

COUNTY COMMISSIONERS RESOLUTION #165 74611-2603

On motion of Commissioner JONES,
seconded by Commissioner BLACKWELDER, the following
resolution was adopted:

WHEREAS, the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
has authorized and requested Nassau County
to furnish the necessary rights of way, borrow pits and easements
for that portion of Section 74611-2603 from State Road S-105-A
(Amelia Road) Easterly along Simmon's Road to State Road 105
(Fletcher Street) in Fernandina Beach
which has been surveyed and located by the STATE OF FLORIDA DEPART-
MENT OF TRANSPORTATION as shown by a map on file in the Office of
the Officer designated by law as the recorder for said County, and
in the office of the said Department at Tallahassee, and

WHEREAS, the said Department will not begin construction
of said portion of said Section in said County until title to all
land necessary for said portion of said Section has been conveyed to
or vested in said State by said County, and said lands are physically
cleared of all occupants, tenants, fences, buildings, and/or other
structures and improvements upon or encroaching within the limits of
the land required for said portion of said Section; and

WHEREAS, the said County is financially unable at this
time to provide the necessary funds to acquire said rights of way,
borrow pits and easements; now therefore, be it

RESOLVED, that the STATE OF FLORIDA DEPARTMENT OF TRANS-
PORTATION be and it is hereby requested to pay for the rights of
way, borrow pits and easements for said road, including the removal
of buildings, fences and other structures and improvements thereon,
utility relocations and for other expenses of acquiring title to
said rights of way, borrow pits and easements by purchase or condem-
nation, from proceeds of State of Florida Department of General
Services bonds or secondary gasoline tax funds (Article XII, Section
9 (4), of Florida Constitution, and Section 335.041, Florida
Statutes, as amended), whichever is available, under conditions set
forth in the contract, of which this resolution forms a part;
and be it further

RESOLVED, that said County through its Board of County Commissioners, comply with the request of said Department and procure, convey or vest in said State the free, clear and unencumbered title to all lands necessary for said portion of said Section, and deliver to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION said lands physically clear of all occupants tenants, fences, buildings and/or other structures and improvements situate upon or encroaching within the limits of the lands required for said portion of said Section and that the Chairman and the Clerk of the Board be and they are hereby authorized and directed to execute and deliver on behalf of said County to said Department the Contract in the form hereto attached;

STATE OF FLORIDA)
COUNTY OF NASSAU)

I HEREBY CERTIFY that the foregoing is a true and correct copy of resolution passed by the Board of County Commissioners of NASSAU County, Florida, at a meeting held the 22ND day of MARCH, A. D., 1977, and recorded in the Commissioners minutes.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 22ND day of MARCH, A. D. 1977.

(SEAL)

D.O. Odley By: Gloria Guest
Clerk of the Board of County Oc.
Commissioners

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WHEREAS, pursuant to due authorization, the State Highway Engineer has had a part of State Road No. none, in Nassau County located and surveyed and has designated same as Section 74611-2603, and has prepared a Map of Survey and Location of that portion of said Section from State Road S-105-A (Amelia Road) Easterly along Simon's Road to State Road 105 (Fletcher Street) in Fernandina Beach

NOW, THEREFORE, BE IT RESOLVED by the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION that it hereby approves the location and survey of said portion of said Section as shown on said map and directs that a copy of said map, certified by the Director of Administration, attested by the Executive Secretary, be filed in the Office of the Clerk of the Circuit Court of said County; and

BE IT FURTHER RESOLVED that it is the judgment of the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION that the construction of said portion of said Section is necessary, practical and to the best interest of the State, and that it is necessary that the right of way for the roadbed and borrow pits for said portion of said Section be acquired in fee simple and a perpetual easement shall be acquired for Drainage Ditches; and the Department is authorized to acquire the same by gift, purchase or condemnation; and

BE IT FURTHER RESOLVED by the Department that said County be, and it is hereby requested and authorized, to secure by gift, purchase or condemnation the lands necessary for the right of way for the roadbed for said portion of said Section as shown on the official right of way map of said Section, together with any and all construction easements, borrow pits and easements for drainage ditches that may hereafter be found and determined necessary in the construction and maintenance of said portion of said Section, said land to be free of legal and physical encumbrances; and

BE IT FURTHER RESOLVED, that in the event the County agrees to secure the right of way for the roadbed, ditches and borrow pits for said portion of said Section, that the Director of Administration of the Department is hereby authorized to execute for the Department the usual Right of Way Contract with the County.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

DATED: March 10, 1977

BY: Tom Webley
Secretary of Transportation

(SEAL)

ATTEST: Carolyn Scudlark
Executive Secretary