

RESOLUTION 2003 - 30

A RESOLUTION RESTATING THE DECLARATIONS OF PUBLIC NECESSITY TO ACQUIRE TITLE THROUGH CONDEMNATION BY RIGHT OF EMINENT DOMAIN TO CERTAIN REAL AND PERSONAL PROPERTY CURRENTLY OWNED BY THE FLORIDA WATER SERVICES CORPORATION, A FLORIDA CORPORATION; DESCRIBING THE REAL AND PERSONAL PROPERTY ACQUIRED; DIRECTING THE COUNTY ATTORNEY AND/OR CONDEMNATION ATTORNEY FOR THE PURPOSE, TO INSTITUTE APPROPRIATE CONDEMNATION PROCEEDINGS.

WHEREAS, the Board of County Commissioners of Nassau County, Florida, ("Board") is authorized and empowered to own, operate and maintain real property for public purpose and is vested by law with the power of eminent domain to acquire interests in property for that purpose; and

WHEREAS, the Board of County Commissioners has adopted Resolution 2003-03; and

WHEREAS, the Board desires to direct the County Attorney and/or condemnation attorney to institute and prosecute to completion appropriate condemnation proceedings including those pursuant to Florida Statutes, Chapters 73 and 74, to acquire the interest in real and personal property described in Section 2, which is necessary for public purpose, and its appurtenances.

NOW, THEREFORE, BE IT RESOLVED this 10th day of February, 2003, by the Board of County Commissioners of Nassau County, Florida, as follows:

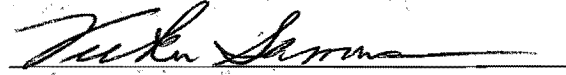
1. Declaring of Public Necessity. The Board declares it to be a public necessity to acquire through condemnation by right of eminent domain the interests in real and personal property described in Section 2 now belonging to Florida Water Services Corporation (FWS), which interests are for the purposes of ownership and operation of a sewer and water system and the acquisition of real and personal property is reasonably necessary to fulfill that purpose.

2. Description of Real Property Interests to be Acquired. The Board shall acquire (i) fee simple title to the property described as Parcels 1, 2, 3, 4, 5 and 6 (Fee Simple) on Exhibit "A" attached hereto, and (ii) easements on, over, through, across, and under the property described on Exhibit "A" attached hereto.


3. Institution of Condemnation Proceedings. The Board directs the County Attorney and/or condemnation attorney, on its behalf, to institute appropriate condemnation proceedings to acquire the interests in real property described in Section 2 in accordance with this

Resolution.

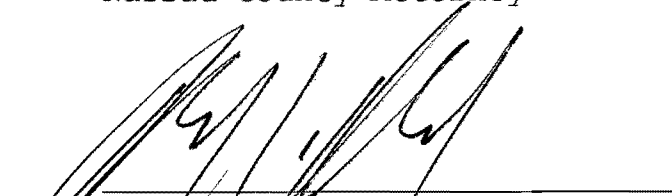
BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


VICKIE SAMUS
Its: Chairman

ATTEST:


J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney


MICHAEL S. MULLIN

h/anne/fla-water/condemn-res

EXHIBIT "A"

The real property as described herein on pages two (2) through seven (7) of this Exhibit, and, in addition, all of the following:

All buildings, structures, improvements, appurtenances, and fixtures of any variety, located in or on the real property described herein and used or useful in connection with the ownership, maintenance, or operation of the FWS; and all wells, water treatment facilities, water storage facilities, distribution reservoirs, stand pipes, pump stations, water pipes, water mains, etc., used or useful in connection with the ownership, maintenance, or operation of the FWS, associated with the real property described herein.

PERSONAL PROPERTY

All personal property that in any way belongs, appertains, or is related to the FWS and providing service thereby, situate on, in, about or between Amelia Island, including, but not limited to, all equipment of any variety, materials, supplies, and any other inventory located in or on the real property described above and used or useful in connection with the ownership, maintenance, or operation of the FWS; all equipment, hydrants, meters, service connections, etc., used or useful in connection with the ownership, maintenance, or operation of the FWS; and all wells, water treatment facilities, water storage facilities, distribution reservoirs, stand pipes, used or useful in connection with the ownership, maintenance, or operation of the FWS.

ALL EASEMENTS

All easements, rights, ways, privileges, or advantages that relate to the operation of the FWS.

MISCELLANEOUS

All contracts, leases, permits, licenses, water rights, and customer lists, databases, or other property used or useful in connection with the ownership, maintenance, or operation of the FWS, including a water re-use reclamation facility.

EXHIBIT "A"
(NASSUA)

PARCEL #: 5

TAX PARCEL ID #:

PARCEL FIVE (5)

A part of Section Fourteen (14), Township Two (2) North, Range Twenty-eight (28) East, Nassau County, Florida, more particularly described as follows:

PARCEL #

(NASSUA)

PARCEL #: 1

TAX PARCEL ID #: 0000300518000C0000

Tract C, Plantation Point Subdivision, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Nassau County, Florida recorded in Plat Book 5, page 269 and 270, said lands situate, lying and being in Nassau County, Florida.

