

3  
20  
ORDINANCE NUMBER: 2003-99

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO RESIDENTIAL SINGLE FAMILY (RS-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Blake F. Deal III, Esq., agent for Pyramid Associates, Inc., the owner of lands described herein, and incorporated by reference as Exhibit "A-1 and A-2" (legal description), filed an application, and incorporated by reference as File Number REZ 2002-06 for a zoning change dated February 28, 2002 as described hereinafter, and after required notice was published, a public hearing was held on the 7th day of October 2003 at 1:30 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, correspondence received by the Growth Management Services Department, recommendation of the Planning and Zoning Agency, and comments from the staff, applicant, and the general public 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 to Residential Single Family (RS-2) 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).
3. The rezoning to Residential Single Family (RS-2) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Residential Single Family (RS-2) is consistent with the land uses allowed in the land use designation of Residential-C as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application, File Number REZ 2002-06 the zoning classification of the lands described within the legal description, attached as EXHIBIT "A-1 and A-2",

is hereby changed to Residential Single Family (RS-2).

*Blake F. Deal III*  
*Sec Secy*

**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, 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. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, comprehensive plan or any 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 the Secretary of the State of Florida.

**SECTION 5.** This Ordinance shall be recorded in a book kept and maintained 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 25TH DAY OF NOVEMBER, 2003.**

**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

BY:   
Karen R. Stern, Chairperson

RENDITION DATE: 11/26/2003

**ATTEST: CHERYL STRICKLAND, CLERK**

BY:   
Deputy Clerk



EFFECTIVE DATE: 12/03/03

EXHIBIT "A"-1

A PART OF THE Z.P. GIBBS OR SANCHEZ GRANT, SECTION 46, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF SHADY OAKS AT PONTE VEDRA BEACH, PHASE II AS RECORDED IN MAP BOOK 42, PAGES 4 AND 5 THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID SHADY OAKS AT PONTE VEDRA BEACH, PHASE II, A DISTANCE OF 210.18 FEET TO THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 806, PAGE 692 OF SAID PUBLIC RECORDS; THENCE NORTH 13 DEGREES 31 MINUTES 32 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 118.94 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF MICKLER ROAD (A 100 FOOT RIGHT OF WAY AS CLAIMED BY ST. JOHNS COUNTY), SAID POINT LYING ON A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 622.96 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 80.73 FEET, MAKING A CENTRAL ANGLE OF 07 DEGREES 25 MINUTES 30 SECONDS AND HAVING A CHORD BEARING OF NORTH 71

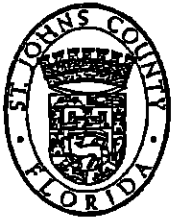
DEGREES 27 MINUTES 18 SECONDS EAST, AND A CHORD DISTANCE OF 80.67 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 67 DEGREES 44 MINUTES 33 SECONDS EAST, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 409.50 FEET; THENCE SOUTH 14 DEGREES 24 MINUTES 42 SECONDS EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 282.07 FEET TO A POINT ON THE NORTH LINE OF TRACT "C" AS SHOWN ON THE PLAT OF SHADY OAKS AT PONTE VEDRA BEACH, AS RECORDED IN MAP BOOK 35, PAGES 45 AND 46 OF SAID PUBLIC RECORDS; THENCE SOUTH 88 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID TRACT "C", A DISTANCE OF 287.28 FEET TO THE WEST LINE OF SAID TRACT "C"; THENCE SOUTH 03 DEGREES 11 MINUTES 00 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 10.23 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS, BEING THE SAME LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 598, PAGE 327 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPT ANY PART NOW WITHIN THE RIGHT OF WAY OF MICKLER ROAD.

