition the following showing is made:

1. That Jack J. Pitts and Mary Dora Pitts, his wife, the Petitioners, are the owners in fee simple of all of the land shown on the said plat of Pierces Subdivision, as hereinabove described, and that Petitioners predecessors in title were the owners of all of said land, including the public ways shown on said plat.

2. Petitioners would show that the removal and vacation of the portions of the plat hereinabove referred to is desired by them in order that the property covered thereby may be returned to acreage for the purposes of taxation.

3. 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.

4. Petitioners would further show unto this honorable body that all streets shown on said plat have been dedicated to the County of Nassau as appears from the dedication language appearing on said plat; Petitioners would show however, that the streets shown on said plat have never been opened or used as public streets, roads, boulevards, alleys or any other way as a public way, and that by vacation of said plat, Petitioners seek to obtain a reversion of title into themselves of lands constituting on said plat the said streets; Petitioners further allege that the granting of the prayers herein will adversely affect no third parties.

5. Petitioners would further show that all County taxes levied and assessed against the lands involved herein have been paid and in support of this statement attached hereto as Exhibit "B" are receipts for the 1965 County taxes, and a letter from the office of the Clerk of the Circuit Court, stating that no outstanding tax certificates appear on the records against any of the hereinabove described lands.

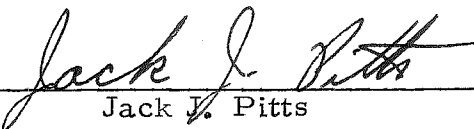


6. Petitioners would further show that they have given due notice, in accordance with the Laws of Florida in such cases made and provided, of their intention to apply for the relief prayed for hereinafter, all as is more particularly shown by Proof of Publication attached hereto as Exhibit "C", and by this reference made a part hereof; together with receipted statement showing payment of said Proof of Publication.

wherefore, petitioners pray:

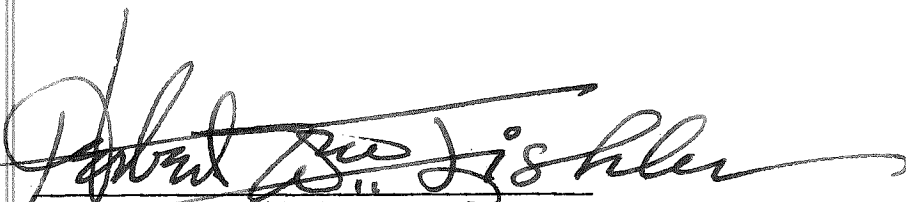
(a) That the Board of County Commissioners will, by its resolution duly and regularly passed, consent to the revocation of the dedication and to the vacation of the plat of Pierces Subdivision, as recorded in Plat Book 3, page 66, of the public records of Nassau County, Florida, as is more particularly hereinabove set forth and referred to, and will further by its said resolution, declare forever closed, vacated and abandoned the dedicated streets, and will relinquish any claim which the County may have had or claimed in said dedicated but unused public streets.

(b) That this Honorable Board will determine that Petitioners have complied with the Laws of Florida in such cases made and provided and grant unto them such further relief as the premises may warrant, not inconsistent with the specific relief herein sought.

  
\_\_\_\_\_  
Jack J. Pitts

  
\_\_\_\_\_  
Mary Dora Pitts

PETITIONERS

  
\_\_\_\_\_  
Herbert Wm. Fishler  
13 - 1/2 North Fourth Street  
Fernandina Beach, Florida  
Attorney for Petitioners.

THE FERNANDINA NEWS-LEADER

Published Weekly

FERNANDINA BEACH, NASSAU COUNTY, FLORIDA

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN by the undersigned that they will apply to the Board of County Commissioners of Nassau County, Florida, at the meeting of said Board to be held November 17, 1965, in the Nassau County Court House, Fernandina Beach, Florida, for the adoption of a resolution by said Board vacating the following portions of the plat known as PIERCES SUBDIVISION which appears among the public records of Nassau County, Florida, in Plat Book 3, page 66.

