

ORIGINAL



NASSAU COUNTY
BOARD OF COUNTY COMMISSIONERS
P. O. Box 1010
Fernandina Beach, Florida 32035-1010

Nick Deonas
Ansley Acree
Vickie Samus
Floyd L. Vanzant
Marianne Marshall

Dist. No. 1 Fernandina Beach
Dist. No. 2 Fernandina Beach
Dist. No. 3 Yulee
Dist. No. 4 Hilliard
Dist. No. 5 Callahan

August 4, 2003

J. M. "Chip" OXLEY, JR.
Ex-Officio Clerk

MICHAEL S. MULLIN
County Attorney

Ms. Blanca S. Bayó
Director
Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Docket No. 030542-WS

Dear Ms. Bayó:

Enclosed please find an original of Nassau County's Petition to Intervene along with five (5) copies and a copy of the disk.

Please ensure that the Petition is filed, and if there are any questions or comments please advise the undersigned as soon as possible.

Sincerely yours,

Michael S. Mullin
County Attorney
Nassau County, Florida

SRJ:jb

Enclosures

CC: D. Bruce May, Esquire
Kenneth A. Hoffman, Esquire
Carlyn Kowalsky, Esquire

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC _____
- OTH _____

03 AUG -5 AM 9:41
DISTRIBUTION CENTER

DOCUMENT NUMBER-DATE
07097 AUG-5 8
FPSC-DO... CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application by Florida Water
Services Corporation for Acknowledgement
Of Transfer of Nassau County Land and
Facilities to Nassau County, and
Cancellation of Certificates Nos. 171-W
and 122S

Docket NO. 030542-WS

Mailed on August 4, 2003

NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS'
PETITION FOR LEAVE TO INTERVENE

COMES NOW the BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as "Nassau County", and pursuant to Florida Statutes, Chapter 120, and Rules 25-22.039, 28-106.201, and 28-106.205, Florida Administrative Code, and respectfully requests leave to intervene in the above matter and states:

1. Nassau County is a non-chartered county, and its principal address is Post Office Box 1010, Fernandina Beach, FL 32035-1010.

2. Copies of all pleadings, notices, and orders in this Docket should be provided to:

Michael S. Mullin, Esquire
Post Office Box 1010
Fernandina Beach, FL 32035-1010

Or

191 Nassau Place
Yulee, FL 32097

DOCUMENT NUMBER-DATE

07097 AUG-5 8

FPSC-COMMISSION CLERK

904-491-3600
904-491-3618 - fax

Affected Agency

3. The affected agency is the Florida Public Service Commission (the "Commission"), 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

Background

4. On March 31, 2003, the Circuit Court of the Fourth Judicial Circuit, in and for Nassau County, Florida, entered a Stipulated Order of Taking and Stipulated Final Judgment in Nassau County v. Florida Water Service Corporation, Nassau County Circuit Court Case No. 03-113-CA, pursuant to a condemnation proceeding under Florida Statutes, Chapter 74. As a result of that condemnation proceeding, Nassau County acquired title to Florida Water Services Corporation ("FWS") land and facilities in Nassau County and is scheduled to commence operations of such facilities on or about September 1, 2003. Copies of the Stipulated Order of Taking and Stipulated Final Judgment entered in the Nassau County condemnation proceeding are attached hereto as Composite Exhibit "A".

5. The Stipulated Final Judgment states that title to the property described in Exhibit "A" attached hereto shall vest in Nassau County upon deposit of the sums as

required in the Stipulated Order of Taking. The total sums of money have been tendered by Nassau County to FWS.

6. Nassau County is not aware of any prior commitments of FWS, and if there are any prior commitments they would not be commitments of Nassau County except for existing service and/or signed development agreements for service.

7. Nassau County representatives have, since the acquisition of FWS, met with representatives of the American Beach Property Owners' Association, Inc., ("ABPOA") to discuss the goals and objectives as it relates to the overall water and wastewater system. The Nassau County representatives have indicated that it is Nassau County's goal to provide services to all residents who desire said service. Providing said service will have a financial cost to the residents.

8. Nassau County has directed its Grants Writer that her priority is to pursue all available grants in order to provide financial assistance for the cost to property owners for running the lines and "tapping into" the lines. The Grants Writer is pursuing that and information has been communicated as to the progress in obtaining said grants.

