

Recorded in Public Records St. Johns County, FL
Clerk # 92005247 O.R. 927 PG 1620 12:03 02-26-92 Draft #2
Recording 13.00 Surcharge 2.00



ORDINANCE NO. 92-3

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, AMENDING ORDINANCE NO.
88-24 REZONING CERTAIN LANDS BELONGING
TO VAW OF AMERICA, INC. TO CORRECT THE
LEGAL DESCRIPTION ATTACHED TO ORDINANCE
NO. 88-24 AS DESCRIBED MORE FULLY BELOW;
AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 24, 1988, the Board of County Commissioners
of St. Johns County, Florida passed ordinance no. 88-24 rezoning
certain lands owned by VAW of America, Inc. to IW with certain
conditions;

WHEREAS, the application submitted by VAW of America,
Inc. for the rezoning to IW with certain conditions included
a legal description of 36.26 acres of land as shown in Exhibit
A attached to this ordinance;

WHEREAS, during the public hearing held on the application
before the Board of County Commissioners on May 24, 1988, the
applicant's requested the rezoning of the 36.26 acres of land
described on Exhibit A attached to this ordinance;

WHEREAS, during the public hearing held on May 24, 1988,
the motion to adopt ordinance no. 88-24 did not include reference
to reducing the acreage contained in the application;

WHEREAS, however, when ordinance no. 88-24 was sent to the
Department of State for filing and when ordinance no. 88-24
was recorded in the official public records of St. Johns County,
Florida, the legal description attached to the ordinance
incorrectly described the land being rezoned as containing 26.98
acres, which legal description was attached in error;

WHEREAS, upon the request of VAW of America, Inc., November
19, 1991, requesting a correction of the legal description,
the file on ordinance no. 88-24 was reviewed; the minutes of
the May 24, 1988 meeting were reviewed; and the complete recorded
discussion at the May 24, 1988 meeting of the Board of County
Commissioners relating to the rezoning was heard;

Int Ret.
Fima Pacetti-
BCC Secretary
③ Rec 13.00 + 2.00
1 BCC

WHEREAS, the Board of County Commissioners is of the opinion that the legal description attached to ordinance no. 88-24 was in fact attached in error,

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. Pursuant to the letter request of VAW of America, Inc. dated November 12, 1991, ordinance no. 88-24 is amended by changing the legal description on the attached schedule A from the following:

A parcel of land lying in and being a part of the F. J. FATIO Grant, being SECTION 44, TOWNSHIP 8 SOUTH, RANGE 30 EAST, St. Johns County, Florida,

being more particularly described as follows:

BEGIN at the southwest corner of said Section 44; run thence North 01°10'28" East, along the west boundary line thereof, a distance of 1040.00 feet; thence, leaving said section line, run North 88°10'28" East a distance of 140.00 feet; thence run North 01°49'32" West a distance of 210.00 feet; thence run North 88°10'28" East a distance of 240.00 feet; thence run South 01°49'32" East a distance of 210.00 feet; thence run North 88°10'28" East a distance of 430.00 feet; thence run South 26°49'32" East a distance of 720 feet; thence run South 01°06'16" East a distance of 454.37 feet to a point on the south boundary line of said Section 44; thence run North 88°27'52" West, along said south boundary line, a distance of 1165.00 feet to the Point of Beginning.

Containing 26.98 acres, more or less.

to the following correct legal description:

A parcel of land lying in and being a part of the F.J. Fatio Grant Section 44, Township 8 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 44 for the Point of Beginning of the herein described parcel; thence run North 01 degrees 10 minutes 28 seconds East along the West line of said Section 44 a distance of 1250.19 feet; thence leaving said section line, run North 88 degrees 10 minutes 28 seconds East a distance of 932.82 feet; thence run South 26 degrees 49 minutes 48 seconds East a distance of 901.44 feet; thence run South 01 degrees 07 minutes 08 seconds East a distance of 511.98 feet to the South line of Section 44; thence run North 88 degrees 28 minutes 34 seconds West along said South line a distance of 1375.28 feet to the point of Beginning. Containing 36.26 acres of land, more or less.

Section 2. This amendment is limited to the correction of the legal description, and shall not effect the remainder of ordinance no. 88-24, which shall remain in full force force and effect.

Section 3. This ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Department of State to the Clerk of the Board of County Commissioners that same has been filed.

