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Public Records of
St. Johns County, FL
Clerk# 04-078585
O.R. 2304 PG 586
03:04PM 10/20/2004
REC \$17.00 SUR \$18.50

ORDINANCE NUMBER: 2004-84

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 INDUSTRIAL WAREHOUSING (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Benjamin Campen, the owner of lands described herein, incorporated by reference as Exhibit "A" (legal description), filed an application, incorporated by reference as File Number REZ 2004-026 for a zoning change dated June 29, 2004, as described hereinafter, and after required notice was published, a public hearing was held on the 6th day of October, 2004 at 9:00 a.m. on said application.

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 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 Industrial Warehousing (IW) 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 and economic development. (Objective A.1.11)
 - (c) The proposed project is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
3. The rezoning to Industrial Warehousing (IW) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Industrial Warehousing (IW) is consistent with the land uses allowed in the land use designation of Mixed Use (Md) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2004-026 the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to Industrial Warehousing (IW).

Ordinance Book 35 Page 264

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.

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

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 6th DAY OF October 2004.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

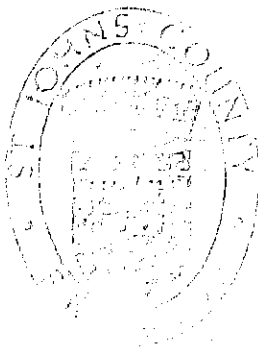
BY: Karen R. Stern
Karen R. Stern, Its Chair

RENDITION DATE 10/07/04

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: 10/11/04



(The Property)

A TRACT OF LAND LYING IN AND BEING A PART OF SECTION 50, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY #1, AS NOW ESTABLISHED WITH THE SOUTHERLY RIGHT OF WAY LINE OF FLAGLER BOULEVARD, AS NOW ESTABLISHED; THENCE NORTH 35 DEGS. 31 MINS. 00 SECS. EAST AND ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE OF FLAGLER BOULEVARD, 833.93 FEET; THENCE SOUTH 38 DEGS. 05 MINS. 00 SEC. EAST, 445.45 FEET; THENCE SOUTH 51 DEGS 55 MINS. 00 SECS. WEST, 800.0 FEET TO THE SAID EASTERLY RIGHT OF WAY LINE OF U.S. #1, AS NOW ESTABLISHED; THENCE NORTH 38 DEGS 05 MINS. 00 SECS. WEST, AND ALONG SAID RIGHT OF WAY LINE, 209.77 FEET TO THE POINT OF BEGINNING AND TO CLOSE. SAID PARCEL CONTAINING 6 ACRES MORE OR LESS.

OR 2304 PG 589 REC 656 PAGE 681

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This instrument was prepared by:

CHARLES E. PELLICER
of the Law Office of
WEINSTEIN, CONN, PELLICER & LLOYD
28 Sanderson Street
St. Augustine, Florida 32084

Warranty Deed (STATUTORY FORM—SECTION 109 02 F.S.)

This Instrument, Made this 24th day of September 1984, Between
JACK CHEEK, JR. and MARY CHEEK, his wife

of the County of Duval, State of Florida, grantor, and
ANDRE E. BENNETT and BERTHA M. BENNETT, husband and wife as tenants
by the entirety

whose post office address is Route 3, Box 50-A, St. Augustine, Florida 32084

of the County of St. Johns, State of Florida, grantor.

Whereas, That said grantor, for and in consideration of the sum of--TEN AND NO/100THS (\$10.00)---

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee and grantee's heirs and assigns forever, the following described land, situate, lying and being in St. Johns County, Florida, to-wit:

A SECT- of land lying to and being a part of Section 10, Township 6
SOUTH, Range 29 EAST, St. Johns County, Florida and being more
particularly described as follows: Beginning at the intersection
of the easterly right of way line of U.S. Highway #1, as now established
with the southerly right of way line of Flagler Boulevard, as now
established; thence North 35 degs. 31 mins. 00 Secs. East and along
the said southerly right of way line of Flagler Boulevard, 833.93
feet; Thence South 38 degs. 05 mins. 00 Secs. East, 445.45 feet;
Thence South 51 degs. 55 mins. 00 Secs. West, 800.0 feet to the
said Easterly right of way line of U.S. #1, as now established;
Thence North 38 degs. 05 min. 00 Secs. West, and along said right
of way line, 209.77 feet to the point of beginning and to close.
Said parcel containing 6 acres more or less.

Prepared without request for Examination or opinion of title.

FOR INFORMATION PURPOSES this deed is given in full satisfaction of that unrecorded Agreement for Deed between GARNETT L. UMBERGER and his wife, JANE R. UMBERGER, parties of the first part, and ALFRED B. BENNETT, JR. and his wife, DOROTHY P. BENNETT, parties of the second part dated the 1st day of July, 1974.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whatsoever.

* "Grantor" and "grantee" are used for singular or plural, as context requires.

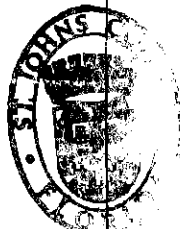
In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence
JACK CHEEK, JR. (Seal)
MARY CHEEK (Seal)
Witness (Seal)

STATE OF FLORIDA
COUNTY OF St. Johns
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared
JACK CHEEK, JR. and MARY CHEEK, his wife

to me known to be the person(s) described in and who executed the foregoing instrument and who acknowledged to me that they executed the same.
WITNESS my hand and official seal in the County and State last aforesaid
1984.

HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS IN RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 10th DAY OF October 20 04
CHERYL STRICKLAND, CLERK
Official Clerk of the Board of County Commissioners



My commission expires:

STATE OF FLORIDA
DOCUMENTARY STAMP
NOV 10 2004 10:27 AM

