

186

ORDINANCE NUMBER: 2001 - 74

Public Records of  
St. Johns County, FL  
Clerk# 02-008473  
O.R. 1716 PG 1897  
09:00AM 02/12/2002  
REC \$29.00 SUR \$4.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL HIGHWAY TOURIST (CHT) AND RESIDENTIAL MANUFACTURED/MOBILE HOME (RMH), TO OPEN RURAL (OR); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Johns County Recreation and Parks Department, the owner of lands described herein, filed an application (File Number REZ 2001-18) for a zoning change dated October 2, 2001, as described hereinafter, and after required notice was published, a public hearing was held on the 18<sup>th</sup> day of December, 2001, at 1:30 p.m. on said application.

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

SECTION 1. Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Services Department, recommendation of the Planning and Zoning Agency, and comments from the staff and applicant at the public hearing, finds as follows:

1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The rezoning is consistent with the Comprehensive Plan, in that:
  - (a) The rezoning is compatible and complementary to adjacent land uses. (Objective A.1.3)
  - (b) The rezoning encourages an efficient and compact land use pattern and supports balanced growth. (Objective A.1.11)
  - (c) The rezoning provides for the development of a system of parks, recreation facilities, and open spaces to meet the health, safety, and welfare needs of the County citizens and visitors. (Goal F.1)
3. The rezoning to Open Rural (OR) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Open Rural (OR) is consistent with the land uses allowed in the land use designation of Rural Silviculture (R/S) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application (File Number REZ 2001-18) the zoning classification of Commercial Highway Tourist (CHT) and Residential Manufactured/Mobile Home (RMH) of the lands described within the legal description, attached as EXHIBITS A, B, and C

is hereby changed to Open Rural (OR).

SECTION 3. To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance,

*Handwritten signatures and initials:*  
Duke B...  
Robert Platt  
20

Ordinance Book 27 Page 720

no portion of any concurrency provision or impact fee ordinance, building code, Comprehensive Plan or any other non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 4. This Ordinance shall take effect upon receipt by Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book kept and maintained by the by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas filed maintained in the Growth Management Services Department by the Planning Director or designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 18<sup>th</sup> DAY OF Dec, 2001.

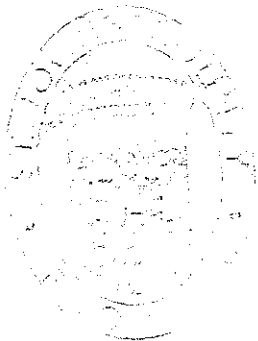
BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Marc A. Jacalone  
Marc A. Jacalone, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

BY: Wendee King  
Deputy Clerk

EFFECTIVE DATE: 12/21/2001



#5  
72 6456

# This Indenture,

Exhibit A

OR 1716 PG 1899

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and assigns of the respective parties herein; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "next" shall include all the next heirs descended if more than one.

Made this 12<sup>th</sup> day of September A. D. 19 72

Between DENNIS CLAYTON MOSLEY and LESSIE MAE MOSLEY, his wife,

of the County of St. Johns in the State of Florida  
party of the first part, and LARRY W. BISHOP and SANDRA DIANN WAGNER,  
whose mailing address is: Orangedale Route, Box 87, Green Cove Springs,  
Florida 32043

of the County of St. Johns in the State of Florida  
party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS and other valuable considerations  ~~Dollars~~ to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part forever, the following described land, situate, lying and being in the County of St. Johns, State of Florida, to wit:

A parcel of land situated in the Magdalena Solana Donation, Section 39, Township 6 South, Range 27 East, Saint Johns County, Florida being more particularly described as follows: Commence at the Southeast corner of Lot 1, Palamo Subdivision as shown on map thereof recorded in Map Book 5, page 55, of the public records of said county; thence on the Northerly line of River Road North 79 degrees 00 minutes East 296.0 feet to an angle point in said line; thence on the Northerly line of River Road South 72 degrees 00 minutes East 254.87 feet to the point of beginning of the parcel of land herein described; thence continue on the Northerly line of River Road South 72 degrees 00 minutes East 90.86 feet to the West line of Oak Avenue as shown on map dated November 14, 1960, and prepared by Robert M. Angas & Associates, Consulting Engineers & Surveyors; thence on last said line North 00 degrees 23 minutes West 194 feet more or less to the waters of Six Mile Creek; thence Westerly along said waters 43 feet more or less to a point that bears North 14 degrees 02 minutes 33 seconds East 173 feet more or less from the point of beginning; thence South 14 degrees 02 minutes 33 seconds West 173 feet more or less to said Point of beginning.

