

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 FUTURE LAND USE MAP OF COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, FOR PROPERTIES LOCATED ALONG DOBBS ROAD FROM RESIDENTIAL - C TO MIXED USE DISTRICT; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapters 125 and 163, Florida Statutes provide for the Board of County Commissioners to prepare, implement and enforce Comprehensive Plans and Land Development regulations for the control of development within the County; and,

WHEREAS, Section 163.3184, Florida Statutes provides the process for the adoption of Comprehensive Plan amendments; and,

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

SECTION 1. The St. Johns County 2015 Future Land Use Map of the Comprehensive Plan is amended from Future Land Use Map designation Residential – C to Mixed Use District on the property described in Exhibit A, based on the following Findings of Fact:

- a. The amendment was fully considered after public hearing pursuant to legal notice duly published as required by law; and,
- b. The amendment is consistent with the State Comprehensive Plan, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5, Florida Administrative Code.
- c. The amendment is consistent with applicable sections of the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code.

SECTION 2. The remaining portions of the St. Johns County Comprehensive Plan, Ordinance No. 2000-34 and the 2015 Future Land Use Map, as amended which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. Should any section, subsection, sentence, clause, phrase, or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not effect the validity of the remaining portions.

SECTION 4. This ordinance shall take effect 31 days after adoption. If challenged within 30 days after adoption, this ordinance shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the adopted small scale amendment is in compliance.

SECTION 5. This ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 7th DAY OF January 2003.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: James E. Bryant
James E. Bryant, Chair

ATTEST: Cheryl Strickland, Clerk

BY: Gwanne King
Deputy Clerk

RENDITION DATE: 1-9-03

EFFECTIVE DATE: 2/7/2003



Public Records of
St. Johns County, FL
Clerk# 01-027937
R. 1610 PG 1738
4:43PM 06/06/2001
REC \$9.00 SUR \$1.50
Doc Stamps \$525.00

THIS INSTRUMENT PREPARED BY
Della A. Masters
Anastasia Title Services, Inc.
2730 U.S. 1 South, Suite G
St. Augustine, Florida 32086

EXHIBIT A

RECORD AND RETURN TO:
Anastasia Title Services, Inc.
2730 U.S. 1 South, Suite G
St. Augustine, Florida 32086

RE PARCEL ID #: 101740-0000 & 102760-0100
BUYER'S TIN:

WARRANTY DEED

THIS WARRANTY DEED made this 29th day of May, 2001 by L. Chet Menkes and Roslyn Menkes, husband and wife, hereinafter called Grantor, and whose address is 2024 Nautilus Lane, New Port Beach, California 92660 to Matanzas Mortgage Company, a Florida Corporation, hereinafter called Grantee and whose address is P.O. Box 3545, St. Augustine, Florida 32085-3545.

(Wherever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in St. Johns County, Florida, viz:

A parcel of land being in Sections 36 and 48, Township 7 South, Range 29 East, St. Johns County, Florida, said parcel of land being more fully described as follows:
Commence at the Southeast corner of said Section 48 for the Point of Beginning; thence N 0 degrees 14'49" W along the East line of said Section 48 189.02 feet; thence North 89 degrees 23' E 67.79 feet; thence N 5 degrees 03' W 300.00 feet; thence N 89 degrees 23'E 440.00 feet to a point on the West Right-of-Way line of Dobbs Road; thence N 5 degrees 03' W 219.53 feet along the West Right-of-Way line of Dobbs Road to its intersection with the South Right-of-Way line of an 80 foot wide county road known as Rolling Hills Drive (formerly Industrial Park Road) as described in Official Records Book 82, Page 125, Public Records of St. Johns County, Florida; thence Westerly along the Southerly Right-of-Way line of Rolling Hills Drive 907 feet, more or less, to the Northeast corner of property purchased by Ernest L. Burnett on June 23, 1997; thence Southerly along the East line of property of Ernest L. Burnett 723.33 feet to a point on the South line of Section 48, being also the Southeast corner of Burnett property; thence Easterly 434.10 feet along the South line of Section 48 to the Point of Beginning.