All that certain piece or parcel of land situate, lying and being in Section 42, Township 2 North, Range 27 East, Nassau County, Florida, and being further described by metes and bounds as follows: For a Point of Beginning start at the Northwest corner of Lot 43 of PIERCES SUBDIVISION as recorded in Plat Book 3, page 66, of the public records of said Nassau County; thence go South 6 degrees 11 minutes West along the west line of said Lot 43 for 795 feet to its southwest corner; thence go South 83 degrees 49 minutes East along the south line of said Lot 43 for 236.7 feet; thence go North 84 degrees 33 minutes East along the southeasterly side of said Lot 43 for 138.38 feet to southwest corner of Lot 25; thence continue North 54 degrees 33 minutes East for 1097.62 feet along the southeast line of Lots 25, 35, 36, 41, 42 and the south end of Francis Road and John Road to northeast corner of Lot 42 and the South right of way of Radio Avenue (has 100 foot right of way); thence go North 83 degrees 49 minutes West along the south side of said Radio Avenue and the north side of Lots 42, 40, 39, 31, 30, 43 and the north end of John Road and Francis Road for 1173.1 feet to the Point of Beginning. All lots are part of PIERCES SUBDIVISION. This parcel of land is further known as all of Lots Numbered Twenty-five (25) through Forty-three (43), both inclusive, and also all of Francis Road and John Road according to said PIERCES SUBDIVISION. This parcel of land contains 13.25 acres, more or less, and is all of the land described in Official Records Book 1, page 34, and Official Records Book 41, page 349, public records of Nassau County, Florida, plus all of Francis Road and John Road.

EXCEPT any part of said lands used as public roads.

The undersigned will further request at said time and place or as soon thereafter as said application may be considered by said Board, that said resolution return the above described property to acreage for the purpose of taxation.

/s/ JACK J. PITTS  
Jack J. Pitts

/s/ MARY DORA PITTS  
Mary Dora Pitts  
OWNERS

/s/ HERBERT WM. FISHLER  
Herbert Wm. Fishler  
15 1/2 North Fourth Street  
Fernandina Beach, Florida  
Attorney for Owners

11-4, 11

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 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 Notice to Adopt Resolution vacating Pierces Sub-division

in the Court, was published in said newspaper in the issues of November 4, 11

Affiant further says that the said Fernandina 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 12th day of November

*Ray Caldwell*

A. D. 19 65

*Mary S. Sheffield*  
(SEAL) Notary Public

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES OCT. 11, 1969.

EXHIBIT " C "

November 4th, 1965

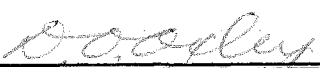
Honorable H. W. Fishler  
P.O.Box 754  
Fernandina Beach, Florida

Re: All that certain piece or parcel of land situate, lying and being in Section 42, Township 2 North, Range 27 East, Nassau County, Florida, and being further described by metes and bounds as follows: For a point of Beginning start at the Northwest corner of Lot 43 of PIERCES SUBDIVISION as recorded in Plat Book 3, page 66, of the public records of said Nassau County; thence go South 6 degrees 11 minutes West along the west line of said Lot 43 for 795 feet to its southwest corner; thence go South 83 degrees 49 minutes East along the south line of said Lot 43 for 278.7 feet; thence go North 54 degrees 33 minutes East along the southeasterly side of said lot 43 for 188.98 feet to southwest corner of lot 25; thence continue North 54 degrees 33 minutes East for 1007.62 feet along the southeast line of lots 25, 35, 36, 41, 42 and the south end of Francis Road and John Road to northeast corner of lot 42 and the South right of way of Radio Avenue (has 100 foot right of way); thence go North 83 degrees 49 minutes West along the south side of said Radio Avenue and the north side of lots 42, 40, 39, 31, 30, 43 and the north end of John Road and Francis Road for 1173.1 feet to the Point of Beginning. All lots are part of PIERCES SUBDIVISION. This parcel of land is further known as all of lots numbered Twenty-five (25) through Forty-three (43), both inclusive, and also all of Francis Road and John Road according to said PIERCES SUBDIVISION. This parcel of land contains 13.25 acres, more or less, and is all of the land described in Official Records Book 1, page 34, and Official Records Book 41, page 349, public records of Nassau County, Florida, plus all of Francis Road and John Road.

Dear Sir:

This is to certify that I have search the Tax Rolls of Nassau County for taxes for years of 1958 through 1964 inclusive, and I find that all taxes have been paid, on the above desvribed property.

DATED this 4th day of November, 1965.

  
\_\_\_\_\_  
CLERK CIRCUIT COURT  
NASSAU COUNTY  
FERNANDINA BEACH, FLORIDA

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*Jack J. Pitts*  
\_\_\_\_\_  
Jack J. Pitts

*Mary Dora Pitts*  
\_\_\_\_\_  
Mary Dora Pitts

OWNERS

*Herbert Wm. Fishler*  
\_\_\_\_\_  
*Herbert Wm. Fishler*

Herbert Wm. Fishler  
13-1/2 North Fourth Street  
Fernandina Beach, Florida  
Attorney for Owners

Publish two (2) times:      November 4, 1965, and  
   November 11, 1965.

Send Proof of Publication  
and bill to:

Herbert Wm. Fishler  
P. O. Box 754  
Fernandina Beach, Florida