ST. JOHNS COUNTY  
STATE OF FLORIDA  
DOCUMENTARY STAMP TAX  
SEP 17 1972  
\$100.00  
APPL. FEE \$1.00  
DR. 100.00

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

*Mary Lynn Powell*  
*Robert A. Andreu*

*Dennis Clayton Mosley*  
Dennis Clayton Mosley  
*Lessie Mae Mosley*  
Lessie Mae Mosley

This Instrument Was Prepared By  
Robert A. Andreu  
Exchange Bank Building  
St. Augustine, Florida  
Without Opinion as to Title

00743  
FLORIDA  
DOCUMENTARY STAMP TAX  
\$100.55  
ORDINANCE BOOK 27 PAGE 728

State of Florida

County of St. Johns

I Herby Certify, That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,

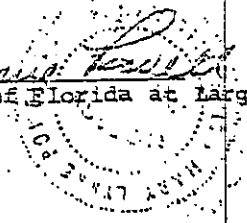
Dennis Clayton Mosley and Lessie Mae Mosley, his wife, to me well known and known to me to be the individuals described in and who executed the foregoing deed, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed. And I Further Certify, That the said Lessie Mae Mosley

known to me to be the wife of the said Dennis Clayton Mosley on a separate and private examination taken and made by and before me, separately and apart from her said husband, did acknowledge that she made herself a party to said deed for the purpose of renouncing, relinquishing and conveying all her right, title and interest, whether of dower, homestead or of separate property, statutory or equitable, in and to the lands described therein, and that she executed the said deed freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

Witness my hand and official seal at St. Augustine County of St. Johns and State of Florida, this 12th day of September, A. D. 1972.

*Marcus Dennis Powell*  
Notary Public State of Florida at Large

My Commission Expires 6/2/76



*Left Copy  
upward  
Returned to the writer  
Rec 6.20  
SB .30  
ST .55*

ABSTRACT OF DESCRIPTION  
TO

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHN'S COUNTY, FLA.

SEP 12 3 38 PM '72

*John F. ...*  
CLERK OF COURT

Exhibit B

*Page #5*

88-29536

This instrument prepared by:  
STUART CRAIG, CONTRACTING AGENT  
ST. JOHN COUNTY  
Post Office Drawer 349  
St. Augustine, Florida 32085-0349

O.R. 802 PG 1135

QUIT-CLAIM DEED

THIS QUIT CLAIM DEED, made this 8th day of November, 1988, by St. Johns County, Florida, party of the first part, and LARRY W. HISHIF and SANDRA DIANE TRILLIS, party of the second part. Whose address is: 8550 Palco Fish Camp Road, St. Augustine, Florida 32092.

WITNESSETH, that the said party, for and in consideration of the sum of \$10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby release, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of St. Johns, State of Florida, to wit:

Parcel "C" (West 1/2)  
DESCRIPTION: A PORTION OF OAK AVENUE

That part of Oak Avenue (59' R/W) as shown on the plat of Palco Subdivision recorded in Map Book 3, Page 15: All being a part of the Magdalena Donation in Section 39, Township 6 south, Range 17 east, St. Johns County, Florida, described as follows:

Beginning at the intersection of the north line of River Road (60' R/W) and the west line of said Oak Avenue, said intersection being the southeast corner of that parcel of land recorded in Official Records Book 217, Page 771: Thence north 77 degrees 20 minutes 15 seconds east, assessed bearing along the westerly extension of the northerly right-of-way line of a 30 foot assessment recorded in Official Record Book 91, Page 157, a distance of 30.05 feet; Thence north 00 degrees 23 minutes 00 seconds west 120.00 feet, more or less, to the intersection with the southerly shoreline of Six Mile Creek; Thence westerly along said shoreline 30.00 feet, more or less, to the intersection with a line that bears north 00 degrees 23 minutes 00 seconds west from the point of beginning, said line being the east line of said parcel as shown in Official Record Book 217, page 771; Thence south 00 degrees 23 minutes 00 seconds east, along said east line, 120.00 feet, more or less, to the point of beginning.  
Containing 0.13 Acres, more or less.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said board, the day and year aforesaid.

Documentary Tax Pd. \$ 55  
Intangible Tax Pd. \$ 0  
Carl "Bud" Barkal, Clerk St. Johns County by CSM D.S.



