

RESOLUTION NO. 2009-221

A RESOLUTION, PURSUANT TO ORDINANCE NO. 2009-05, FINDING THAT IT IS IN THE BEST INTEREST OF THE CITIZENS OF NASSAU COUNTY, FLORIDA, TO LEASE TO THE NASSAU COUNTY COUNCIL ON AGING, INC., REAL PROPERTY BEING THE PREMISES LOCATED AT 11 NORTH 14TH STREET, IN FERNANDINA BEACH, FLORIDA

WHEREAS, the Board of County Commissioners, pursuant to Ordinance No. 2009-05, finds that it is in the best interest of the citizens of Nassau County to lease to the Nassau County Council on Aging, Inc., a Florida non-profit corporation, property which is more particularly described in the legal description as attached hereto as Exhibit A, and which is more particularly described as being located at 11 North 14th Street, Fernandina Beach, Florida, also known as the Nassau County Office Annex property; and

WHEREAS, the Nassau County Council on Aging, Inc. is desirous of leasing the property from Nassau County, Florida, in order to construct a senior center facility that will serve the community needs by providing programs and activities; and

WHEREAS, the lease of said property would serve a vital public interest to the aged residents of Nassau County, Florida; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, finds that it is in the best interest of the citizens of Nassau County, Florida, that the property be utilized as a senior center facility.

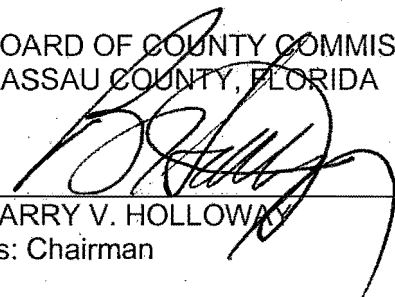
NOW, THEREFORE, BE IT RESOLVED this 14th day of December, 2009, by the Board of County Commissioners of Nassau County, Florida as follows:

1. The Board of County Commissioners (hereinafter referred to as the "County") finds that, pursuant to Ordinance 2009-05, subsection 5, it is in the best interest of the citizens of Nassau County, Florida to enter into a ninety-nine (99) year lease agreement with the Nassau County Council on Aging, Inc. (hereinafter referred to as

the "Tenant"), in order for the Tenant to construct and operate on the premises a senior center facility to serve community needs.

2. The Board of County Commissioners finds that a valid public purpose exists and that the needs of the senior citizens of Nassau County, Florida, will be served by leasing the described real property to the Nassau County Council on Aging, Inc., to operate a senior center facility for the elderly residents of Nassau County, Florida.
3. The Board of County Commissioners finds that the term of the Lease Agreement (Contract No. CM1531) should be ninety-nine (99) years.
4. A finding has been made that the proposed use for the property is consistent with the County's adopted Comprehensive Plan and Land Development Regulations.
5. The Board of County Commissioners finds that in the event that the property to be leased to the Nassau County Council on Aging, Inc., is not used or ceases to be used for the stated purpose, the lease term shall immediately terminate.
6. This Resolution is hereby adopted at a public hearing on December 14, 2009, which was duly advertised.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


BARRY V. HOLLOWAY
Its: Chairman

Attest as to Chairman's signature:


JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:

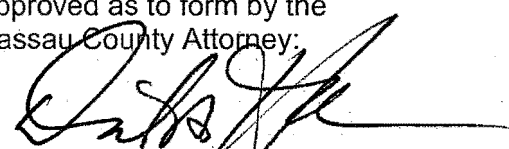

DAVID A. HALLMAN

Exhibit "A"

TRACT ONE:

All of those certain lots, pieces, or parcels of land lying and being in the City of Fernandina Beach (formerly City of 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) as:

Lots A, B, C, D, E, F, G, H, I, and J, Garvin Terrace, Replat of Lots 2, 8 and 9 of Block 244, according to Plat Book 2, Page 45, public records of Nassau County, Florida; and Sub Lots C, D, and E of Lot 3, Sub Lots E, F, G and H of Lot 4, and Sub Lots A, B, G and H of Lot 7 Block 244, All of said being located in the City of Fernandina Beach.