EXHIBIT A-2

A PART OF THE Z.F. GIBBS OR SANCHEZ GRANT, SECTION 46, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWESTERLY CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 19, PAGE 718 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 6 DEGREES 27 MINUTES WEST, ALONG THE EASTERLY RIGHT OF WAY LINE OF A 60 FOOT RIGHT OF WAY KNOWN AS NECK ROAD, A DISTANCE OF 331.40 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 6 DEGREES 27 MINUTES WEST, ALONG SAID EASTERLY RIGHT OF WAY OF NECK ROAD, A DISTANCE OF 100.7 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF MICKLER ROAD, AS FORMERLY ESTABLISHED AS A 66 FOOT RIGHT OF WAY, THENCE NORTH 74 DEGREES 48 MINUTES 00 SECONDS EAST, A DISTANCE OF 172.39 FEET; THENCE SOUTH 13 DEGREES 31 MINUTES 32 SECONDS EAST, A DISTANCE OF 144.37 FEET; THENCE SOUTH 88 DEGREES 30 MINUTES WEST, A DISTANCE OF 188.87 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED LANDS BEING A PART OF LOTS 13 AND 14, AS SHOWN ON THE UNRECORDED PLAT. EXCEPTING THEREFROM ANY PART LYING WITHIN THE PRESENT RIGHT OF WAY OF MICKLER ROAD.

068839-0050



ST. JOHNS COUNTY  
Application For Rezoning

FROM OR TO RS2

DATE February 22, 2002

PROJECT NAME: Southeast Corner of Mickler Road and Neck Road, Ponte Vedra Beach

OWNER/APPLICANT: Pyramid Associates, Inc.

ADDRESS: 129 Nandina Circle

Ponte Vedra Beach, FL 32082

PHONE: 285-8918/273-1515 FAX: 273-7258

ENGINEERING FIRM: n/a

(If Applicable)

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

PLANNER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

PROPERTY APPRAISERS PARCELNO. 068830-0000; 068839-0000; 068839-0050

SECTION: 74 TOWNSHIP: 4 South RANGE: 29 East

CENSUS TRACT: \_\_\_\_\_ PROPERTY APPRAISERS MAP SHEET: 4B74S

LOCATION: 4315, 4325, 4345 Mickler Road

911 ADDRESS (IF KNOWN) 4315, 4325, 4345 Mickler Road

CITY Ponte Vedra Beach STATE Florida ZIP CODE 32082

TAZ \_\_\_\_\_ MAJOR ACCESS C.R. 210 (Mickler Rd.)

OVERLAY DISTRICT? \_\_\_\_\_ IF YES, WHICH ONE \_\_\_\_\_

ZONE CLASS \_\_\_\_\_ COMP. PLAN DSGN Coastal C Residential

PRESENT USE OF PROPERTY: Residential, vacant

WATER/SEWER: \_\_\_\_\_

WHO WILL MAINTAIN ROADS (IF A SUBDIVISION) \_\_\_\_\_

WHO WILL MAINTAIN DRAINAGE: \_\_\_\_\_

TYPE OF DEVELOPMENT: Residential single family

ACRES: 4-3 (SIZE OF PROPERTY) NUMBER OF LOTS/ UNITS: 11 (IF SUBDIVISION) SQ. FOOTAGE \_\_\_\_\_ (OF EACH BUILDING)

ACRES TO BE CLEARED: \_\_\_\_\_ 1/4 MILE INCREMENTS OF ROADWAY: \_\_\_\_\_

IS THE PROJECT WITHIN THE COASTAL BUILDING ZONE? YES \_\_\_\_\_ NO \_\_\_\_\_

IS THE PROJECT SEAWARD OF CCCL? YES \_\_\_\_\_ NO \_\_\_\_\_

PROJECT NARRATIVE (ADDITIONAL SHEETS MAY BE ATTACHED):

Multiple horizontal lines for project narrative input.

RECEIVED  
FEB 28 2002  
ST. JOHNS COUNTY  
PLANNING DEPARTMENT

Owner's Authorization For Agent

F. DEAL, III, ESQ. is hereby authorized TO ACT ON BEHALF OF  
PYRAMID ASSOCIATES, INC., the owner(s) of those lands described within the  
the attached application, and as described in the attached deed or other such proof  
of ownership as may be required, in applying to St. Johns County, Florida, for an  
application related to a Development Permit or other action pursuant to a:

- |                                     |                         |                          |                         |
|-------------------------------------|-------------------------|--------------------------|-------------------------|
| <input checked="" type="checkbox"/> | Rezoning / Modification | <input type="checkbox"/> | Special Use Permit      |
| <input type="checkbox"/>            | Zoning Variance         | <input type="checkbox"/> | Non-Zoning Variance     |
| <input type="checkbox"/>            | Appeal                  | <input type="checkbox"/> | Overlay District Review |
| <input checked="" type="checkbox"/> | Concurrency             | <input type="checkbox"/> | Other                   |

BY: *[Signature]* PYRAMID ASSOCIATES, INC., a Florida corporation  
PETER P. LEGEZA, JR.  
Signature of Owner VICE- PRESIDENT

Print Name

Signature of Owner

Print Name

904/285-8918; 904/285-1515  
Telephone Number

State of Florida  
County of St. Johns

Signed and sworn before me on this 25<sup>th</sup> day of, ~~2001~~ February, 2002.