St. Johns County  
Board of County Commissioners  
By Lawrence D. Hantley  
Its Chairman

ATTEST: Carl "Bud" Barkal, Clerk  
By Conrad E. McDavid  
Deputy Clerk

FILED AND RECORDED IN  
PUBLIC RECORDS CH  
ST. JOHNS COUNTY, FLA

88 NOV 16 PM 1:53

Carl "Bud" Barkal  
CLERK OF COUNTY COURT

Exhibit C

88 29537

This instrument prepared by:  
STUART GRACE, CONTRACTING AGENT  
ST. JOHNS COUNTY  
Post Office Drawer 349  
St. Augustine, Florida 32085-0349

O. R. 802 PG 1136

QUIT-CLAIM DEED

THIS QUIT CLAIM DEED, made this 8th day of November, 1988, by St. Johns County, Florida, party of the first part, and IANR NUGLET WILLIS, party of the second part. Whose address is: 4250 Palms Fish Camp Road, St. Augustine, Florida 32092.

WITNESSETH, That the said party, for and in consideration of the sum of \$10.00 in hand paid by the said second party, the receipts whereof is hereby acknowledged, does hereby waive, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of St. Johns, State of Florida, to wit:

Parcel "C" (East 1/2)  
DESCRIPTION: A PORTION OF OAK AVENUE

That part of Oak Avenue (39' E/W) as shown on the plat of Palms Subdivision recorded in Map Book 3, Page 53; All being a part of the Magdalena Donation in Section 19, Township 4 South, Range 27 east, St. Johns County, Florida, described as follows:

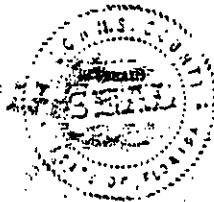
Commencing at the intersection of the north line of River Road (40' E/W) and the west line of said Oak Avenue, said intersection being the southeast corner of that parcel of land recorded in Official Records Book 217, Page 771; Thence north 77 degrees 20 minutes 15 seconds east, assumed bearing along the westerly extension of the northerly right-of-way line of a 30 foot easement recorded in Official Records Book 91, Page 357, a distance of 30.05 feet to the point of beginning of the land to be described; Thence continue north 77 degrees 20 minutes 15 seconds east 10.35 feet to the intersection with the east right-of-way line of said Oak Avenue; Thence north 00 degrees 23 minutes 00 seconds west, along said east right-of-way line, 165.00 feet; Thence north 39 degrees 37 minutes 00 seconds east 20.00 feet, more or less, to the shoreline of Six Mile Creek; Thence westerly along said shoreline 80.00 feet, more or less, to the intersection with a line that bears north 00 degrees 13 minutes 00 seconds west from the point of beginning; Thence south 00 degrees 23 minutes 00 seconds east 220.00 feet, more or less, to the point of beginning.

Containing 0.16 Acres, more or less.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said board, the day and year aforesaid.

Documentary Tax Pd. \$ 55  
\$ Intangible Tax Pd.  
Carl "Bud" Markel, Clerk St. Johns  
County Ex. D.C.



St. Johns County  
Board of County Commissioners  
By Lawrence D. Hatcher  
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

By Cornie E. McDaniel  
Deputy Clerk

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.

88 NOV 16 PM 1:58

Bud Markel  
CLERK OF COUNTY COURT

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA WITNESS MY HAND AND OFFICIAL SEAL THIS 8th DAY OF Feb. 20 02  
CHERYL STRICKLAND, CLERK  
Ex-Officio Clerk of the Board of County Commissioners



BY: [Signature] pDEC  
THE ST. AUGUSTINE RECORD ST. JOHNS COUNTY PLANNING DEPARTMENT

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

OR 1716 PG 1903

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared LINDA Y MURRAY who on oath says that she is an 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 PROPOSED REZONING**

In the matter of **FILE# REZ 2001-18**

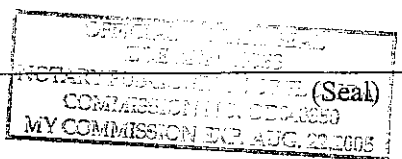
**PALMO BOAT RAMP**

in the Court, was published in said newspaper in the issues of **NOVEMBER 28, 2001**

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 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, for a period of one year preceding the first publication of the 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 this 29<sup>TH</sup> day of **NOVEMBER** 2001 by [Signature] who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

[Signature]  
(Signature of Notary Public)



Zoe Ann Moss

ORDINANCE BOOK 27 PAGE 132

**NOTICE OF A PROPOSED REZONING**  
NOTICE IS HEREBY GIVEN that a public hearing will be held on the Tuesday, December 18, 2001 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 402 Lewis Speedway (County Road 16-A) and US 1 North, St. Augustine, Florida, to consider a rezoning from Commercial Highway Tourist (CHT) and Residential Manufactured/Mobile Home (RMH) to Open Rural (OR).  
The subject property is located at 8550 Palmo Fish Cam Road within St. Johns County, Florida described in Exhibit A, B & C.

