

RESOLUTION NO. 2007- 138

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, STATE OF FLORIDA, RENOUNCING AND DISCLAIMING ANY RIGHT OF NASSAU COUNTY, FLORIDA, AND THE PUBLIC IN THE ROAD RIGHT OF WAY AND DRAINAGE EASEMENTS AND UNOBSTRUCTED DRAINAGE EASEMENTS, PURSUANT TO SECTION 336.125, FLORIDA STATUTES AND CONVEYANCE OF SAID LANDS TO BLACKROCK HAMMOCK HOMEOWNERS ASSOCIATION.

WHEREAS, pursuant to section 336.125 Florida Statutes, the Board of County Commissioners of Nassau County, Florida ("the Board") held a public hearing on July 23<sup>rd</sup>, 2007, during which the Board considered a requested abandonment of public roads in the Blackrock Hammock Subdivision, as more particularly described as follows:

See Exhibit "A"

WHEREAS, the Home Owners Association has requested the abandonment and conveyance of the roadway in writing for the purpose of converting the subdivision to a gated neighborhood with restricted public access; and

WHEREAS, no fewer than 4/5 of the owners of record of property located in the subdivision have consented in writing to the abandonment and simultaneous conveyance by Nassau County of the roadways to the Home Owners Association; and

WHEREAS, Home Owners Association has provided a certificate from the Secretary of State showing it is both a corporation not for profit organization and in good standing under Chapter 617 Florida Statutes; and

WHEREAS, the Home Owners Association has attached to its request of abandonment, a First Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements ("the Declaration") for Blackrock Hammock, which amendment grants the power to levy and collect assessments for routine and periodic major maintenance and operation of drainage facilities and pavement in the subdivision; and

WHEREAS, the Amendment to the Declaration, provides the

INSTR # 200730440, OR Book 1526, Page 282, Pages 4  
Recorded 09/19/2007 at 03:18 PM.  
John A. Crawford, Nassau County Clerk of Circuit Court  
Rec. Fee \$35.50  
#2

*Return to Council*

Home Owners Association with authorization to enter into and execute such agreements, covenants, warranties, and other instruments as required by Nassau County; and

WHEREAS, the Home Owners Association has provided assurance that funds, reserved funds, and funding sources shall be available for reconstruction or replacement of the roads and drainage facilities in the subdivision after abandonment by the county; and

WHEREAS, the Homeowners Association has agreed to enter into such agreement as shall be required by the county setting forth requirements and conditions with respect to the ongoing, maintenance, repair and the periodic reconstruction of replacement of roads and drainage facilities, in the subdivision after abandonment; and

WHEREAS, the Board has determined it is in the best interest of Nassau County and the public that said roadways and associated drainage facilities be abandoned by Nassau County and conveyed to the Blackrock Hammock Homeowner Association, Inc., by the County.

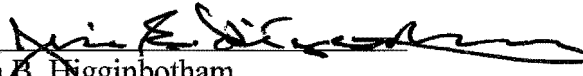
NOW, THEREFORE, BE IT RESOLVED this 23rd day of July, 2007 by the Board of County Commissioners of Nassau County, Florida, in a public meeting duly constituted that the County hereby consents to and does abandon the roads and associated drainage facilities as described above in Exhibit "A", and conveys said roads to the Blackrock Hammock Homeowners Association, upon its entering into such agreements, covenants, warranties and other written instruments, in regards to setting forth the requirements and conditions with respect to ongoing maintenance, repair and periodic reconstruction of replacement of roads and drainage facilities in the subdivision after abandonment.

BE IT FURTHER RESOLVED that the Clerk of this Board shall cause to be published, within thirty (30) days after the adoption of this Resolution, in one issue of the News Leader, a notice of the adoption of this Resolution abandoning all of those certain roadways, and drainage easements and unobstructed drainage easements as hereinbefore described in the preamble hereto, and the renouncing and disclaiming of any right or interest of the County and the public in said roadways, and drainage easements and unobstructed drainage easements.

