

COUNTY COMMISSIONERS RESOLUTION #77-167

On motion of Commissioner Hodges,
 seconded by Commissioner Clatten, 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 74570-2605 from a point in Section 2,
 Township 2 North, Range 24 East Northwesterly to a point in Section
 21, Township 3 North, Range 24 East.

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

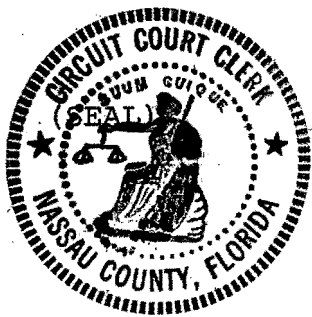
RESOLVED, that the STATE OF FLORIDA DEPARTMENT OF TRANS-
 PORTATION be and it is hereby requested to pay for the rights of
 way, borrow pits and easements for said road, including the removal
 of buildings, fences and other structures and improvements thereon,
 utility relocations and for other expenses 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 26th day of April, A. D., 1922, and recorded in the Commissioners minutes.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 26th day of April, A. D. 1922.



W. O. P. G. L. Y.
James P. Green
Clerk of the Board of County
Commissioners

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY RESOLUTION

WHEREAS, pursuant to due authorization, the State Highway Engineer has had a part of State Road No. S-115, in Nassau County located and surveyed and has designated same as Section 74570-2605, and has prepared a Map of Survey and Location of that portion of said Section 74570-2605 from a point in Section 2, Township 2 North, Range 24 East Northwesterly to a point in Section 21, Township 3 North, Range 24 East.

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: April 12, 1977

BY: Tom Webb
Secretary of Transportation

(SEAL)

ATTEST: Cathy Scaria
Executive Secretary

MEMORANDUM

State of Florida Department of Transportation

DATE February 16, 1978

TO J. R. Bielling, District Right of Way Administrator

FROM *FR* Fred Renault, Deputy Chief, Right of Way Services

COPIES TO Walter Skinner; Dot Guynn

SUBJECT Section 74570-2605 - State Road S-115 - Nassau County

Attached are two fully executed copies of the R/W Contract package on the above job. Please retain one copy and forward one copy to the County for their records.

FR/K1
Attachments

Carle
Guynn
Please handle
2-21

Section 74570-2605

RIGHT OF WAY CONTRACT
 PROVIDING FOR USE OF SECONDARY GASOLINE TAX FUNDS
 OR
 STATE OF FLORIDA DEPARTMENT OF GENERAL SERVICES BOND FUNDS

THIS AGREEMENT made and entered into this 15 day of FEBRUARY, 1978 by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, hereinafter called the "Department", and the COUNTY OF NASSAU, a Political Subdivision of the State of Florida, hereinafter called the "County",

W I T N E S S E T H:

WHEREAS, the Legislature of Florida has designated and established State Road No. S-115, and the Department has located and surveyed a part of said Road designated as 74570-2605, and has prepared a Map of Survey and Location covering that portion of said Section 74570-2605 from a point in Section 2, Township 2 North, Range 24 East Northwesterly to a point in Section 21, Township 3 North, Range 24 East. in said County, as shown on a map, duly certified as provided by law, on file in the office of the Department of Transportation, Tallahassee, Florida, and on file in the Office of the Official designated by law as the recorder for said County, and in the judgment of the Department said location and survey have been found to be practicable, necessary and to the best interest of the State, and

WHEREAS, the Department has requested and authorized said County to secure by donation or purchase, if possible, the lands and property necessary for such right of way, borrow pits and drainage easements for said portion of said Section, and such as may hereafter be found necessary by the Department for said portion of said Section, and

WHEREAS, the County is financially unable at this time to provide the necessary funds from local sources to acquire the right of way, borrow pits and drainage easements, and

