

WHEREAS, Roscoe R. Oglesby devoted all of his adult life to the cause of higher education in this nation and this state, and

WHEREAS, for nineteen years he served Florida State University as Dean of Students and as Professor of Government, and

WHEREAS, while Dean of Students he was instrumental in remodeling and expanding the Student Union and its facilities and in expanding the curriculum at Florida State University, and

WHEREAS, in addition to his academic duties he unselfishly gave of his time to the community of Tallahassee in civic, religious, and social endeavors, and

WHEREAS, until his death on March 29, 1973, he continued in an active role and was recognized in 1972 as "Gold Key Man of the Year" for his outstanding leadership to Florida State University, and

WHEREAS, in addition to imparting knowledge in the classroom to his students he gave to them a sense of morality and purpose for education to create a better world, and

WHEREAS, Florida State University, this state, and all of higher education lost a great leader in the passing of Dean Oglesby, NOW THEREFORE

Be It Enacted by the Legislature of the State of Florida:

Section 1. The board of regents is authorized and directed to name the name the union complex at Florida State University the "Roscoe R. Oglesby Union."

Section 2. This act shall take effect upon becoming law.

Approved by the Governor June 9, 1974.

Filed in Office Secretary of State June 10, 1974.

CHAPTER 74-400

Senate Bill No. 340

AN ACT relating to historic preservation designating Old Cutler Road as a historic highway; providing definitions; prohibiting the use of state funds for certain physical changes on or near the road; requiring approval of the division of archives, history and records management for other specific changes; limiting the erection of signs; authorizing the division to erect markers and to obtain historic easements in property along the road; providing severability; providing an effective date.

WHEREAS, in 1883, William Fuzzard, early settler of south Dade County and founder of the Town of Cutler, with the help of other residents of Cutler cut a path through the wilderness from his plantation to Coconut Grove, a distance of approximately four and one-half miles along Biscayne Bay, thus establishing the first overland route connecting Coconut Grove and Cutler, and

WHEREAS, the path, subsequently widened to a wagon trail, was declared a public road in 1895, and was extended south and west of Cutler in 1901, and

WHEREAS, the road thus established became known as Cutler Road, later as Ingraham Highway and still later as Old Cutler Road, and

WHEREAS, to this day Old Cutler Road maintains the appearance and atmosphere of a country road, and

WHEREAS, Old Cutler Road provides a visible and tangible reminder of the heritage of the Miami area and represents a link with the past of the State of Florida which once severed can never be restored, and

WHEREAS, it is the finding of the legislature that Old Cutler Road should be preserved in order that present and future residents of Florida may enjoy its benefits, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. As used in this act:

(1) "Road" means Old Cutler Road, including the portion thereof which now bears the name "Old Cutler Road" and which extends from Sunset Drive in the City of Coral Gables to U.S. Highway 1 near the Town of Goulds, the portion which overlaps LeJeune Road in the City of Coral Gables, the portion now known as Ingraham Highway in the City of Coral Gables and Coconut Grove, the portion which overlaps Douglas Road in Coconut Grove and the portion now known as Main Highway in Coconut Grove as far north and east as Franklin Avenue.

(2) "Division" means the division of archives, history and records management of the department of state.

(3) "Historic easement" means any easement, restriction, covenant or condition running with the land, designated to preserve, maintain or enhance all or part of the existing state of places of historic, architectural, archeological, or cultural significance.

Section 2. Old Cutler Road is hereby designated as a state historic highway. No state funds shall be expended by any public body or agency for any of the following purposes:

(1) To cut or remove any tree having a diameter at its thickest part in excess of six inches within thirty-five feet of either side of the paved surface of the road, or to engage in an activity which requires the removal without replacement of such a tree;

(2) To alter the physical dimensions or location of the road except for the addition of primary or secondary roads intersecting the limits of Old Cutler Road;

(3) To erect, demolish or significantly alter the appearance of any structure, including but not limited to, walls, fences, sidewalks and curbing, within one hundred feet of either side of the paved surface of the road, with the following exceptions:

(a) Bicycle paths and recreational facilities the construction of which does not require the removal of any structure deemed worthy of preserva-

tion by the division. The division shall be consulted and official approval obtained before any work is begun.

(b) Erections, demolitions, alterations and restorations undertaken for the purpose of preserving or enhancing the historic or scenic value of the road and its surroundings. The division shall be consulted and official approval obtained before any work is begun.

Nothing in this section shall be construed to prevent the ordinary maintenance and repair of the road or structures, provided the physical dimensions and location of the road and the appearance of any structure are preserved, nor to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over the portion of the road involved. However, the preservation of the road shall take priority over considerations of traffic management, and the public safety shall not be construed to require alterations in the road when alternative means of promoting safety, including more restrictive traffic regulations, are available.

Section 3. No signs may be erected within three hundred feet of either side of the paved surface of the road, except the following:

(1) Official road signs, including traffic control devices, erected by the department of transportation or by the city or county having jurisdiction over the portion of the road involved;

(2) Signs not visible from the road;

(3) Markers indicating points of historical interest erected or approved by the division;

(4) Signs that do not exceed six square feet in area advertising the sale or lease of the property upon which they are located; or

(5) Signs advertising only the name or nature of the business being conducted upon or the products, facilities, goods or services being sold, supplied, or distributed upon or from the premises where the signs are located, if such signs do not exceed a total of thirty square feet in area for any one business.

The provisions of this section shall not supersede a more restrictive law, ordinance or regulation already in effect or taking effect after this act.

Section 4. The division is authorized to obtain by purchase, gift or devise historic easements in property situated along the road whenever and to such extent that the division may determine appropriate for the preservation of the road or of any structure of historic significance along the road. To be considered worthy of protection by the division, property or the protected part thereof need not be of great historic, architectural, archeological, or cultural significance when considered by itself, provided that it makes a significant contribution to the area considered as a whole. Any restriction placed on the use of property situated along the road pursuant to this section shall be reported by the division to the tax assessor of Dade County and shall be taken into consideration when the property is assessed for tax purposes.

Section 5. The division shall provide for the erection of suitable markers on and along the road.

Section 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 7. This act shall take effect upon becoming a law.

Approved by the Governor May 27, 1974.

Filed in Office Secretary of State May 28, 1974.

CHAPTER 74-401

House Bill No. 3530

AN ACT relating to bridge designation; providing for designation of the Peter P. Cobb Bridge over the Indian River at Fort Pierce in St. Lucie County; authorizing and directing the department of transportation to affix markers; providing an effective date.

WHEREAS, the construction of a new bridge across the Indian River at Fort Pierce by the department of transportation is in an advanced stage, and

WHEREAS, the greater part of the life of Peter P. Cobb, whose activities spanned the era from the latter part of the 1800's through the mid-1900's was spent in St. Lucie County where he was a merchant and owner of the Peter P. Cobb Store and Cobb's Docks, and

WHEREAS, Mr. Cobb was also a pineapple grower, civic leader, philanthropist, and, in 1888, appointed the first postmaster of the Fort Pierce Post Office, and

WHEREAS, the good life of Mr. Cobb was well-known to Fort Pierce and St. Lucie County, and it serves as a reminder of an era that links present day living to a concerned and colorful past as his kindly nature and benevolence and his contributions to the development of the Indian River land area are recognized as a part of the impressive history of our county, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. The bridge over the Indian River at Fort Pierce in St. Lucie County is hereby designated as the Peter P. Cobb Bridge.

Section 2. The department of transportation is authorized and directed to erect appropriate markers to designate this bridge.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 9, 1974.

Filed in Office Secretary of State June 10, 1974.