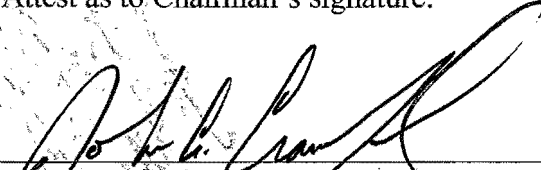
NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Nassau County, Florida, did on the 23rd day of July, 2007 adopt a resolution abandoning those certain roadways, drainage easements and unobstructed drainage easements described as follows:

See Legal Description attached hereto as Exhibit "A".

Board of County Commissioners  
Nassau County, Florida

  
Jim B. Higginbotham  
ITS: CHAIRMAN

Attest as to Chairman's signature:

  
John A. Crawford  
ITS: EX-OFFICIO CLERK

REVIEWED BY GENE KNAGA  
DEPUTY COMPTROLLER

 DATE 7/23/01

APPROVED AS TO FORM AND LEGALITY  
BY THE NASSAU COUNTY ATTORNEY:

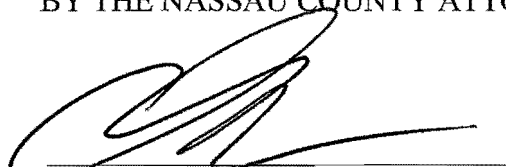
  
David A. Hallman

EXHIBIT "A"

THE ROAD RIGHTS-OF-WAY OF BLACKROCK HAMMOCK DRIVE, TARA  
GLEN COURT, SOUTHERN LILLY DRIVE, SCARLET OAKS COURT AND  
SOUTHERN PRIDE COURT, DRAINAGE EASEMENTS AND  
UNOBSTRUCTED DRAINAGE EASEMENTS, DEDICATED IN RECORDED  
RESIDENTIAL SUBDIVISION PLAT OF BLACKROCK HAMMOCK, PLAT  
BOOK 6, PAGE 286 OF THE PUBLIC RECORDS OF NASSAU, FLORIDA.

# NEWS LEADER

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696  
Fernandina Beach, Nassau County, Florida 32034

## STATE OF FLORIDA COUNTY OF NASSAU:

Before the undersigned authority personally appeared **Michael B. Hankins** who on oath says that he is the Advertising Director 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 HEARING FOR THE CLOSING OF RIGHTS OF WAY, ROADWAYS OR ALLEYWAYS Board of County Commissioners of Nassau County, Florida

was published in said newspaper in the issues of **07-11-2007**  
**ref. No. 5972**

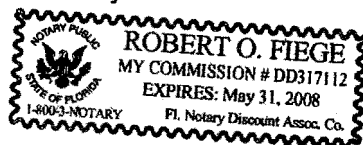
Affiant further says that the said Fernandina Beach *News-Leader* is a newspaper published at Fernandina Beach, in said Nassau County, Florida, and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau 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.

*Michael B. Hankins*

Sworn to and subscribed before me  
this **11th** day of **July**, A.D. 2007.

*Robert O. Fiege*  
Robert O. Fiege, Notary Public

*SA* Personally Known



### NOTICE OF HEARING FOR THE CLOSING OF RIGHTS OF WAY, ROADWAYS, OR ALLEYWAYS TO WHOM IT MAY CONCERN:

YOU WILL TAKE NOTICE that the Board of County Commissioners of Nassau County, Florida, upon petition of Micawber Enterprises, LLC (et al) owners, will at 7:00 PM, on the 23rd day of July 2007 at the Commission Chambers, 96135 Nassau Place, Yulee, Florida, consider and determine whether or not the said Nassau County, Florida, will vacate, abandon and will renounce and disclaim any right of Nassau County, Florida and the public in the road right-of-way, drainage easements and unobstructed drainage easements which are more particularly described as follows:

#### EXHIBIT "A"

THE ROAD RIGHTS-OF-WAY OF BLACKROCK HAMMOCK DRIVE, TARA GLEN COURT, SOUTHERN LILLY DRIVE, SCARLET OAKS COURT AND SOUTHERN PRIDE COURT, DRAINAGE EASEMENTS AND UNOB-

STRUCTURED DRAINAGE EASEMENTS DEDICATED IN RECORDED RESIDENTIAL SUBDIVISION PLAT OF BLACKROCK HAMMOCK, PLAT BOOK 5, PAGE 286 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA AND SIMULTANEOUSLY CONVEY THE COUNTY'S INTEREST IN SUCH BLACKROCK HAMMOCK ROADS, RIGHTS-OF-WAY AND APPURTENANT DRAINAGE EASEMENTS AND UNOBSTRUCTED DRAINAGE EASEMENTS TO THE BLACKROCK HAMMOCK HOMEOWNER'S ASSOCIATION INC.