This being the same property conveyed to Grantor by deed from HUMPHREYS MEMORIAL HOSPITAL, dated January 16, 1979, which deed is recorded in Book 284, Page 78, Official Records Nassau County, Florida.

Together with any interest Grantor may have in the streets, alleys and roadways whether or not platted lying in or adjacent to said property.

LESS AND EXCEPT: Lot N of Garvin Terrace, Replat of Lot 2, of Block 244, according to Plat Book 2, Page 45, Nassau County Public Records. This being the same property as described in the deed from Grantor to John H. Heard, dated July 22, 2005, and recorded in Book 1340, Page 1539 Nassau County Official Records.

TRACT TWO:

All of those certain lots, pieces or parcels of land lying and being in the City of Fernandina Beach (formerly City of 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) as:

Sub Lot B of Lot 3 of Block 244 according to Plat Book 2, Page 45, Nassau County Public Records. This being the same property conveyed to Grantor by deed from John H. Heard, dated July 22, 2005, recorded in Book 1340, Page 1541, Nassau County Official Records.

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 INTENTION TO CONSIDER ENACTMENT OF A RESOLUTION Board of County Commissioners of Nassau County, Florida

was published in said newspaper in the issues of **12-02-2009**

ref. No. 8168

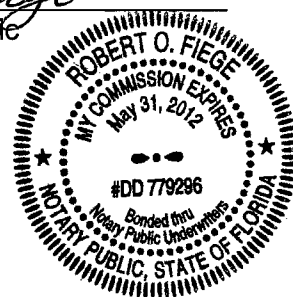
Affiant further says that the said Fernandina Beach *News-Leader* is a newspaper published at Fernandina Beach, in said Nassau County, Florida, and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter 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 **2nd** day of **December**, A.D. **2009**.

Robert O. Fiege
Robert O. Fiege, Notary Public

A Personally Known



NOTICE OF INTENTION TO CONSIDER ENACTMENT OF A RESOLUTION

NOTICE is hereby given that the Board of County Commissioners of Nassau County, Florida, at a Regular meeting to be held on Monday, the 14th day of December, 2009, at 7:00 PM at the Commission Chambers, located in the James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida, intends to consider for adoption the following proposed resolution:

RESOLUTION NO. 2009-

AT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA PURSUANT TO ORDINANCE NO. 2009-05 FINDING THAT IT IS IN THE BEST INTEREST OF THE CITIZENS OF NASSAU COUNTY, FLORIDA, TO ENTER INTO A LEASE AGREEMENT WITH THE NASSAU COUNTY COUNCIL ON AGING, INC. FOR THE REAL PROPERTY BEING THE PREMISES LOCATED AT 11 NORTH 14TH STREET IN FERNANDINA BEACH, FLORIDA FOR THE PURPOSE OF OPERATING A SENIOR CENTER.

Copies of this Resolution are available at the following locations:

Clerk's Office, 76347 Veterans Way, Yulee, Florida Monday through Friday, 8:30 AM through 5:00 PM, except for legal holidays.

County Coordinator's Office, 96135 Nassau Place, Yulee, Florida Monday through Friday, 8:00 AM to 5:00 PM, except for legal holidays.

THE PUBLIC IS INVITED TO BE PRESENT AND BE HEARD IF A PERSON DECIDES 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 PURPOSE, HE OR SHE 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 TO BE BASED.

The Board of County Commissioners may continue hearings on this matter.

BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA

DATE: 12-02-2009

BARRY V. HOLLOWAY

Its Chairman

ATTEST

JOHNA CRAWFORD

Its Ex-Officio Clerk

Individuals with disabilities needing a reasonable accommodation to participate in this proceeding should contact the office of the Ex-Officio Clerk at (904) 548-4660 or if the hearing impaired, 1-800-955-8770 (V) or 1-800-955-8771 (TDD) via Florida Relay Service at least seventy two (72) hours prior to the hearing.

12-02-2009

8168