**EXHIBIT "A"**  
A parcel of land situated in the Magdalena Solana Donation, Section 39, Township 6 South, Range 27 East, St. Johns County, Florida being more particularly described as follows: Commence at the Southeast corner of Lot 1 Palamo Subdivision as shown on map thereof recorded in Map Book 5, page 55, of the public records of said County thence on the Northerly line of River Road North 79 degrees 00 minutes East 296.0 feet to an angle point in said line thence on the Northerly line of River Road South 72 degrees 00 minutes East 254.87 feet to the point of beginning of the parcel of land herein described; thence continue on the Northerly line of River Road South 72 degrees 00 minutes East 90.86 feet to the West line of Oak Avenue as shown on map dated November 14, 1960, and prepared by Robert N Angas & Associates, Consulting Engineers & Surveyors thence on last said line North 00 degrees 23 minutes West 194 feet more or less to the waters of Six Mile Creek; thence Westerly along said waters 43 feet more or less to a point that bears North 14 degrees 02 minutes 33 seconds East 17 feet more or less from the point of beginning; thence South 14 degrees 02 minutes 33 seconds West 173 feet more or less to said Point of Beginning.

**EXHIBIT "B"**  
Parcel "C" (West 1/2)  
DESCRIPTION: A PORTION OF OAK AVENUE  
That part of Oak Avenue (59' E/W) as shown on the plat of Palamo Subdivision recorded in Map Book 5, Page 55; A being a part of the Magdalena Donation in Section 39, Township 6 South, Range 27 East, St. Johns County, Florida described as follows:  
Beginning at the intersection of the north line of River Road (40' E/W) and the west line of said Oak Avenue, said intersection being the southeast corner of that parcel of land recorded in Official Records Book 211, Page 711 Thence north 77 degrees 20 minutes 15 seconds East assumed bearing along the westerly extension of the northerly right-of-way line of a 30 foot easement recorded in Official Record Book 91, Page 357, a distance of 30.05 feet Thence north 00 degrees 23 minutes 00 seconds West 220.0 feet, more or less to the intersection with the southern shoreline of Six Mile Creek: Thence westerly along said shoreline 30.00 feet, more or less, to the intersection with line that bears north 00 degrees 23 minutes 00 seconds West from the point of beginning, said line being the east line of said parcel as found in Official Record Book 217, page 771 Thence south 00 degrees 23 minutes 00 seconds East, along said east line, 220.00 feet, more or less, to the point of beginning.  
Containing 0.15 Acres, more or less.

**EXHIBIT "C"**  
Parcel "C" (East 1/2)  
DESCRIPTION: A PORTION OF OAK AVENUE  
That part of Oak Avenue (59' E/W) as shown on the plat of Palamo Subdivision recorded in Map Book 5, Page 55; A being a part of the Magdalena Donation in Section 39, Township 6 South, Range 27 East, St. Johns County, Florida, described as follows:  
Commencing at the intersection of River Road (40' E/W) and the West line of said Oak Avenue, said intersection being the southeast corner of that parcel of land recorded in Official Records Book 217, Page 771; Thence north 77 degrees 20 minutes 15 seconds East, bearing along the westerly extension of the northerly right-of-way line of a 30 foot easement recorded in Official Records Book 91, Page 357, a distance of 30.05 feet to the point of beginning of the land to be described; thence continue north 77 degrees 20 minutes 15 seconds East 30.05 feet to the intersection with the westerly right-of-way line of said Oak Avenue; Thence north 77 degrees 23 minutes 00 seconds West, along said east right-of-way line, 165.00 feet; thence north 89 degrees 15 minutes 00 seconds West 20.00 feet, more or less, to the shoreline of Six Mile Creek Thence westerly along said shoreline 80.00 feet, more or less, to the intersection with line that bears north 00 degrees 23 minutes 00 seconds East from the point of beginning; Thence south 00 degrees 23 minutes 00 seconds East 220.0 feet; more or less, to the point of beginning.  
Containing 0.16 Acres, more or less.

The file is maintained in the Planning Division of the Growth Management Services Department, County Administration Building, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

**NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator, at (904) 823-25 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals call Florida Relay Service 1-800-955-8770; no later than 5 days prior to the date of the meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeals is to be based. It is anticipated that one or more St. Johns County Commissioners may attend and participate in the meeting.

This matter is subject to court imposed quasi-judicial rules of procedures. Interested parties should limit contact with the County Commissioners and Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
MARC A. JACALONE, CHAIRMAN  
FILE NUMBER: REZ-2001-18 Palmo Boat Ramp  
L2554-1 Nov 28, 2001