WHEREAS, the Board of County Commissioners of said County, at a meeting duly called and held on the 26th day of April, A. D., 1977, adopted a resolution, a copy of which is attached here-

to as Exhibit "A" and made a part hereof, signifying its agreement to comply with the Department's said request, requesting the Department to pay for acquiring said lands for right of way, borrow pits and drainage easements from funds which have been or may be remitted to the Department under provisions of Article XII, Section 9 (4), of the Florida Constitution, and Section 335.041, Florida Statutes, as amended, for expenditure solely within the County, or from proceeds of the State of Florida Department of General Services bonds issued for the purpose of constructing this project, and authorizing its Chairman and its Clerk, on its behalf, to execute this Contract;

NOW, THEREFORE, for and in consideration of the premises and of the mutual undertakings hereinafter set forth, the parties mutually covenant and agree as follows:

1. The County shall forthwith furnish the Department with a title search made by a reliable Abstractor or Abstract Company showing the present ownership and record description of each parcel of land over which said right of way, borrow pits and/or easements extend, together with all unsatisfied or outstanding recorded liens or encumbrances, leases and tax deeds, tax liens and tax certificates, or other interests, including possessive interests. Thereupon the Department shall prepare and furnish to the County the descriptions of said rights of way, borrow pits and/or easements to be acquired for each of the several parcels of land, or interests therein as shown by said title search. The furnishing of said descriptions shall be solely for the assistance of the County and nothing in this paragraph shall be taken or construed as the Department's acceptance of the title, or quality of the title, to the land or easements shown, and shall not release or relieve the County of its agreement herein to furnish the Department free, clear and unencumbered title to the land required for said right of way, borrow pits and easements, or from any of its covenants hereunder.

2. After the Department has furnished the County said description, the County shall proceed, out of the funds specified below, to acquire either by donation or purchase the free, clear and unencumbered title to the land so required as aforesaid for said portion

of said Section by the Department for said rights of way, borrow pits and easements, convey or vest the same to or in the State of Florida for the use of the State of Florida Department of Transportation, by good and sufficient deed or deeds, and deliver to the Department said land 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 shall have adjusted or secure arrangements for the adjustment of all sanitary and/or storm sewers, gas mains, meter, water mains, fire hydrants, pipes, poles, wires, cables, conduits, and other utilities and facilities situate or encroaching upon said land. Any land to which the County has heretofore acquired free, clear and unencumbered title, which may be necessary for said rights of way, borrow pits and/or easements, shall be conveyed by the County to the State for the said use under the provisions of this section.

Upon completion, the County shall make a certificate to the Department stating for each parcel and instruments vesting the free, clear and unencumbered title thereto in the State and certifying the removal of all occupants, tenants, fences, buildings and/or other structures and improvements and adjustment of all facilities and certifying that the free, clear and unencumbered title thereto is vested in the State and that all physical encumbrances are removed and that said rights of way are ready for construction of said portion of said Section.

3. In those instances where the County is unable to acquire, either by donation or purchase the lands and property necessary for such right of way, borrow pits and drainage easements for said portion of said Section, and such as may hereafter be found necessary by the Department for said portion of said Section, the County shall notify the Department of the necessity for condemnation proceedings. The Department shall then, at its sole option, either condemn the lands or authorize the County to do so. In those cases where the Department authorizes the County to handle the condemnation proceedings, the County shall make a certificate to the Department stating

the County has caused it to be executed by its Chairman and its Clerk, and its official seal to be affixed, the day and year first above written.

