

REC'D AUG 22 1974

178 349

, Resolution No. 189

RESOLUTION CLOSING ALL OF MAGNOLIA STREET
EASTERLY OF 7TH STREET (CLINCH DRIVE)
AND WESTERLY OF THE SAL RAILROAD RIGHT-OF-
WAY, LYING AND BEING IN THE CITY OF FERNANDINA
BEACH, (FORMERLY NAMED FERNANDINA), COUNTY OF
NASSAU AND STATE OF FLORIDA, AND KNOWN AND
DESCRIBED ON THE OFFICIAL PLAT OF SAID CITY
(AS LITHOGRAPHED AND ISSUED BY THE FLORIDA
RAILROAD COMPANY IN 1857 AND ENLARGED, REVISED
AND REISSUED BY THE FLORIDA TOWN IMPROVEMENT
COMPANY IN 1887 and 1901), AND THE RENOUNCING
AND DISCLAIMING OF ANY RIGHT OR INTEREST OF
THE COUNTY AND THE PUBLIC IN SAID ROAD-WAYS
OR ALLEY-WAYS.

WHEREAS, a public hearing was held at 3:00 P.M. O'Clock on
July 23, 1974, 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 Prudential Enterprises, Inc., a Florida Corporation,
requesting this Board to close, vacate and abandon the Roadway or Alley-way
hereinafter described and to renounce and disclaim the right of the public
and the County in and to said Roadway or Alleyway described as follows:

That portion of Magnolia Street lying Easterly of 7th Street (Clinch
Drive) and Westerly of the SAL Railroad Right-of-Way, lying and being
in the City of Fernandina Beach (formerly named Fernandina), County of
Nassau and State of Florida and known and described on the Official
Plat of said City (as lithographed and issued by the Florida Railroad
Company in 1857 and enlarged, revised and reissued by the Florida Town
Improvement Company in 1887 and 1901),

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

WHEREAS, this Board has determined that said Roadway or Alleyway is
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 now 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 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 and the Public that said roadway or Alleyway 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 Roadway or Alleyway as hereinbefore described in the preamble hereto be, and the same is hereby closed, vacated, and abandoned to the same extent as if said Roadway or Alleyway had never been delineated on said plat.

BE IT FURTHER RESOLVED that the right and interest of Nassau County and the public in said Roadway or Alleyway 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.

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 being all of Magnolia Street Easterly of 7th Street (Clinch Drive) and Westerly of the SAL Railroad Right-of-Way, lying and being in the City of Fernandina Beach, County of Nassau and State of 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 July 23rd, 1974, adopt a resolution closing, vacating and abandoning that certain Roadway or Alleyway described as follows:

That portion of Magnolia Street lying Easterly of 7th Street (Clinch Drive) and Westerly of the SAL Railroad Right-of-way, lying and being in the City of Fernandina Beach (formerly named Fernandina), County of Nassau and State of Florida and known and described on the Official Plat of said City (as lithographed and issued by the Florida Railroad Company in 1857 and enlarged, revised and reissued by the Florida Town Improvement Company in 1887 and 1901),

and that said resolution renounces and disclaims any right or interest of the County and Public in said portion of said Roadway or Alleyway.

ATTEST:

D. Oxley
Ex-Officio Clerk

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA.

BY: *A. Ray Bevilly*
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 23 day of July, A. D. 1974.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA.