By PETER P. LEGEZA, JR.

Identification verified: PERSONALLY KNOWN TO ME.

Oath sworn: \_\_\_\_\_ Yes \_\_\_\_\_ No

*[Signature]*  
Notary Signature

My Commission expires: \_\_\_\_\_



**NARRATIVE TO APPLICATION FOR REZONING**

The subject property is located to the south of Neck Rd., on the south side of Mickler Rd., in Ponte Vedra, St. Johns County, Florida. The property consists of three individual lots currently zoned OR, and designated as Coastal C, Residential, on the current Future Land Use Map (FLUM) for St. Johns County, Florida. With central water and sewer provided, the "C" designation allows for up to 4 units per acre of density. The total area of the three combined lots is 2.93 +/- acres (127,631 sq. ft), and therefore, under the Comprehensive Plan, a total of 11 units would be permissible with central water and sewer. The proposed rezoning is to RS-2, which allows a 90 foot minimum lot width with a minimum required lot area of 10,000 sq. ft. The applicant plans to divide the property into six similarly sized lots with a minimum of 100' fronting on River Marsh Drive, which will provide access to the property. The average lot area will be approximately 21,270 sq. ft. A rezoning to RS-1 is not requested because the current location of River Marsh Drive will not allow 120' lot frontages, but will allow 100' lot frontages. The proposed density is approximately one-half the allowable density under the current FLUM designation.

The applicant developed the property immediately to the south of the subject property as the River Marsh subdivision, which is a low-density community of upscale homes served by central water and sewer. The subject property is intended as an addition to the River Marsh subdivision and the requested rezoning is the exact same request as was approved for River Marsh (also rezoned from OR to RS2). Access will be from River Marsh Drive as it currently is platted and exists. Double access to the property will be prevented by the requirement for a non-access easement along Mickler Rd. at the time of Construction Plan and Plat approval for the proposed development.

The requested rezoning is compatible with the Comprehensive Plan, will not adversely affect surrounding property values, and is in accordance with Section 9.04.03 of the Land Development Code as follows:

9.04.03(B)(1)(a) The change is needed and justified in order to provide platted, orderly development of and access to the lots from River Marsh Drive, and to incorporate the subject property into the River Marsh Subdivision. The current OR zoning is incompatible with such development in that it permits a wide range of agricultural and commercial type uses other than single-family residential use.

9.04.03(B)(1)(b) The proposed change is compatible with and in conformity with the Comprehensive Plan, and the proposed development will meet the most current development standards as set forth in the Land Development Code.

As set forth above, the requested rezoning will provide a density and land use in conformance with the Comprehensive Plan, which is entirely compatible with the surrounding residential use, and which will enhance property values and enhance the orderly and safe development of the subject property. Therefore, approval of this request by the Planning and Zoning Agency and the Board of County Commissioners for St. Johns County, Florida, is hereby respectfully requested.



Public Records of  
St. Johns County, FL  
Clerk# 01-057147  
O.R. 1671 PG 957  
04:28PM 11/02/2001  
REC \$13.00 SUR \$2.00  
Doc Stamps \$3,150.00

TR 2106PG1891

THIS INSTRUMENT PREPARED BY:

Bartlett & Deal, P.A.  
135 Professional Drive, Suite 101  
Ponte Vedra Beach, Florida 32082

71769  
RECORD AND RETURN TO:  
Pyramid Associates, Inc., A Florida Corporation  
129 Nandina Circle  
Ponte Vedra Beach, Florida 32082

RE PARCEL ID #: 068330  
BUYER'S TIN: \_\_\_\_\_

WARRANTY DEED

THIS WARRANTY DEED made this 17th day of October, 2001 by WANDA FAY FARACE, UNMARRIED, hereinafter called Grantor, and whose address is 4325 Mickler Road, Ponte Vedra Beach, Florida 32082 to PYRAMID ASSOCIATES, INC., A FLORIDA CORPORATION, hereinafter called Grantee and whose address is 129 Nandina Circle, Ponte Vedra Beach, Florida 32082.