9. Nassau County has, prior to the ABPOA's Petition being filed, set a meeting with all the property owners of

American Beach for August 28, 2003, at 6:00 p.m., to address this matter. A copy of said notice is attached as Exhibit "B".

10. Nassau County has, at its own expense, directed that the Contract Engineer prepare a preliminary plan and cost estimates to run lines into American Beach, and to attend the August 28, 2003, meeting to discuss the information with the residents.

11. The ABPOA does not represent all the property owners on American Beach, and, therefore, Nassau County is notifying all property owners.

12. The Board of County Commissioners has always indicated that providing service to American Beach is a priority. The Board has also indicated that a full financial and engineering analysis must be done in order to determine the costs to the property owners for said service. Again, the Board has directed that its Contract Engineering firm provide said information at the meeting on August 28, 2003.

Disputed Issues of Material Fact

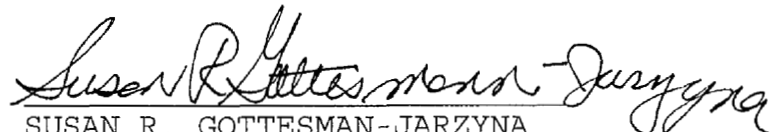
13. There is no basis for an assertion that Nassau County will not provide service to American Beach. Nassau County will determine the costs, and those costs will be

discussed at the general meeting of all the residents on August 28, 2003.

14. Further, there is no information to indicate the number of individuals who desire service, nor has the ABPOA stated said numbers in its Petition.

15. The Public Service Commission has no authority over the Nassau County Board of County Commissioners as it relates to the operation of the water and wastewater utility.

WHEREFORE, Nassau County respectfully requests that the Commission issue an order granting its Petition for Leave to Intervene, and authorize its participation as a party in this proceeding.



SUSAN R. GOTTESMAN-JARZYNA
Fla. Bar No. 0483222
ASSISTANT COUNTY ATTORNEY for
MICHAEL S. MULLIN, Esquire
Fla. Bar No. 301094
Post Office Box 1010
Fernandina Beach, FL 32035
191 Nassau Place
Yulee, FL 32097
(904) 491-3600
(904) 491-3618 - fax
Attorney for Nassau County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to **D. BRUCE MAY, Esquire**, Post office Drawer 810, Tallahassee, FL 32302, **KENNETH A. HOFFMAN, Esquire**, 215 South Monroe Street, Suite 420, Tallahassee, FL, and to **CARLYN KOWALSKY, Esquire**, Post Office Box 609520, Orlando, FL 32860-9520, by U.S. Mail, this 4th day of August, 2003.

Susan R. Grossman-Jurgens
for Michael S. Mullin

Attorney

h/anne/fla-water/psc-nc-mot-to-intervene

EXHIBIT "A"

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
NASSAU COUNTY, FLORIDA

CASE NO.: 03-113-CA

DIVISION: A

NASSAU COUNTY, a Florida county,

Plaintiff,

vs.

**FLORIDA WATER SERVICES
CORPORATION**, a Florida corporation; et al.,

Defendants.

STIPULATED FINAL JUDGMENT

Upon stipulation of the parties affected as set forth herein, and it appearing to the Court that the parties are authorized to enter into such Stipulation, and the Court finding that the compensation to be paid by the condemning authority is full, just, and reasonable for all parties concerned, and the Court being fully advised in the premises, it is

ORDERED AND ADJUDGED:

1. Title to the property described in Exhibit "A" attached hereto shall vest in the Plaintiff upon the deposit of the sums as are required in the Stipulated Order of Taking entered on even date herewith.

2. The Defendant, Florida Water Services Corporation, shall have and recover of and from the Plaintiff, Nassau County, the total sum of Seventeen Million Two Hundred Thousand Dollars and no/100 cents (\$17,200,000.00) as full compensation for the taking of the

property as is described in Exhibit "A" attached hereto including all damages of whatever nature arising therefrom which have been incurred by said Defendant in this cause.

3. Defendant, Florida Water Services Corporation, shall have and recover of and from the Plaintiff as attorneys fees and costs incurred by the Defendant herein the total amount of Three Hundred Thousand Dollars and no/100 cents (\$300,000.00).

