

**RESOLUTION NO. 2024- 133**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA APPROVING A MAINTENANCE MAP FOR A PORTION OF PALM TREE DRIVE AND SPICEWOOD STREET; AUTHORIZING THE MAINTENANCE MAP; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 95.361(2), Florida Statutes (2024), provides that roads not constructed by the County that have been regularly maintained or repaired for the immediate past seven (7) years by the County shall be deemed to be dedicated to the public to the extent of the width that actually has been maintained or repaired for the prescribed period; and

**WHEREAS**, the filing of a map in the office of the Clerk of the Circuit Court for Nassau County showing the lands maintained and duly certified by the Chair and Clerk of the Board of County Commissioners for Nassau County provides prima facie evidence of ownership by the County; and

**WHEREAS**, Nassau County has continuously maintained portions of Palm Tree Drive and all of Spicewood Street for more than the prescribed period as evidence by the affidavit of the Deputy Director of Public Works attached hereto as **Exhibit "A"** and made part hereof; and

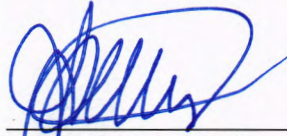
**WHEREAS**, Nassau County has caused a survey and maintenance map for the appropriate portions of Palm Tree Drive and Spicewood Street to be prepared as attached hereto and made part hereof.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, THAT:**

1. The foregoing recitals are true and correct and are hereby incorporated herein.
2. The Board of County Commissioners hereby approved the Maintenance Map for portions of Palm Tree Drive and Spicewood Street as depicted in Survey and Maintenance Map attached hereto as **Exhibit "B"** and made part hereof.
3. The Board of County Commissioners authorizes the Clerk for the Board of County Commissioners to certify the same pursuant to Section 95.361, Florida Statutes.

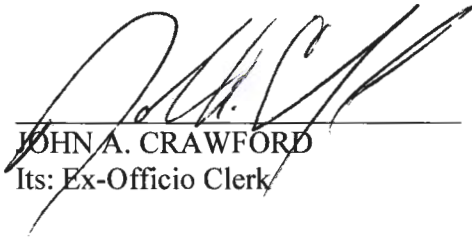
ADOPTED THIS 21st DAY OF August, 2024 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA




\_\_\_\_\_  
JOHN F. MARTIN  
Its: Chairman

ATTEST as to Chairman's Signature:



\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

Approved as to form:



\_\_\_\_\_  
DENISE C. MAY  
County Attorney



STATE OF FLORIDA  
COUNTY OF NASSAU

AFFIDAVIT

THIS IS TO CERTIFY THAT I, David H. Hearn, Deputy Public Works Director for Nassau County Public Works, have determined, to the best of my knowledge, that Nassau County road department personnel have maintained along Palm Tree Drive and Spicewood Street, the pavement, signage, and roads thereof, in Nassau County, Florida, for at least twenty-five (25) years.

Under penalties of perjury, I declare the above statement to be true to the best of my knowledge and belief.

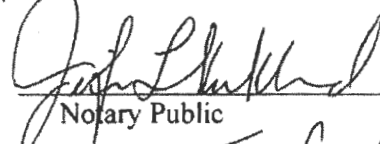
Dated August 6, 2024

  
AFFIANT

STATE OF FLORIDA  
COUNTY OF NASSAU

The foregoing instrument was sworn to and subscribed before me by means of  physical presence or  online notarization this 6 day of Aug, 2024, by David Hearn who  is personally known or  has produced \_\_\_\_\_ as identification.

[Notary Seal]

  
Notary Public

Printed Name: Jennifer L. Kirkland

My Commission Expires: 2/27/28



SCANNED