(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

LEGAL DESCRIPTION ATTACHED AS EXHIBIT A AND BY THIS REFERENCE MADE A PART  
HEREOF

3  
100  
31500

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.

Signed, sealed and delivered in our presence:

[Signature]  
Witness Signature

Baron L Bartlett  
Witness Printed Signature

[Signature]  
Witness Signature

MICHELLE V. HOUSTON  
Witness Printed Signature

Wanda Fay Farace  
Wanda Fay Farace

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 17th day of October, 2001 by Wanda Fay Farace, Unmarried. He/She is personally known to me or has produced DRIVERS LICENSE as identification.

Notary Public, State and County Aforesaid

[Signature]  
Notary Signature

BARON L. BARTLETT  
Notary Printed Signature

\_\_\_\_\_  
(Title or Rank)

\_\_\_\_\_  
(Serial No., if any)



EXHIBIT "A"

A PART OF THE Z.P. GIBBS OR SANCHEZ GRANT, SECTION 46, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF SHADY OAKS AT PONTE VEDRA BEACH, PHASE II AS RECORDED IN MAP BOOK 42, PAGES 4 AND 5 THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 88 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID SHADY OAKS AT PONTE VEDRA BEACH, PHASE II, A DISTANCE OF 210.18 FEET TO THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 806, PAGE 692 OF SAID PUBLIC RECORDS; THENCE NORTH 13 DEGREES 31 MINUTES 32 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 118.94 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF MICKLER ROAD (A 100 FOOT RIGHT OF WAY AS CLAIMED BY ST. JOHNS COUNTY), SAID POINT LYING ON A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 622.96 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 80.73 FEET, MAKING A CENTRAL ANGLE OF 07 DEGREES 25 MINUTES 30 SECONDS AND HAVING A CHORD BEARING OF NORTH 71

DEGREES 27 MINUTES 18 SECONDS EAST, AND A CHORD DISTANCE OF 80.67 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 67 DEGREES 44 MINUTES 33 SECONDS EAST, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 409.50 FEET; THENCE SOUTH 14 DEGREES 24 MINUTES 42 SECONDS EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 282.07 FEET TO A POINT ON THE NORTH LINE OF TRACT "C" AS SHOWN ON THE PLAT OF SHADY OAKS AT PONTE VEDRA BEACH, AS RECORDED IN MAP BOOK 35, PAGES 45 AND 46 OF SAID PUBLIC RECORDS; THENCE SOUTH 88 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID TRACT "C", A DISTANCE OF 287.28 FEET TO THE WEST LINE OF SAID TRACT "C"; THENCE SOUTH 03 DEGREES 11 MINUTES 00 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 10.23 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS, BEING THE SAME LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 598, PAGE 327 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPT ANY PART NOW WITHIN THE RIGHT OF WAY OF MICKLER ROAD.

THIS INSTRUMENT PREPARED BY:  
Richard T. Morehead  
Richard T. Morehead, P.A.  
100-B Solana Road  
Ponte Vedra Beach, Florida 32082

Public Records of  
St. Johns County, FL  
Clerk# 01-061048  
O.R. 1680 PG 155  
02:18PM 11/27/2001  
REC \$13.00 SUR \$2.00  
Doc Stamps \$980.00

OR2106PG1894

RECORD AND RETURN TO:  
Pyramid Associates, Inc.  
129 Nandina Circle  
Ponte Vedra Beach, FL 32082

12291  
RE PARCEL ID #: 068839-0050  
BUYER'S TIN:

### WARRANTY DEED

THIS WARRANTY DEED made this 31st day of October, 2001 by Victoria Mickler Padgett n/k/a Mary Victoria Mickler, a single woman, and Jacqueline Mickler, unmarried widow of of Flavian J. Mickler, hereinafter called Grantor, and whose address is 4580 Palm Valley Road, Ponte Vedra Beach, FL 32082 to Pyramid Associates, Inc, hereinafter called Grantee and whose address is 129 Nandina Circle, Ponte Vedra Beach, FL 32082.