EXHIBIT "A"

(NASSUA)

PARCEL #: 3

TAX PARCEL ID #:

PARCEL FOUR (4)

TRACT FOUR (4) of Beach Walker Village, according to plat thereof recorded in Plat Book 4, pages 14 and 15 of the Nassau County, Florida public records.

LANDLOT A

(NASSUA)

PARCEL #: 2

TAX PARCEL ID #:

PARCEL THREE (3) - Palm Forest

A part of Section 1, Township One (1) North, Range Twenty-eight (28) East, and a part of Sections Twenty-two (22) and Twenty-three (23), Township Two (2) North, Range Twenty-eight (28) East, all in Nassau County, Florida, more particularly described as follows:

Begin at the Southwesterly corner of Lot Twelve (12), Beach Walker Village, Plat Book 4, pages 14 and 15; thence North Twenty-two (22) degrees, Forty-nine (49) minutes, Sixteen (16) seconds West along the Westerly line of said Lot Twelve (12); Ninety and Seventy-one Hundredths (90.71) feet; thence North Fifty-seven (57) degrees, Eight (08) minutes, Sixteen (16) seconds West, One Hundred Forty-Lve and Thirty-three Hundredths (145.33) feet; thence North Seventy-nine (79) degrees, Fifty-nine (59) minutes, Eleven (11) seconds West, One Hundred Thirty-four and Sixty-four Hundredths (134.64) feet; thence South Eighty-three (83) degrees, Fifty-three (53) minutes, Thirty-eight (38) seconds West, Eighty-five and Seventy-seven Hundredths (85.77) feet to an intersection with the Easterly right of way line of State Road No. 105, (A1A), as established for a width of Two Hundred (200.0) feet; thence South Nineteen (19) degrees, Thirty-three (33) minutes, Ten (10) seconds East along said Easterly right of way line, Five Hundred Ninety-four and Thirteen Hundredths (594.13) feet; thence North Forty-three (43) degrees, Twenty-six (26) minutes, Two (02) seconds East, One Hundred Seventeen and Seventy-four Hundredths (117.74) feet; thence North Twenty-four (24) degrees, Forty (40) minutes, Ten (10) seconds East, Two Hundred Eighty and Thirty-two Hundredths (280.32) feet; thence North Twenty-six (26) degrees, Forty-eight (48) minutes, Four (04) seconds West, Forty-eight and Four Hundredths (48.04) feet to the point of beginning.

Subject to an Easement over the Easterly Thirty (30.0) feet of the aforescribed parcel.

EXHIBIT "A"

(NASSUA)

PARCEL #: 4

TAX PARCEL ID #:

PARCEL ONE (1) - Tract 35

A part of Tract One (1), MARSH CREEK VILLAGE, UNIT ONE (1), Plat Book 4, pages 18 and 19 of the public records of Nassau County, Florida, more particularly described as follows:

Commence at the Southeasterly corner of said Tract One (1), said Southeasterly corner lying in the Southwesterly right of way line of State Road No. 105, (A1A); thence North Nineteen (19) degrees, Thirty-three (33) minutes, Ten (10) seconds West along said Southwesterly right of way line, Two Thousand Two Hundred Thirty-nine and Sixty-three Hundredths (2239.63) feet to the point of beginning; thence continue North Nineteen (19) degrees, Thirty-three (33) minutes, Ten (10) seconds West along said Southwesterly right of way line, Five Hundred Eighty-nine and Ninety-five Hundredths (589.95) feet to the Northeasterly corner of said Tract One (1); thence South Seventy (70) degrees, Twenty-six (26) minutes, Fifty (50) seconds West, One Hundred Thirty-five (135.0) feet to the point of curve of a curve to the left, said curve having a radius of Twenty-five (25.0) feet; thence along and around said curve an arc distance of Thirty-nine and Twenty-seven Hundredths (39.27) feet to the point of tangency of said curve; thence South Nineteen (19) degrees, Thirty-three (33) minutes, Ten (10) seconds East, Ten and Ninety-six Hundredths (10.96) feet to the point of curve of a curve to the right, said curve having a radius of Two Hundred Fifty-five (255.0) feet; thence along and around said curve an arc distance of Fifty-seven and Seventy-one Hundredths feet to the point of tangency of said curve; thence South Six (06) degrees, Thirty-five (35) minutes, Seven (07) seconds East, Fourteen and Thirty-six Hundredths (14.36) feet to the point of curve of a curve to the left, said curve having a radius of One Hundred Twenty (120.0) feet; thence along and around said curve an arc distance of Sixty-two and Sixty-six Hundredths (62.66) feet to the point of tangency of said curve; thence South Thirty (36) degrees, Thirty (30) minutes, Zero (00) seconds East, Twenty-one and Thirty Hundredths (21.30) feet to the point of curve of a curve to the right, said curve having a radius of One Hundred Thirty (130.0) feet; thence along and around said curve an arc distance of Ninety-eight and Ten Hundredths (98.10) feet to the point of tangency of said curve; thence South Six (06) degrees, Forty-four (44) minutes, Zero (00) seconds West, Forty-four and Thirty-two Hundredths (44.32) feet to the point of curve of a curve to the left, said curve having a radius of Three Hundred Seventy (370.0) feet; thence along and around said curve an arc distance of Forty-four and Forty-four Hundredths (44.44) feet to the point of tangency of said curve; thence South Zero (00) degrees, Eight (08) minutes, Fifty-six (56) seconds East, Seventy and Eighty-three Hundredths (70.83) feet; thence South Eighty-seven (87) degrees, Fifty (50) minutes, Fifty-two (52) seconds East, Twenty-five and Twenty-one Hundredths (25.21) feet; thence South Two (02) degrees, Twenty-seven (27) minutes, Forty-one (41) seconds East, One Hundred Thirty and Forty-six Hundredths (130.46) feet; thence North Eighty-two (82) degrees, Twenty-eight (28) minutes, Forty-eight (48) seconds East, One Hundred Fifty and Thirty-six Hundredths (150.36) feet; thence North Sixty-five (65) degrees, Fifty-one (51) minutes, Thirty-four (34) seconds East, Ninety-seven and Seventy-four Hundredths (97.74) feet to the point of beginning.