Section 4. This ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the official public records of St. Johns County, Florida, and indexed under the names of the property owners, VAW of America, Inc.

Passed this 14th day of January, 1992.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: J. L. Bickel
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Carl "Bud" Markel
Its Clerk

Adopted: January 14, 1992

Effective: January 30, 1992

The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____

SHERRY L. RAUCH

who on oath says that she is

ACCOUNTING CLERK

of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida: that

the attached copy of advertisement, being a _____

NOTICE OF CONSIDERATION OF ADOPTING AN ORDINANCE

_____ in the matter of _____

ORDINANCE NO. 88-24

_____ in the _____ Court,

was published in said newspaper in the issues of _____

December 26, 1991

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me _____ *Sherry L. Rauch*

Zoe Ann Johns

this _____ 27th _____ day of _____ December

A.D. 19 _____ 91

(SEAL)

Zoe Ann Johns Notary Public

8/22/93

COPY OF ADVERTISEMENT

NOTICE OF CONSIDERATION OF ADOPTING AN ORDINANCE AMENDING ORDINANCE NO. 88-24 TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION ATTACHED TO ORDINANCE NO. 88-24

The Board of County Commissioners of St. Johns County proposes to adopt an ordinance amending ordinance no. 88-24 to correct an error in the legal description attached to Ordinance 88-24.

Notice is hereby given that the Board of County Commissioners of St. Johns County, Florida will hold a public hearing on Tuesday, January 14, 1992 at 9:00 a.m. o'clock in the County Auditorium, County Administration Building, 4020 Lewis Speedway (CR 16A) and U.S. #1 north, St. Augustine, Florida.

The purpose of the public hearing will be to consider the passage of the following ordinance: AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ORDINANCE NO. 88-24 REZONING CERTAIN LANDS BELONGING TO VAW OF AMERICA, INC. TO CORRECT THE LEGAL DESCRIPTION ATTACHED TO ORDINANCE NO. 88-24 AS DESCRIBED MORE FULLY BELOW AND PROVIDING AN EFFECTIVE DATE.

The legal description will be changed from the following:

A parcel of land lying in and being a part of the F. J. FATIO Grant, being SECTION 44, TOWNSHIP 8 SOUTH, RANGE 30 EAST, St. Johns County, Florida, being more particularly described as follows:

BEGIN at the southwest corner of said Section 44; run thence North 01°10'28" East; along the west boundary line thereof, a distance of 1040.00 feet; thence leaving said section line, run North 88°10'28" East a distance of 140.00 feet; thence run North 01°49'32" West a distance of 210.00 feet; thence run North 88°10'28" West a distance of 240.00 feet; thence run South 01°49'32" East a distance of 210.00 feet; thence run North 88°10'28" East a distance of 430.00 feet; thence run South 26°49'32" East a distance of 720 feet; thence run South 01°06'16" East a distance of 454.37 feet to a point on the south boundary line of said Section 44; thence run North 88°27'52" West, along said south boundary line, a distance of 1145.00 feet to the Point of Beginning.

Containing 26.98 acres, more or less.

to the following correct legal description:

A parcel of land lying in and being a part of the F. J. Fatio Grant Section 44, Township 8 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 44 for the Point of Beginning of the herein described parcel; thence run North 01 degrees 10 minutes 28 seconds East along the West line of said Section 44 a distance of 1250.19 feet; thence leaving said section line, run North 88 degrees 10 minutes 28 seconds East a distance of 932.82 feet; thence run South 26 degrees 49 minutes 48 seconds East a distance of 901.44 feet; thence run South 01 degrees 07 minutes 08 seconds East a distance of 511.98 feet to the South line of Section 44; thence run North 88 degrees 28 minutes 34 seconds West along said South line a distance of 1375.28 feet to the Point of Beginning. Containing 36.26 acres of land, more or less.

A draft of the proposed ordinance is on file in the office of the Clerk of the County Commission at the St. Johns County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32092, and may be examined by interested parties prior to the public hearing.

All parties having an interest in the ordinance will be afforded an opportunity to be heard at the public hearing.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD OF COUNTY COMMISSIONERS WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES, HE 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.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
By Carl "Bud" Markel, Clerk
By Yvonne Carter, Deputy Clerk
L356 Dec. 26, 1991