(Wherever used herein the terms "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

See attached Exhibit "A".

980/1500

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. Signature page and acknowledgment attached hereto on page two.

and sealed and delivered in our presence:

*Richard T. Morehead*  
Witness Signature

**RICHARD T. MOREHEAD**  
Witness Printed Signature

*Amanda S. Meshaw*  
Witness Signature

**AMANDA S. MESHAW**  
Witness Printed Signature

Witness Printed Signature

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 31st day of October, 2001 by Victoria Mickler Padgett n/k/a Mary Victoria Mickler and Jacqueline Mickler. He/She is personally known to me or has produced driver's license as identification.

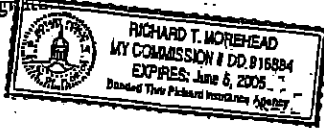
Notary Public, State and County Aforesaid

*Richard T. Morehead*  
Notary Signature

\_\_\_\_\_  
(Title or Rank)

\_\_\_\_\_  
(Serial No., if any)

Notary Printed Signature



*Mary Victoria Mickler*  
*Mary Victoria Mickler*  
Victoria Mickler Padgett n/k/a  
Mary Victoria Mickler  
*Jacqueline Mickler*  
Jacqueline Mickler

## EXHIBIT "A"

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4315, 4325 and 4345 MICKLER ROAD  
PYRAMID ASSOCIATES, INC.  
SECTION 46, TOWNSHIP 4 SOUTH, RANGE 29 EAST

List of adjacent property owners within 300 feet

1. MC VADON KIMBERLY D ET AL  
 4265 MICKLER ROAD  
 PONTE VEDRA BEACH, FL 32082

068839-0040, 1101 NECK ROAD  
 6-4 PT OF Z P GIBBS GRANT PT OF LOT 14 HALE MAP LYING S OF MICKLER RD & W  
 OF NECK RD

2. JOHNSON TIMOTHY J ET AL  
 4265 MICKLERS ROAD  
 PONTE VEDRA BEACH, FL 32082

068837-0000, 4265 MICKLER ROAD  
 6-2 PT OF Z P GIBBS GRANT ALL OF LOT 14 HALE MAP LYING S OF MICKLER RD &  
 W OF NECK RD