4. Plaintiff, having been previously ordered to deposit the total sum of Seventeen Million Five Hundred Thousand Dollars and no/100 cents (\$17,500,000.00) in the Registry of the Court pursuant to the Stipulated Order of Taking entered herein on even date herewith, shall not be required to make any additional deposits pursuant to this Stipulated Final Judgment.

5. Upon deposit by the Plaintiff of the total sum of Seventeen Million Five Hundred Thousand Dollars and no/100 cents (\$17,500,000.00) into the Registry of the Court as ordered in the Stipulated Order of Taking entered herein on even date herewith, the Clerk of the Court is ordered and directed to disburse immediately the amount of Seventeen Million Five Hundred Thousand Dollars and no/100 cents (\$17,500,000.00) in the following manner:

To: Brigham Moore, LLP Trust Account, F/B/O Florida Water Services Corporation, by hand delivery to Andrew Prince Brigham, Esquire, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, telephone (904) 730-9001, the sum of \$17,200,000.00.

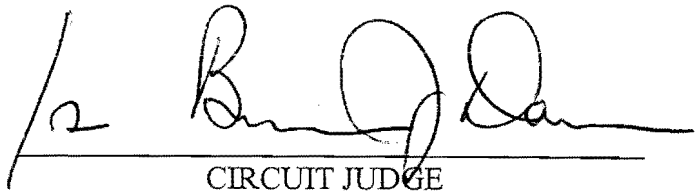
To: Brigham Moore, LLP, by hand delivery to Andrew Prince Brigham, Esquire, 2963 Dupont Avenue, Suite 3, Jacksonville, FL 32217, telephone (904) 730-9001, the sum of \$300,000.00.

6. The amount of Seventeen Million Two Hundred Thousand Dollars and no/100 cents (\$17,200,000.00) to be disbursed by the Clerk of the Court to Brigham Moore, LLP shall be deposited forthwith by Brigham Moore, LLP into an interest-bearing trust account pending apportionment hearing or satisfaction of all pending liens or other monetary encumbrances on the condemned property, which shall be the responsibility of Defendant, Florida Water Services

Corporation, to resolve, and subject to that Agreement Regarding Funds Held in Trust entered between the Plaintiff, Florida Water Services Corporation, through its counsel, and Brigham Moore, LLP, on behalf of itself and Florida Water Services Corporation, where such funds shall remain until further order of this Court or distribution by written agreement of Nassau County and Florida Water Services Corporation.

7. The Court reserves jurisdiction to enforce the terms of this Stipulated Final Judgment.

DONE AND ORDERED in chambers at Nassau County, Florida this 31st day of March, 2003.


CIRCUIT JUDGE

STIPULATION

Plaintiff, Nassau County, and Defendant, Florida Water Services Corporation, as owner of the property and interests which are the subject of this action in eminent domain, stipulate and consent to the entry of the Stipulated Final Judgment set forth above.

ROGERS TOWERS, P.A.

By: 

Mark M. Arnold
Florida Bar No. 346942
A. Graham Allen
Florida Bar No. 117110
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207-1811
(904) 398-3911 (telephone)
(904) 396-0663 (facsimile)

BRIGHAM MOORE, LLP

By: 

S. W. Moore
Florida Bar No. 157268
Andrew Prince Brigham
Florida Bar No. 903930
100 Wallace Avenue, Suite 310
Sarasota, Florida 34237
(941) 365-3800 (telephone)
(941) 952-1414 (facsimile)

Special Counsel For Defendant Florida Water
Services Corporation

And

MICHAEL S. MULLIN
NASSAU COUNTY ATTORNEY
Florida Bar No. 301094
Post Office Box 456
Fernandina Beach, Florida 32035
(904) 321-5703 (telephone)
(904) 491-3618 (facsimile)

Attorneys for Nassau County

EXHIBIT "A"

REAL PROPERTY

The real property as described herein on pages three (3) through eight (8) of this Exhibit "A", and in addition, all of the following:

All buildings, structures, improvements, appurtenances, and fixtures of any variety, located in or on the real property in Nassau County, Florida described herein and used or useful in connection with the ownership, maintenance or operation of the water and sewer utility system located within Nassau County, Florida and owned or operated by Florida Water Services Corporation, Amelia Island Waterworks, Inc. or Southern States Utilities, Inc. (the "FWS"); including without limitation all hydrants, meters, service connections, wells, water treatment facilities, water storage facilities, distribution reservoirs, stand pipes, pump stations, water pipes, water mains and related improvements that in the aggregate comprise and that are used and useful in connection the water distribution system of the FWS; and all meters, service connections, pipes, fittings, valves, pump stations, lift stations, treatment facilities, ponds and other storage facilities, monitoring wells and equipment, and all other improvements that in the aggregate comprise and that are used and useful in connection with the sewage collection, treatment and disposal system of the FWS (collectively, all such assets and property are collectively the "Real Property").