Signed, sealed and delivered in the presence of:

~~_____~~
~~As to the Department~~

RL/Drig
Edaine S. Colman
As to the County

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

BY: Billy S. Pelham
Director of Administration

ATTEST: Carol Ann (SEAL)
Executive Secretary

COUNTY OF NASSAU, FLORIDA

BY: John F. Armstrong Sr
Chairman

ATTEST: Woodley (SEAL)
Clerk of the Board of County Commissioners

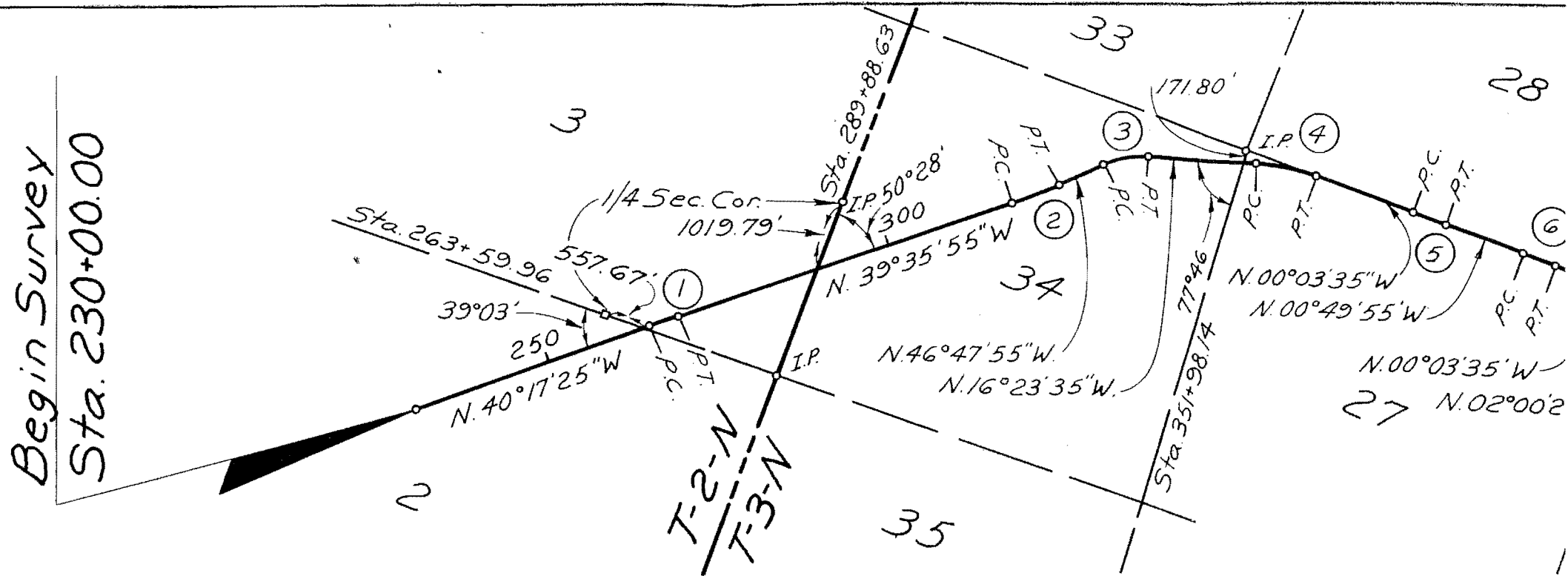
DEPARTMENT RESOLUTION
APPROVED BY SECRETARY
DEPT. OF TRANSPORTATION

4/12/77
bc

APPROVED AS TO FORM, LEGALITY AND EXECUTION
FLORIDA DEPARTMENT OF TRANSPORTATION

BY: [Signature]
ASSISTANT ATTORNEY

Begin Survey
Sta. 230+00.00



P.I. Sta. 266+95.97 $\Delta = 0^\circ 41' 30''$ Rt. $D = 0^\circ 10'$ $T = 207.50'$ $L = 414.99'$ $R = 34,377.469'$ P.C. Sta. 264+88.47 P.T. Sta. 269+03.46	P.I. Sta. 322+28.95 $\Delta = 7^\circ 12'$ Lt. $D = 1^\circ 00'$ $T = 360.47'$ $L = 720.00'$ $R = 5729.578'$ P.C. Sta. 318+68.48 P.T. Sta. 325+88.48	P.I. Sta. 335+80.20 $\Delta = 30^\circ 24' 20''$ Rt. $D = 5^\circ 00'$ $T = 311.40'$ $L = 608.11'$ $R = 1145.92'$ P.C. Sta. 332+68.80 P.T. Sta. 338+76.91	P.I. Sta. 358+07.06 $\Delta = 16^\circ 20'$ Rt. $D = 2^\circ 00'$ $T = 411.12'$ $L = 816.66'$ $R = 2864.79'$ P.C. Sta. 353+95.94 