BY: *A. Ray Bevilly*
Chairman

D. Oxley
Ex-Officio Clerk

22197
FILED AND RECORDED
IN OFFICE
1974 AUG 22 AM 9:34
D. O. OXLEY
CLERK CIRCUIT COURT
NASSAU COUNTY, FLA.

REC'D AUG 22 1974

OFFICIAL RECORDS

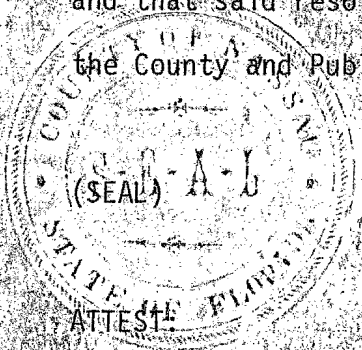
BOOK 178 PAGE 352

NOTICE OF ADOPTION OF A RESOLUTION CLOSING, VACATING, AND ABANDONING, ALL OF THOSE CERTAIN ROADWAYS OR ALLEYWAYS FROM MAGNOLIA STREET LYING EASTERLY OF 7TH STREET (CLINCH DRIVE) AND WESTERLY OF THE SAL RAILROAD RIGHT-OF-WAY, LYING AND BEING IN THE CITY OF FERNANDINA BEACH (FORMERLY NAMED FERNANDINA), COUNTY OF NASSAU AND STATE OF FLORIDA AND KNOWN AND DESCRIBED ON THE OFFICIAL PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1857 AND ENLARGED, REVISED AND REISSUED BY THE FLORIDA TOWN IMPROVEMENT COMPANY IN 1887 and 1901).

NOTICE is hereby given that the Board of County Commissioners of Nassau County, Florida, did on July 23, 1974, adopt a Resolution closing, vacating and abandoning those certain roadways or alleyways described as follows:

That portion of Magnolia Street lying Easterly of 7th Street (Clinch Drive) and Westerly of the SAL Railroad Right-of-way, lying and being in the City of Fernandina Beach (formerly named Fernandina), County of Nassau and State of Florida and known and described on the Official Plat of said City (as lithographed and issued by the Florida Railroad Company in 1857 and enlarged, revised and reissued by the Florida Town Improvement Company in 1887 and 1901),

and that said resolution renounces and disclaims any right or interest of the County and Public in said portion of said roadways or alleyways.



D. Oxley
Ex-Officio Clerk

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

BY: *A. Ray Beville*
Chairman

22199
FILED AND RECORDED
IN OFFICE
1974 AUG 22 AM 9:35
D. O. OXLEY
CLERK CIRCUIT COURT
NASSAU COUNTY, FLA.

REC'D AUG 22 1974

THE FERNANDINA BEACH NEWS-LEADER

Published Weekly

FERNANDINA BEACH, NASSAU COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF NASSAU:

Before the undersigned authority personally appeared

Richard Reeves

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 Notice of Adoption of Resolution
Closing certain roads, alleys, etc.

in the _____ Court, was published in said newspaper in the issues of August 1, 1974

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 2nd day of August

A. D. 19 74

Martha Freeman
(SEAL) Notary Public

22199

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

FILED AND RECORDED
IN OFFICE

1974 AUG 22 AM 9:36

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

NOTICE OF ADOPTION OF A RESOLUTION CLOSING, VACATING AND ABANDONING ALL OF THOSE CERTAIN ROADWAYS OR ALLEYWAYS FROM MAGNOLIA STREET LYING EASTERLY OF 7TH STREET (CLINCH DRIVE) AND WESTERLY OF THE SAL RAILROAD RIGHT-OF-WAY LYING AND BEING IN THE CITY OF FERNANDINA BEACH (FORMERLY NAMED FERNANDINA), COUNTY OF NASSAU AND STATE OF FLORIDA AND KNOWN AND DESCRIBED ON THE OFFICIAL PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1857 AND ENLARGED, REVISED AND REISSUED BY THE FLORIDA TOWN IMPROVEMENT COMPANY IN 1887 AND 1901).