(NASSUA)

PARCEL #: 6

TAX PARCEL ID #:

PARCEL TWO (2) - South of Entrance

A part of Section Twenty-two (22), Township Two (2) North, Range Twenty-eight (28) East, Nassau County, Florida, being more particularly described as follows:

Commence at the intersection of the Northeasterly right of way line of State Road No. 105, (A1A) with the Southerly right of way of Beach Lagoon Road South, said Southerly right of way line being in a curve concave Southerly and having a radius of Seven Hundred Seventy (770.0) feet; thence along the arc of said curve and along said right of way line, an arc distance of Three Hundred Twenty-six and Sixty-two Hundredths (326.62) feet to the point of tangency of said curve; thence continue along said right of way, South Eighty-four (84) degrees, Thirty-three (33) minutes, Ten (10) seconds East, Eighty-eight and Twelve Hundredths (88.12) feet to the point of curve of a curve to the right, said curve having a radius of One Hundred Seventy (170.0) feet; thence along the arc of said curve and along said right of way line, an arc distance of Ninety and Fifty Hundredths (90.50) feet to the point of tangency of said curve; thence continue along said right of way line, South Fifty-four (54) degrees, Three (03) minutes, Ten (10) seconds East, One Hundred Forty-nine and Forty-seven Hundredths (149.47) feet to the point of curve of a curve to the left, also being the point of beginning, said curve having a radius of Two Hundred Five (205.0) feet; thence along the arc of said curve and along said right of way line, an arc distance of One Hundred Twenty-four and Eighty-seven Hundredths (124.87) feet to the point of reverse curve of a curve to the right, said curve having a radius of One Hundred Forty-five (145.0) feet; thence along the arc of said curve and along said right of way line, an arc distance of Seventy-four and Fifteen Hundredths (74.15) feet to the point of reverse curve of a curve to the left, said curve having a radius of Two Hundred Five (205.0) feet; thence along the arc of said curve and along said right of way line, an arc distance of Ninety-four and Seventy-four Hundredths (94.74) feet; thence South Three (03) degrees, Fifty-two (52) minutes, Four (04) seconds East, One Hundred Eighteen and Eighty-nine Hundredths (118.89) feet; thence South Seventy (70) degrees, Twenty-six (26) minutes, Fifty (50) seconds West, Four Hundred Forty-nine and Twenty-five Hundredths (449.25) feet; thence South Seven (07) degrees, Fifty-six (56) minutes, Fifty-three (53) seconds East, Four and Fifty-five Hundredths (4.55) feet; thence South Sixty-nine (69) degrees, Fifty-five (55) minutes, Zero (00) seconds West, Two Hundred Twenty (220.0) feet; thence South Forty-two (42) degrees, Five (05) minutes, Zero (00) seconds West, Sixty-five (65.0) feet; thence South Seventy (70) degrees, Twenty-six (26) minutes, Fifty (50) seconds West, Twenty-one and Thirty-nine Hundredths (21.39) feet to the Northeasterly right of way line of said State Road No. 105; thence North Nineteen (19) degrees, Thirty-three (33) minutes, Ten (10) seconds West, along said Northeasterly right of way line, Sixty-five and Fifteen Hundredths (65.15) feet; thence North Sixty-nine (69) degrees, Fifty-five (55) minutes, Zero (00) seconds East, Three Hundred Five and Seventy-nine Hundredths (305.79) feet; thence North Seven (07) degrees, Fifty-six (56) minutes, Fifty-three (53) seconds West, Two Hundred Fourteen and Twenty Hundredths (214.20) feet; thence North Fifty-six (56) degrees, Fifty-three (53) minutes, Forty-four (44) seconds East, Two Hundred Five and Seventy Hundredths (205.70) feet to the point of beginning.