3. UMSTATTD JAMES H, SUE ANN  
 1105 NECK ROAD  
 PONTE VEDRA BEACH, FL 32082

068770-0000, 1105 NECK RD  
 7-3 PT Z P GIBBS GRANT LYING W OF CO RD PT OF LOT 13 HALE MAP 125X423FT

4. MICKLER HUGH J, EVON.  
 1109 NECK ROAD  
 PONTE VEDRA BEACH, FL 32082

068760-0000, 1109 NECK RD  
 7-2 PART OF Z P GIBBS GRANT LYING W OF CO RD - N10FT OF LOT 12 S130FT LOT  
 13 HALE MAP

5. CLARK DOUG E, KELLY L  
 1113 NECK ROAD  
 PONTE VEDRA BEACH, FL 32082

068750-0000, 1113 NECK ROAD  
 7-1 PT OF GIBBS GRANT LYING W OF CO RD S138 OF N148FT OF LOT 12 HALE MAP

6. LEARY ALICE JANE  
P.O. BOX 926  
PONTE VEDRA BEACH, FL 32082

068839-0060 4355 MICKLER RD  
6-6 PT OF Z P GIBBS GRANT LOT 14 HALE MAP 187 FT ON MICKLER RD

7. G L'S OAR HOUSE LTD  
P.O. BOX 926  
PONTE VEDRA BEACH FL 32082

068835-0000 4415 MICKLER RD  
6-1 PT OF Z P GIBBS GRANT PT OF LOT 14 HALE MAP

8. TITF/STATE OF FLORIDA  
3900 COMMONWEALTH BLVD.  
PONTE VEDRA BEACH, FL 32082

068650 0000 GUANA STATE PARK  
5 ALL SECS 46 47 72 & 74 LYING E OF W'LY MARSH LINE OF GUANA RIVER & S OF  
MICKLER RD

9. ASHOURIAN MIKE  
113947 BEACH ROAD  
PONTE VEDRA BEACH, FL 32082

1 PART OF Z P GIBBS & SANCHEZ GRANTS LYING N OF MICKLER RD & SW OF SR  
A1A

10. LEE GEORGE R, LESA D  
4380 MICKLER ROAD  
PONTE VEDRA BEACH, FL 32082

068600-0000, 4380 MICKLER RD  
1-2 & 2 PT OF Z P GIBBS GRANT 198 FT ON RD OR 1164/614

11. CAINES MARY I  
4340 MICKLER ROAD  
PONTE VEDRA BEACH, FL 32004

068630-0000, 4340 MICKLER RD  
3-1 PT OF Z P GIBBS GRANT OR71/473



12. MICKLER RAYMOND A, RHETHA J.  
4320 MICKLER ROAD  
PONTE VEDRA BEACH FL 32004

068620-0000 4320 MICKLER RD  
3 PT OF Z P GIBBS GRANT (EX S 200 OF N325 OF W250FT E3AC IN OR71/473 0.08AC  
IN OR147/155)

13. MICKLER JACOB M  
4280 MICKLER RD  
PONTE VEDRA BEACH FL 32082

068630 0020 4280 MICKLER RD  
3-2 PART OF Z P GIBBS GRANT LYING N OF MICKLER RD - 97 FT & 172.02 FT ON  
MICKLER RD

14. THE ESTATE OF MICKLER MERLIN JACOB  
4280 MICKLER ROAD  
PONTE VEDRA BEACH, FL 32082

068630-0030, MICKLER RD  
3-3 PT OF Z P GIBBS TRANT LYING N OF MICKLER ROAD (EX PT IN OR1179/1800)

15. FUNK JOHN W, NANCY T  
236 SEAMIST COURT  
PONTE VEDRA BEACH, FL 32082

068564-0430, 236 SEAMIST CT  
28/56-60 SEASIDE AT PONTE VEDRA BEACH UNIT 3 LOT 43 OR1502/593

16. HILTON WILLIAM M JR., ELENA D  
26 MAPLEWOOD DRIVE  
DANVILLE, CA 94506

068810-0050, 145 RIVER MARSH LN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 5 OR1415/239

17. HILTON WILLIAM M JR., ELENA D  
26 MAPLEWOOD DRIVE  
DANVILLE, CA 94506

068810-0060, 145 RIVER MARSH LN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 6 OR1415/239

18. DUNNE CHRISTOPHER, SHELLY  
18 SOLANO ROAD  
PONTE VEDRA BEACH, FL 32082

068810-0070, 139 RIVER MARSH LN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 7 OR1491/56

19. RANDLE HENRY W, CARON W  
7630 FOUNDERS WAY  
PONTE VEDRA BEACH, FL 32082

068810-0080, 133 RIVER MARSH LN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 8 OR 1409/932

20. LEVINE JAMES D, SANDRA D  
136 RIVER MARSH DR  
PONTE VEDRA BEACH, FL 32082

068810-0150, 136 RIVER MARSH LN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 15 OR 1493/377

21. VERGNOLLE ROBERT R. JR, KATHLEEN  
144 RIVER MARSH DRIVE  
PONTE VEDRA BEACH, FL 32082

068810-0040, 144 RIVER MARSH LAN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 4 OR1449/1832

22. BROWNING JAMES E, CECILY L  
103 BURNING PINE COURT  
PONTE VEDRA BEACH, FL 32082

068810-0030M 148 RIVER MARSH LN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 3 OR1513/253

23. FOBES KENNETH M.  
141 INDIAN HAMMOCK LN  
PONTE VEDRA BEACH FL 32082

068810-0020, 152 RIVER MARSH LN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 2

24. ATTER MICHAEL, HELEN  
 187 ROSCOE BLVD. NORTH  
 PONTE VEDRA BEACH FL 32082

068810-0010, 156 RIVER MARSH LN  
 35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 1 OR1672/315

25. MEYNS, DON, PAULA  
 112 WILLOW POND  
 PONTE VEDRA BEACH FL 32004

068810-0140, 112 RIVER MARSH LN  
 35/45-46 SHADY OAKS @PONTE VEDRA BEACH LOT 14 OR1653/134

26. MC MURRY JAMES E JR, MARGARET A  
 309 LAUDEN COURT  
 PONTE VEDRA BEACH FL 32004

068811-0180, 160 RIVER MARSH DR.  
 42/4-5 SHADY OAKS @PVB PHASE 2 LOT 18 OR 1650/1584

27. PYRAMID ASSOCIATES, INC.  
 129 NANDINA CIRCLE  
 PONTE VEDRA BEACH FL 32082

068811-0170, 164 RIVER MARSH DR  
 42/4-5 SHADY OAKS @PVB PHASE 2 LOT 17

28. PYRAMID ASSOCIATES, INC.  
 129 NANDINA CIRCLE  
 PONTE VEDRA BEACH FL 32004

068811-0160, 170 RIVER MARSH DR  
 42/4-5 SHADY OAKS @PVBPHASE 2-LOT 16

29. PYRAMID ASSOCIATES, INC.  
 129 NANDINA CIRCLE  
 PONTE VEDRA BEACH FL 32004

068811-0210, 169 RIVER MARSH DR  
 42/4-5 SHADY OAKS @PVB PHASE 2 LOT 21

30. PYRAMID ASSOCIATES, INC.  
 129 NANDINA CIRCLE,  
 PONTE VEDRA BEACH FL 32004

068811-0200, 165 RIVER MARSH DR  
42/4-5 SHADY OAKS @PVB PHASE 2 LOT 20

31. PYRAMID ASSOCIATES, INC.  
129 NANDINA CIRCLE,  
PONTE VEDRA BEACH FL 32004

068811-0190, 161 RIVER MARSH DR  
42/4-5 SHADY OAKS @PVB PHASE 2 LOT 19

32. PYRAMID ASSOCIATES, INC.  
129 NANDINA CIRCLE  
PONTE VEDRA BEACH FL 32082

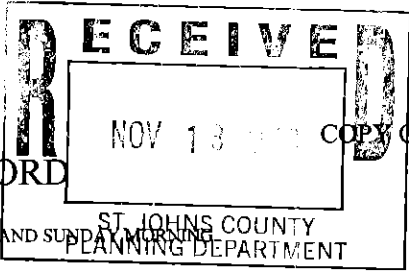
NO ASSESSMENT  
MB 4215 TRACT B, SHADY OAKS 2

33. PYRAMID ASSOCIATES, INC.  
129 NANDINA CIRCLE  
PONTE VEDRA BEACH, FL 32082

068810-0001, RIVERMARSH LN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH ROADS & TRACTS A & C  
47, 74-4S-29E PART OF GIBBS & DEWEES GRANTS RE-SUB LOTS 3 THR

34. INTERCOASTAL UTILITIES, INC.  
P.O. BOX 441149  
JACKSONVILLE, FL 32222

048810-0002, RIVER MARSH LN  
35/45-46 SHADY OAKS @PONTE VEDRA BEACH TRACT B UTILITY SITE OR1478/1141



THE ST. AUGUSTINE RECORD

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

COPY OF ADVERTISEMENT

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 2002-06

SE Corner Mickler/Neck Road

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

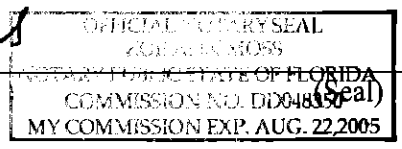
November 10, 2003

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 11th day of November 2003 by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

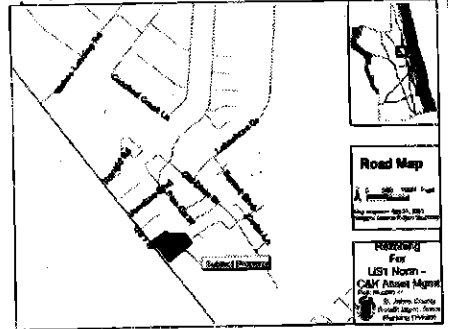
[Signature of Zoe Ann Moss]

(Signature of Notary Public)



Zoe Ann Moss

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on the Tuesday, November 25, 2003 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone lands from CG (Commercial, General) to CI (Commercial Intensive). The subject property is located at 6350 US 1 North within St. Johns County Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, 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 special accommodations or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32084. 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.

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 appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to 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 JAMES E. BRYANT, CHAIRMAN FILE NUMBER: REZ 2003-15 C & K Asset Management L2526-3 Nov 10, 2003