THE PUBLIC IS INVITED TO BE PRESENT AND BE HEARD. IF A PERSON WISHES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS AND THAT FOR SUCH PURCHASE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

Individuals with disabilities requiring accommodations in order to participate in this proceeding should contact the office of the Ex-Officio Clerk at (904) 548-4660 or Florida Relay Service at 1-800-955-8776 (or 1-800-955-8771 (TDD)) at least seventy-two hours in advance to request such accommodation.  
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA  
/s/ Jim B. Higginbotham  
its Chairman

ATTEST:  
/s/ John A. Crawford  
its Ex-Officio Clerk  
11-07-11-2007  
5972

*Return To Council*

INSTR # 200730439, OR Book 1526, Page 281, Pages 1.  
Recorded 09/19/2007 at 03:13 PM.  
John A. Crawford, Nassau County Clerk of Circuit Court  
Rec Fee \$10.00  
#1

# NEWS LEADER

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696  
Fernandina Beach, Nassau County, Florida 32034

## STATE OF FLORIDA COUNTY OF NASSAU:

Before the undersigned authority personally appeared **Michael B. Hankins** who on oath says that he is the Advertising Director 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, VACATING AND ABANDONING OF RIGHTS OF WAY, ROADWAYS, OR ALLEYWAYS Board of County Commissioners of Nassau County, Florida Micawber Enterprises LLC, owners

was published in said newspaper in the issues of **08-08-2007**  
**ref. No. 6052**

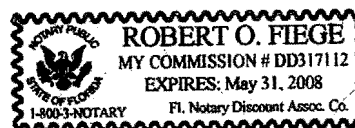
Affiant further says that the said Fernandina Beach *News-Leader* is a newspaper published at Fernandina Beach, in said Nassau County, Florida, and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau 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.

*Michael B. Hankins*

Sworn to and subscribed before me  
this **8th** day of **August, A.D. 2007.**

*Robert O. Fiege*  
Robert O. Fiege, Notary Public

*[Signature]* Personally Known



NOTICE OF ADOPTION OF RESOLUTION CLOSING, VACATING, AND ABANDONING OF RIGHTS OF WAY, ROADWAYS, OR ALLEYWAYS TO WHOM IT MAY CONCERN NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Nassau County, Florida, upon the petition of Micawber Enterprises, LLC (the owners) did on the 23rd day of July 2007, adopt Resolution No. 2007-138, a Resolution Renouncing and Disclaiming any right of Nassau County, Florida, and the Public in the Road right of Way and drainage easements and unobstructed drainage easements, pursuant to Section 336.126, Florida Statutes, and conveyance of said lands to Blackrock Hammock Homeowners Association described as follows:

EXHIBIT A  
THE ROAD RIGHTS OF WAY OF BLACKROCK HAMMOCK DRIVE, TARA GLEN COURT, SOUTHERN LILLY DRIVE, SCARLET OAKS COURT AND SOUTHERN PRIDE COURT, DRAINAGE EASEMENTS AND UNOBSTRUCTED DRAINAGE EASEMENTS, DEDICATED IN RECORDED RESIDENTIAL SUBDIVISION PLAT OF BLACKROCK HAMMOCK PLAT BOOK 6, PAGE 286 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA and that said Resolution renounces and disclaims any right of interest of said Nassau County, Florida and the public in and to said roadways and drainage easements and unobstructed drainage easements.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA  
BY: /s/ JIM B. HIGGINBOTHAM  
ITS CHAIRMAN  
ATTEST  
/s/ JOHN A. CRAWFORD  
EX-OFFICIO CLERK  
11-08-08-2007  
6052

INSTR # 200730441, OR Book 1526, Page 286, Pages 1.  
Recorded 09/19/2007 at 03:18 PM.  
John A Crawford, Nassau County Clerk of Circuit Court  
Rec. Fee \$10.00  
#3

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