P.T. Sta. 362+12.60	P.I. Sta. 379+11.29 $\Delta = 0^\circ 46' 20''$ Lt. $D = 0^\circ 10'$ $T = 231.67'$ $L = 463.33'$ $R = 34,377.469'$ P.C. Sta. 376+79.62 P.T. Sta. 381+42.95	P.I. Sta. 389+42.94 $\Delta = 0^\circ 46' 20''$ Rt. $D = 0^\circ 10'$ $T = 231.67'$ $L = 463.33'$ $R = 34,377.469'$ P.C. Sta. 387+11.27 P.T. Sta. 391+74.60	P.I. Sta. 399+42.94 $\Delta = 0^\circ 46' 20''$ Rt. $D = 0^\circ 10'$ $T = 231.67'$ $L = 463.33'$ $R = 34,377.469'$ P.C. Sta. 394+11.27 P.T. Sta. 399+74.60
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I, Billy G. Felham, as Director of Administration of the State of Florida Department of Transportation, do hereby certify that this map is the Official Map of Location and Survey of a portion of Section 74570, designated as a part of State Road S-115 in Nassau County, Florida: Said portion of Section 74570 extending from a point in Section 2, Township 2 North, Range 24 East Northwesterly to a point in section 21, Township 3 North, Range 24 East.

Prepared and adopted by the State of Florida Department of Transportation under provisions of Section 335.02, Florida Statutes of 1955.

Billy G. Felham

Director of Administration

State of Florida Department of Transportation

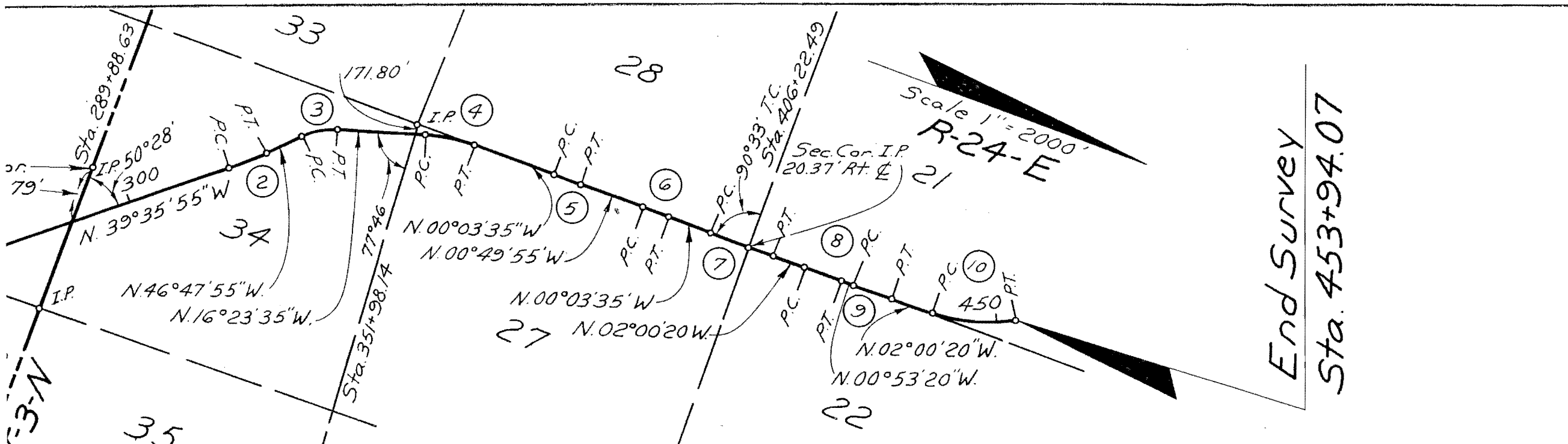
Attest:

Carolyn Scarab
Executive Secretary

Approved:

R. E. Wood
Engineer of Right

Date: 3-30-



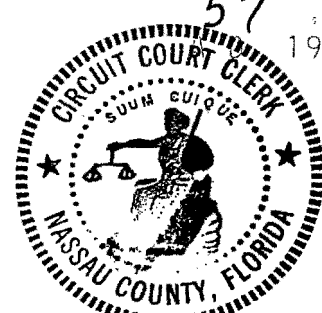
358+07.06 20' Rt. 0' 12' .66' 4.79' 353+95.94 362+12.60	PI Sta. 379+11.29 Δ = 0°46'20" Lt. D = 0°10' T = 231.67' L = 463.33' R = 34,377.469' PC Sta. 376+79.62 PT Sta. 381+42.95	PI Sta. 389+42.94 Δ = 0°46'20" Rt. D = 0°10' T = 231.67' L = 463.33' R = 34,377.469' PC Sta. 387+11.27 PT Sta. 391+74.60	PI Sta. 405+34.84 Δ = 1°56'45" Lt. D = 0°10' T = 583.81' L = 1167.50' R = 34,377.469' PC Sta. 399+51.03 PT Sta. 411+18.53	PI Sta. 420+33.01 Δ = 1°07' Rt. D = 0°10' T = 335.01' L = 670.00' R = 34,377.469' PC Sta. 416+98.00 PT Sta. 423+68.00	PI Sta. 429+05.07 Δ = 1°07' Lt. D = 0°10' T = 335.01' L = 670.00' R = 34,377.469' PC Sta. 425+70.06 PT Sta. 432+40.06	PI Sta. 446+89.30 Δ = 28°48'50" Lt. D = 2°00' T = 735.92' L = 1440.69' R = 2864.789' PC Sta. 439+53.38 PT Sta. 453+94.07
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of Florida Department of Transportation, do
urvey of a portion of Section 74570, designated
on of Section 74570 extending from a point
int in section 21, Township 3 North, Range 24
nsportation under provisions of Section 335.02,

Filed for record in the Office
of the Clerk of the Circuit Court
for the County of Nassau, State of
Florida, in Map Book "A", Page
57, on the 25th day of April
1977.

Lyn Scarala
Secretary

Approved: *P. E. Mudd*
Engineer of Rights of Way
Date: 3 - 30 - 77



Dorothy By Thomas Green
Clerk of the Circuit Court
Nassau County, Florida

Re - 77-168

525

4/26/77.

~~Board authorized the Clerk to have Mr. Sparkman look into this problem and re-
pair.~~

~~the recommend-
of Eng. King,
Hodges made a
n that the sick
of Arthur W.
be extended
on May 11.~~

~~Upon the recommendation of Engineer King, Commissioner Hodges made a motion
that the sick leave of Arthur W. Libby (Road & Bridges employee of many years with
a serious heart ailment) be extended through May 11. Motion was seconded by Commis-
sioner Claxton and voted: Blackwelder, aye; Jones, aye; Claxton, aye; Hodges, aye;
Armstrong, aye. Motion carried unanimously.~~

~~Hodges intro-
Res. 77-168 and
for its adopt-~~

~~Commissioner Hodges introduced Resolution 77-168 and moved for its adoption
to authorize the Chairman to sign an agreement to construct an outfall ditch on
Seaboard Coastline Railroad property at the Callahan Junior High School. The
motion was seconded by Commissioner Claxton and voted: Blackwelder, aye; Jones, aye;
Claxton, aye; Hodges, aye; Armstrong, aye. Motion carried unanimously.~~