NOTICE is hereby given that the Board of County Commissioners of Nassau County, Florida, did on July 23, 1974, adopt a Resolution closing, vacating and abandoning those certain roadways or alleyways described as follows:

That portion of Magnolia Street lying Easterly of 7th Street (Clinch Drive) and Westerly of the SAL Railroad Right-of-way lying and being in the City of Fernandina Beach (formerly named Fernandina), County of Nassau, and State of Florida, and known and described on the Official Plat of said City (as lithographed and issued by the Florida Railroad Company in 1857 and enlarged, revised and reissued by the Florida Town Improvement Company in 1887 and 1901).

and that said resolution renounces and disclaims any right or interest of the County and Public in said portion of said roadways or alleyways.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA
BY: A. Ray Beville, Chairman
ATTEST: D. O. Oxley, Ex-officio Clerk

17 28-1974

THE FERNANDINA BEACH NEWS-LEADER

Published Weekly

FERNANDINA BEACH, NASSAU COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF NASSAU:

Before the undersigned authority personally appeared

Richard Reeves

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 advertisement

in the matter of Notice of Hearing for the Closing of Roadways or Alleyways

in the _____ Court, was published in said newspaper in the issues of July 4, 1974

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 17th day of July

A. D. 19 74

Martha L. Freeman
(SEAL) Notary Public

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

NOTICE OF HEARING FOR THE CLOSING OF ROADWAYS OR ALLEYWAYS

TO WHOM IT MAY CONCERN:

You will take notice that the Board of County Commissioners of Nassau County, upon the Petition of Prudential Enterprises, Inc., a Florida Corporation, will at 3:00 o'clock P.M. on the 23rd day of July, A. D. 1974, 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 roadways or alleyways which are more particularly described as follows:

That portion of Magnolia Street lying Easterly of 7th Street (Climb Drive) and Westerly of the SAL Railroad Right-of-Way lying and being in the City of Fernandina Beach (formerly named Fernandina) County of Nassau and State of Florida and known and described on the Official Plat of said City (as lithographed and issued by the Florida Railroad Company in 1857 and enlarged, revised and reissued by the Florida Town Improvement Company in 1887 and 1901).

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

BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA

BY: A. Ray Beville
Chairman

ATTEST: D. O. Oxley
Ex-Officio Clerk

PETITION OF PRUDENTIAL ENTERPRISES, INC.,
A FLORIDA CORPORATION FOR THE CLOSING
OF THAT PORTION OF MAGNOLIA STREET LYING
EASTERLY OF 7TH STREET (CLINCH DRIVE) AND
WESTERLY OF THE SAL RAILROAD RIGHT-OF-WAY,
LYING AND BEING IN THE CITY OF FERNANDINA
BEACH (FORMERLY NAMED FERNANDINA), COUNTY
OF NASSAU AND STATE OF FLORIDA AND KNOWN
AND DESCRIBED ON THE OFFICIAL PLAT OF SAID
CITY (AS LITHOGRAPHED AND ISSUED BY THE
FLORIDA RAILROAD COMPANY IN 1857 AND ENLARGED,
REVISED AND REISSUED BY THE FLORIDA TOWN
IMPROVEMENT COMPANY IN 1887 AND 1901).

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

Your Petitioner, Prudential Enterprises, Inc., a Florida Corporation, respectfully request this Honorable Body to renounce and disclaim any right of the County and the public in and to the land known and described as follows:

That portion of Magnolia Street lying Easterly of 7th Street (Clinch Drive) and Westerly of the SAL Railroad Right-of-way, lying and being in the City of Fernandina Beach (formerly named Fernandina), County of Nassau and State of Florida and known and described on the official plat of said City (as lithographed and issued by the Florida Railroad Company in 1857 and enlarged, revised and reissued by the Florida Town Improvement Company in 1887 and 1901).

Your Petitioner would show that it owns said lands on either side of the said Magnolia Street. Petitioner would further show that it continues to own said lands on either side of Magnolia Street, and that the road-ways or alley-ways above mentioned as are delineated on said plat have ceased to be used or cleared or in any manner whatsoever used as road-ways or alley-ways, nor are they now useful or needed as such.

WHEREFORE, your Petitioner prays that this Honorable Court will close, vacate and abandon and renounce and disclaim the right and interest of the County and the public in and to the land described above.

Attest:

BY: Hilda P. Curnutte
Hilda P. Curnutte
As its Secretary

PRUDENTIAL ENTERPRISES, INC.

BY: Paul C. Burns
Paul C. Burns, as President