SUBJECT TO taxes accruing subsequent to December 31, 2000.

SUBJECT TO covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

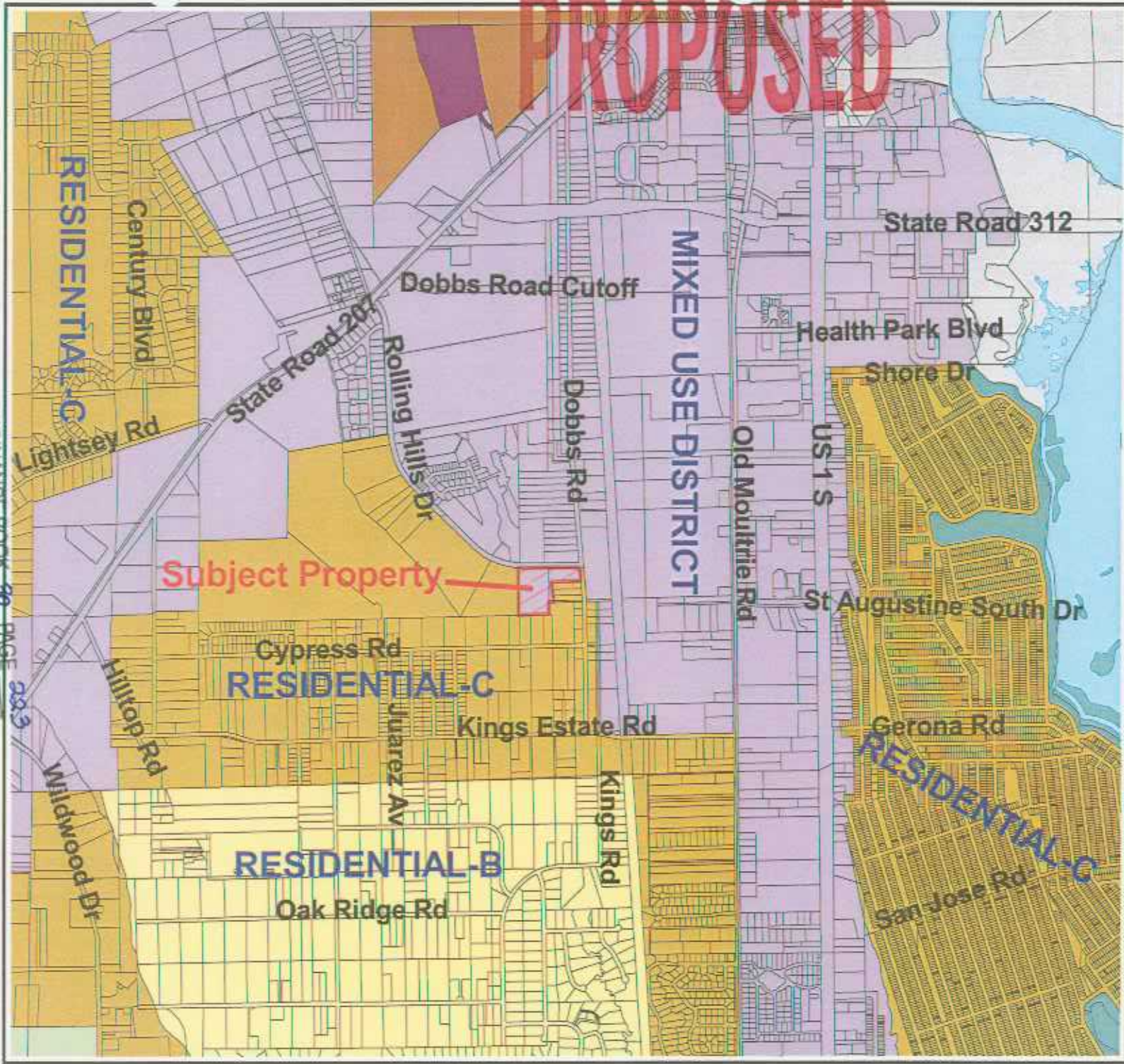
TOGETHER with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