PERSONAL PROPERTY

All personal property that in any way belongs, appertains, or is related to the FWS or that is used and useful in connection the operation of the FWS and the provision of service thereby, situate on, in, about Amelia Island or any other area within Nassau County, Florida which the FWS has a certificate to provide utility service of any kind or type, including but not limited to, all accounts receivable for FWS within Nassau County, all equipment of any variety, materials, supplies, inventory and any other assets and used or useful in connection with the ownership, maintenance, or operation of the FWS; including without limitation all equipment, hydrants, meters, service connections, wells, water treatment facilities, water storage facilities, distribution reservoirs, stand pipes, pump stations, water pipes, water mains and related improvements that in the aggregate comprise and that are used and useful in connection the water distribution system of the FWS; and all meters, service connections, pipes, fittings, valves, pump stations, lift stations, treatment facilities, ponds and other storage facilities, monitoring wells and equipment, and all other improvements that in the aggregate comprise and that are used and useful in connection with the sewage collection, treatment and disposal system of the FWS (collectively, all such assets and property are collectively the "Personal Property").

EASEMENTS

All easements, rights, ways, privileges, or advantages that relate to the operation of the FWS, including without limitation all of the easements referenced and described on page nine (9) of this Exhibit "A".

EXHIBIT "A"

MISCELLANEOUS

All contracts, service commitments, bills of sale, leases, permits, licenses, water rights, customer lists, databases, records and lists relating to all funds and accounts of the FWS, maps and as-built information relating to the FWS, whether hard copy or on computer, or other property used or useful in connection with the ownership, maintenance or operation of the FWS, including without limitation, all of the miscellaneous items referenced or described on page ten (10) of this Exhibit "A", and also including a water re-use reclamation facility.

EXHIBIT "A"

The Real Property includes all of the land described in the following deeds, all of which are recorded in the public records of Nassau County, Florida:

Official Records Book 400, page 609

Official Records Book 429, page 435

Official Records Book 506, page 391

Official Records Book 593, page 1169

Official Records Book 1082, page 1832

And the Real Property also includes any and all real property included within the lands that are described or included within the following tax folio or parcel identification numbers (all of which numbers relate to information maintained by the Nassau County, Florida Property Appraiser and Tax Collector:

Parcel ID/Tax Folio Number 14-2N-28-0000-0009-0010

Parcel ID/Tax Folio Number 01-6N-29-AICO-0009-0000

Parcel ID/Tax Folio Number 01-6N-29-AICO-0012-0000

Parcel ID/Tax Folio Number 01-6N-29-AICO-0011-0000

Parcel ID/Tax Folio Number 01-6N-29-AICO-0013-0000

Parcel ID/Tax Folio Number 00-00-30-0518-000C-0000

EXHIBIT "A"

The Real Property includes all of the land described as follows:

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:

EXHIBIT "A"

The Real Property also includes all of the land described as follows:

PARCEL #: 1

TAX PARCEL ID #: 000030051800000000

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 268 and 270, said lands situate, lying and being in Nassau County, Florida.

EXHIBIT "A"

The Real Property also includes all of the land described as follows:

PARCEL #: 3

TAX PARCEL ID #:

PARCEL FOUR (4)

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

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 Walkers 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-five 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 Seven and Seventy-four Hundredths (107.74) 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 Hundred Six (48.04) feet to the point of beginning.

Subject to an Easement over the Easterly Thirty (30.00) feet of the above described parcel.

EXHIBIT "A"

The Real Property includes all of the land described as follows:

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 (30) 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.

EXHIBIT "A"

The Real Property includes all of the land described as follows:

PARCEL #:

5

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:

Commenced at the intersection of the Northeastly 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; distance 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 Northeastly 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 Northeastly 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.

EXHIBIT "A"

The Easements include all of the easements referenced in or created by the following instruments, all of which are recorded in the public records of Nassau County, Florida:

- Official Records Book 266, Page 475, amended in Official Records Book 391, Page 01.
- Official Records Book 400, Page 463.
- Official Records Book 400, Page 470.
- Official Records Book 423, Page 416.
- Official Records Book 429, Page 426.
- Official Records Book 497, Page 162 (& *leasehold covenant*).
- Official Records Book 499, Page 190 (& *leasehold covenant*).
- Official Records Book 507, Page 100, amended in Official Records Book 957, Page 227.
- Official Records Book 507, Page 108.
- Official Records Book 513, Page 808.
- Official Records Book 513, Page 815.

- Official Records Book 513, page 824

- Official Records Book 560, Page 52.
- Official Records Book 560, page 57
- Official Records Book 560, page 62

- Official Records Book 593, Page 868.
- Official Records Book 616, Page 243.

- Official Records Book 636, Page 773.
- Official Records Book 681, Page 01.
- Official Records Book 730, Page 384.
- Official Records Book 733, Page 1317.
- Official Records Book 738, Page 183.
- Official Records Book 750, Page 1802.
- Official Records Book 772, Page 892.
- Official Records Book 787, Page 939.
- Official Records Book 789, Page 1348.
- Official Records Book 795, Page 1206.
- Official Records Book 813, Page 620.
- Official Records Book 819, Page 1613.
- Official Records Book 823, Page 84.
- Official Records Book 847, Page 176.
- Official Records Book 855, Page 1397.
- Official Records Book 856, Page 780.
- Official Records Book 863, Page 1984.
- Official Records Book 890, Page 1741.
- Official Records Book 909, Page 642.
- Official Records Book 934, Page 1895.
- Official Records Book 948, Page 532.
- Official Records Book 956, Page 1699.
- Official Records Book 956, Page 1707.
- Official Records Book 956, Page 1714.
- Official Records Book 970, Page 934.
- Official Records Book 972, Page 978.
- Official Records Book 975, Page 126.
- Official Records Book 976, Page 981.
- Official Records Book 999, Page 616.
- Official Records Book 1032, Page 1600.

- Official Records Book 1055, page 673

- Official Records Book 1070, Page 1111.
- Official Records Book 1082, Page 1830.

EXHIBIT "A"

Such recorded instruments as may be necessary for the operation of the FWS within Nassau County, Florida.

647459v2



NASSAU COUNTY
BOARD OF COUNTY COMMISSIONERS
P.O. Box 1010
Fernandina Beach, Florida 32035-1010

Nick Deonas
Ansley Acree
Vickie Samus
Floyd L. Vanzant
Marianne Marshall

Dist. No. 1 Fernandina Beach
Dist. No. 2 Fernandina Beach
Dist. No. 3 Yulee
Dist. No. 4 Hilliard
Dist. No. 5 Callahan

J.M. "Chip" OXLEY, JR.
Ex-Officio Clerk

MICHAEL S. MULLIN
County Attorney

EXHIBIT "B"

MEETING NOTICE

Commissioner Ansley Acree, the Clerk of the Court, J. M. "Chip" Oxley, Jr., and the County Attorney, Michael Mullin, and a representative of the engineering firm of PBS&J will conduct an informational meeting with the residents of American Beach to discuss water and waste water lines within American Beach, and what is required in order to accomplish running said lines to and within American Beach.

The meeting will address financial, legal, and engineering aspects.

All residents are encouraged to attend and ask questions.

The meeting will be held on **Thursday, August 28, 2003, at 6:00 p.m., in Courtroom A, at the temporary location of the Nassau County Courthouse**, located at 191 Nassau Place, Yulee, Florida.

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS PROGRAM OR ACTIVITY SHOULD CONTACT (904) 321-5703 OR FLORIDA RELAY SERVICE AT 1-800-955-8771 AT LEAST TWENTY-FOUR (24) HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATION.

THE BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

VICKIE SAMUS, CHAIRMAN

ATTEST:

J. M. "CHIP" OXLEY, JR.
EX-OFFICIO CLERK

h/anne/American-beach/notice-aug-28-2003

(904) 321-5703, 879-1029, (800) 958-3496

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