PROPOSED



Future Land Use Map



Map Prepared: Jan 02, 2003
 *Depicts General Project Boundary

Comprehensive Plan Amendment
 For
 SW Corner Dobbs Rd.
 & Rollings Hills Drive
 Amended FLU: Mixed-Use District
 St. Johns County Ordinance # 2003-____
 FILE: CPA(SS)2002-04
 St. Johns County
 Growth Mgmt. Svcs.
 Planning Division



ORDINANCE BOOK 99 PAGE 283

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING 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 **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

PUBLIC NOTICE (DISPLAY ADVERTISEMENT)

In the matter of **FILE# CPA 2002-04**

SW CORNER OF DOBBS & ROLLING HILLS DRIVE

in the Court, was published in said newspaper in the issues of

MONDAY, DECEMBER 23, 2002

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 **23RD** day of **DECEMBER** 2002

by *Linda Y Murray* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Zoe Ann Moss
(Signature of Notary Public)



(Seal)

Zoe Ann Moss

**NOTICE OF PUBLIC HEARING
TO CONSIDER A PROPOSED
AMENDMENT TO THE FUTURE
LAND USE MAP OF THE
ST. JOHNS COUNTY 2015
COMPREHENSIVE PLAN**



NOTICE IS HEREBY GIVEN that the Board of County Commissioners, at its regular meeting on Tuesday, January 7, 2003 at 1:30 p.m. will hold a public hearing to consider a proposed Amendment to the St. Johns County 2015 Future Land Use Map. Said hearing will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road

16-A) and US 1 North, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding the proposed amendment.

The property subject to the proposed amendment is approximately 9.61 acres and is located at the southwest corner of Dobbs Road & Rolling Hills Drive approximately one-half mile north of King's Estate Road. A complete legal description is in the St. Johns County Planning Offices. See map generally depicting the location, Exhibit A. The amendment proposes to change the Future Land Use Map designation from Residential "C" to Mixed Use District.

The proposed amendment is known as File Number CPA (SS) 2002-04, SW Corner Dobbs & Rolling Hills Drive, and is available for review at the local County Planning Offices and Libraries and may be examined by interested parties prior to said public hearings.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he/she will need a record of the proceedings and for such purpose may need to ensure that verbatim records of the proceedings are made, which records include the testimony and evidence upon which appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals, call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of this meeting.

RESIDENTS, PROPERTY OWNERS AND OTHER INTERESTED INDIVIDUALS ARE ENCOURAGED TO PARTICIPATE IN THESE PROCEEDINGS AND ALL OTHER COMPREHENSIVE PLANNING PROCESSES TO THE FULLEST EXTENT POSSIBLE.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JAMES E. BRYANT, CHAIRMAN**

File Number: CPA (SS) 2002-04 SW Corner Dobbs & Rolling Hills Drive

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary
Office of International Relations
Division of Elections
Division of Corporations
Division of Cultural Affairs
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
Division of Administrative Services



FLORIDA DEPARTMENT OF STATE
Ken Detzner
Secretary of State
DIVISION OF ELECTIONS

MEMBER OF THE FLORIDA CABINET
State Board of Education
Trustees of the Internal Improvement Trust Fund
Administration Commission
Florida Land and Water Adjudicatory Commission
Siting Board
Division of Bond Finance
Department of Revenue
Department of Law Enforcement
Department of Highway Safety and Motor Vehicles
Department of Veterans' Affairs

January 10, 2003

Honorable Cheryl Strickland
Clerk to Board of Commissioners
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Yvonne King
Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 9, 2003 and certified copy of St. Johns County Ordinance No. 2003-1, which was filed in this office on January 10, 2003.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

FILED
03 JAN 13 PM 2:56
CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL