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ORDINANCE NUMBER: 2005-38

Public Records of
St. Johns County, FL
Clerk # 2005038049,
O.R. 2439 PG 209-219
05/18/2005 at 08:35 AM,
REC. \$45.00 SUR. \$50.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF INDUSTRIAL (IW) TO COMMERCIAL GENERAL (CG); 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, Henry M. Whetstone on behalf of Whetstone 312, Incorporated, the owners of lands described herein, incorporated by reference as Exhibit "A", (legal description), filed an application, incorporated by reference as File Number REZ 2005-01 for a zoning change dated December 30, 2004, as approved by the Board of County Commissioners, as described hereinafter, and after required notice was published, a public hearing was held on the 20th day of April, 2005 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 Commercial General (CG) 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 contributes to a mixture of land uses within a designated Mixed Use District (Md). (Objective A.1.9)
 - (c) The rezoning encourages an efficient and compact land use pattern and supports balanced growth and economic development. (Objective A.1.11)
 - (d) The proposed project is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
3. The rezoning to Commercial General (CG) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Commercial General (CG) is consistent with the land uses allowed in the land use designation of Mixed Use District (Md) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2005-01 the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to Commercial General (CG).

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 20 DAY OF April, 2005.

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

BY: _____

Bruce A. Maquire
Bruce A. Maquire
Chairman

RENDITION DATE 04/21/05

ATTEST: ~~CHERYL~~ STRICKLAND, CLERK

BY: _____

Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: April 25, 2005



St. Johns County

Application For Rezoning

From IW To CG

Date 12-28-04

RECEIVED
DEC 30 2004 11:10

Project Name: Whetstone Place

Owner/Applicant: Whetstone 312, Inc.

Address: 2 Coke Road
St. Augustine, FL 32086

Phone: (904) 825-1700 x-11 Fax: (904) 824-0436

E-mail Address: hank@whetstonecommercial.com

Planning/Engineering Firm: none

Address: _____

Phone: _____ Fax: _____

E-mail Address: _____

Person to Receive Comments: Henry M. Whetstone, Jr., President

Property Appraiser's Parcel No. 135079-0123; 135079-0124; 135079-0133

Name of Overlay District if applicable: _____

Location: _____

Census Tract: _____ Property Appraiser's Map Sheet: 5E30 Acres: 4.56

911 Address (if Known) 2 Coke Road

TAZ _____ Zone Class: _____ Comp. Plan DSGN _____

Present Use of Property: Manufacturing

Proposed Use of Property: Office and Commercial

Water/Sewer Provider: City of St. Augustine

Please list below any applications currently under review or recently approved which may assist in the review of this application: none

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:
Signature of owner or person authorized to represent this application:

Signature: [Signature]

Printed or typed name(s): Henry M. Whetstone, Jr.

EXHIBIT A

LEGAL DESCRIPTION OF PIN 135079

PARCEL 1

135079 0123
(18-12C) PERPALL GRSANT SUB PT OF LOT 11 LYING S OF SR 312 376.8 FT ON
SR 312 X 335.3 FT

PARCEL 2

135079 0124
(18-12D) PERPALL GRANT SUB PT OF LOT 11 LYING S OF SR 312 140 X 265 FT
& 10 FT X 356.8 FT

PARCEL 3

135079 0133
(18-12N) PERPALL GRANT SUB PT OF LOT 11 LYING S OF SR 312 376.8 X 200
FT (EX E12 FT)

⑦ 5688 ec

This Instrument Prepared Without
Opinion of Title Request for Given by:
John D. Bailey, Jr.
Upchurch, Bailey and Upchurch, P.A.
Post Office Drawer 3007
St. Augustine, Florida 32085-3007
FN. 8-04-542

Public Records of
St. Johns County, FL
Clerk# 04-066267
O.R. 2272 PG 1265
12:01PM 09/01/2004
REC \$29.00 SUR \$32.00
Doc Stamps \$19,533.50

WARRANTY DEED

THIS INDENTURE, made this 24th day of August, 2004, between SWEETWORKS, INC., a Delaware corporation, as successor by merger to Whetstone Candy Company, Inc., a Florida corporation, Grantor, to WHETSTONE 312, INC., a Florida corporation, whose post office address is 2 Coke Road, St. Augustine, Florida 32086 and whose federal taxpayer identification number is: applied for, Grantee.

WITNESSETH, that said Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$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:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF (THE "PROPERTY").

**PARCEL IDENTIFICATION NOS: 135079-0123;
135079-0124 AND 135079-0133**

SUBJECT TO: Those matters listed in Exhibit "B" attached hereto.

and said Grantor does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed and sealed all on the day and year first above written.

Signed, sealed and delivered in the presence of:

SWEETWORKS, INC., a Delaware corporation, as successor by merger to Whetstone Candy Company, Inc., a Florida corporation

[Signature]
Witness Guy J. Agostinelli
(type or print name)

By: [Signature]
Phillip J. Terranova
Its President
718 103rd Avenue North
Naples, Florida 34108

[Signature]
Witness RALPH NICOSIA
(type or print name)

(CORPORATE SEAL)

STATE OF New York
COUNTY OF Erle

THE FOREGOING instrument was acknowledged before me this 24th day of August, 2004, by Phillip J. Terranova, as President of SweetWorks, Inc., a Delaware corporation, as successor by merger to Whetstone Candy Company, Inc., a Florida corporation, on behalf of the corporation, who () is personally known to me or () has produced driver's license no. Florida T651-660-49-293-0 as identification.

[Signature]
Signature of Notary
Guy J. Agostinelli
(Name of notary, typed/printed/stamped)
Commission number: 02AG4735998
Commission expires: Nov. 30, 2005

GUY J. AGOSTINELLI
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Nov. 30, 2005

EXHIBIT "A"PARCEL ONE:

A PARCEL OF LAND IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF ST. AUGUSTINE SOUTH, UNIT NO. 1, AS RECORDED IN MAP BOOK 8, PAGE 33, PUBLIC RECORDS OF SAID COUNTY, ON THE EAST RIGHT-OF-WAY LINE OF THE 200 FOOT WIDTH RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1; THENCE NORTH 00 DEGREES 08 MINUTES EAST, ON SAID EAST RIGHT-OF-WAY LINE, 1,990.24 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE WITH THE SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A 200 FOOT WIDTH RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 52 MINUTES EAST, ON SAID SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A DISTANCE OF 950 FEET TO THE POINT OF BEGINNING AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING SOUTH 89 DEGREES 52 MINUTES EAST, ON SAID SOUTH RIGHT-OF-WAY LINE, 376.80 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES WEST, ON THE WEST LINE OF A 60 FOOT WIDTH ROAD, 335.25 FEET; THENCE NORTH 89 DEGREES 52 MINUTES WEST 376.80 FEET; THENCE NORTH 00 DEGREES 08 MINUTES EAST 335.25 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE FOLLOWING:

A PARCEL OF LAND IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF ST. AUGUSTINE SOUTH, UNIT NO. 1, AS RECORDED IN MAP BOOK 8, PAGE 33, PUBLIC RECORDS OF SAID COUNTY, ON THE EAST RIGHT-OF-WAY LINE OF THE 200 FOOT WIDTH RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1; THENCE NORTH 00 DEGREES 08 MINUTES EAST, ON SAID EAST RIGHT-OF-WAY LINE, 1,990.24 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE WITH THE SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A 200 FOOT WIDTH RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 52 MINUTES EAST, ON SAID SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A DISTANCE OF 1,326.80 FEET TO THE WEST LINE OF A 60 FOOT WIDTH ROAD; THENCE SOUTH 00 DEGREES 08 MINUTES WEST, ON SAID WEST LINE OF ROAD, 195.25 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING SOUTH 00 DEGREES 08 MINUTES WEST, ON SAID WEST LINE OF ROAD, 140.00 FEET; THENCE NORTH 89 DEGREES 52 MINUTES WEST 265.00 FEET; THENCE NORTH 00 DEGREES 08 MINUTES EAST 140.00 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES EAST 265.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND FOR THE USE AND MAINTENANCE OF A LOADING DOCK AND OFFICE OVER AND ACROSS THE FOLLOWING PORTION OF THE ABOVE EXCEPTED PROPERTY; COMMENCING AT THE NORTHWEST CORNER OF ST. AUGUSTINE SOUTH, UNIT NO. 1, AS RECORDED IN MAP BOOK 8, PAGE 33, PUBLIC RECORDS OF SAID COUNTY, ON THE EAST RIGHT-OF-WAY LINE OF THE 200 FOOT WIDTH RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1; THENCE NORTH 00 DEGREES 08 MINUTES EAST, ON SAID EAST RIGHT-OF-WAY LINE, 1,990.24 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE WITH THE SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A 200 FOOT WIDTH RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 52 MINUTES EAST, ON SAID SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A DISTANCE OF 1,326.80 FEET TO THE WEST LINE OF A 60 FOOT WIDTH ROAD; THENCE SOUTH 00 DEGREES 08 MINUTES WEST, ON SAID WEST LINE OF ROAD, 195.25 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING SOUTH 00 DEGREES 08 MINUTES WEST, ON SAID WEST LINE OF ROAD, 38.00 FEET; THENCE NORTH 89 DEGREES 52 MINUTES WEST 265.00 FEET; THENCE NORTH 00 DEGREES 08 MINUTES EAST 38.00 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES EAST 265.00 FEET TO THE POINT OF BEGINNING; AND

TOGETHER WITH THAT CERTAIN GRANT OF NON-EXCLUSIVE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 512, PAGE 424, AS CORRECTED BY OFFICIAL RECORDS BOOK 688, PAGE 1540, AND AS FURTHER CORRECTED BY OFFICIAL RECORDS BOOK 705, PAGE 1463, ALL OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL TWO:

A PARCEL OF LAND IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF ST. AUGUSTINE SOUTH, UNIT NO. 1, AS RECORDED IN MAP BOOK 8, PAGE 33, PUBLIC RECORDS OF SAID COUNTY, ON THE EAST RIGHT-OF-WAY LINE OF THE 200 FOOT WIDTH RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1; THENCE NORTH 00 DEGREES 08 MINUTES EAST, ON SAID EAST RIGHT-OF-WAY LINE, 1,990.24 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE WITH THE SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A 200 FOOT WIDTH RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 52 MINUTES EAST, ON SAID SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A DISTANCE OF 1,326.80 FEET TO THE WEST LINE OF A 60 FOOT WIDTH ROAD; THENCE SOUTH 00 DEGREES 08 MINUTES WEST, ON SAID WEST LINE OF ROAD, 195.25 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING SOUTH 00 DEGREES 08 MINUTES WEST, ON SAID WEST LINE OF ROAD, 140.00 FEET; THENCE NORTH 89 DEGREES 52 MINUTES WEST 265.00 FEET; THENCE NORTH 00 DEGREES 08 MINUTES EAST 140.00 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES EAST 265.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND FOR THE USE AND MAINTENANCE OF A LOADING DOCK AND OFFICE OVER AND ACROSS THE FOLLOWING PORTION OF THE ABOVE PROPERTY; COMMENCING AT THE NORTHWEST CORNER OF ST. AUGUSTINE SOUTH, UNIT NO. 1, AS RECORDED IN MAP BOOK 8, PAGE 33, PUBLIC RECORDS OF SAID COUNTY, ON THE EAST RIGHT-OF-WAY LINE OF THE 200 FOOT WIDTH RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1; THENCE NORTH 00 DEGREES 08 MINUTES EAST, ON SAID EAST RIGHT-OF-WAY LINE, 1,990.24 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE WITH THE SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A 200 FOOT WIDTH RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 52 MINUTES EAST, ON SAID SOUTH RIGHT-OF-WAY LINE FOR STATE ROAD NO. 312, A DISTANCE OF 1,326.80 FEET TO THE WEST LINE OF A 60 FOOT WIDTH ROAD; THENCE SOUTH 00 DEGREES 08 MINUTES WEST, ON SAID WEST LINE OF ROAD, 195.25 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING SOUTH 00 DEGREES 08 MINUTES WEST, ON SAID WEST LINE OF ROAD, 38.00 FEET; THENCE NORTH 89 DEGREES 52 MINUTES WEST 265.00 FEET; THENCE NORTH 00 DEGREES 08 MINUTES EAST 38.00 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES EAST 265.00 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

THE SOUTHERLY 200 FEET OF THE NORTHERLY 210 FEET OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL TWO IN OFFICIAL RECORDS BOOK 730, PAGE 74, INCLUDING ALL THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 811, PAGE 1407, ALL IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF ST. AUGUSTINE SOUTH, UNIT NO. 1, AS RECORDED IN MAP BOOK 8, PAGE 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, ON THE EAST RIGHT-OF-WAY LINE OF THE 200 FOOT WIDTH RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1; THENCE NORTH 00 DEGREES 08 MINUTES 00 SECONDS EAST 1,990.24 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE WITH THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 312, A 200 FOOT WIDTH RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 52 MINUTES 00 SECONDS EAST, ON SAID SOUTH RIGHT-OF-WAY LINE, 1,326.80 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 00 SECONDS WEST, ON THE WEST LINE OF A 60 FOOT WIDTH ROAD, 335.25 FEET TO THE NORTHEAST CORNER OF PARCEL TWO AS DESCRIBED IN OFFICIAL RECORDS BOOK 730, PAGE 74, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE CONTINUE SOUTH 00 DEGREES 08 MINUTES 00 SECONDS WEST, ON SAID WEST LINE, 10.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND TO BE DESCRIBED; THENCE NORTH 89 DEGREES 52 MINUTES 00 SECONDS WEST, PARALLEL TO THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 512, PAGE 422, OF SAID PUBLIC RECORDS, 376.80 FEET, MORE OR LESS, TO THE EAST LINE OF LANDS, DESCRIBED IN OFFICIAL RECORDS BOOK 485, PAGE 680, OF SAID PUBLIC RECORDS; THENCE SOUTH 00 DEGREES 08 MINUTES 00 SECONDS WEST, ALONG SAID EAST LINE, 200 FEET; THENCE SOUTH 89

DEGREES 52 MINUTES 00 SECONDS EAST 376.80 FEET, MORE OR LESS, TO THE ABOVE MENTIONED WEST LINE OF A 60 FOOT WIDTH ROAD; THENCE NORTH 00 DEGREES 08 MINUTES 00 SECONDS WEST, ALONG SAID WEST LINE, 200.00 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT THE EAST 12 FEET THEREOF.

SUBJECT TO AND TOGETHER WITH UTILITY EASEMENTS AS RECORDED IN OFFICIAL RECORDS BOOK 1183, PAGES 1641 AND 1644 AND OFFICIAL RECORDS BOOK 763, PAGE 1170.

PARCEL FOUR:

THE NORTH 10.00 FEET OF THE WEST 356.80 FEET OF THAT CERTAIN PROPERTY DESCRIBED AS PARCEL TWO IN OFFICIAL RECORDS BOOK 730, PAGE 74, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

EXHIBIT "B"

1. Taxes for the year 2004 and subsequent years.
2. Applicable zoning and other governmental regulations.
3. Easement contained in Official Records 763, Page 1170, of the public records of St. Johns County, Florida.
4. Easement to Florida Power and Light Company recorded in Official Records 1183, Page 1641, of the public records of St. Johns County, Florida.
5. Easement to Florida Power and Light Company recorded in Official Records 1183, Page 1644, of the public records of St. Johns County, Florida.
6. Covenants, conditions and restrictions recorded in Official Records 436, Page 576; together with Amendment recorded in Official Records 512, Page 419, both of the public records of St. Johns County, Florida..
7. Grant of Non-Exclusive Easement recorded in Official Records 512, Page 424; Official Records 681, Page 1279; Official Records 688, Page 213; Official Records 688, Page 1540 and Official Records 705, Page 1463, all of the public records of St. Johns County, Florida.
8. Easement Agreement recorded in Official Records 978, Page 215, of the public records of St. Johns County, Florida.
9. Easement to Florida Power and Light Company recorded in Official Records 532, Page 593, of the public records of St. Johns County, Florida.

APR - 7 2005

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 **CHARLES BARRETT**
who on oath says that he 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 **NOTICE OF HEARING**
in the matter **REZ 05-01 WHETSTONE PLACE**
was published in said newspaper in the issues of
APRIL 5, 2005.

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
he 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 **5TH** day of **APRIL, 2005.**

by *Charles Barrett* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)



Patricia A. Bergquist
My Commission No. 1275981
Expires December 19, 2007

(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING
NOTICE IS HEREBY GIVEN that a public hearing
will be held on Wednesday, April 20, 2005 at 9:00
a.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 from Industrial,
Warehousing (IW) to Commercial, General (CG).
The subject property is located at 2 Coke Road 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 Speed-
way, 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 par-
ticipate in this proceeding should contact the
County's ADA Coordinator at (904) 823-2235 or at the
County Administration Building, 4020 Lewis Speed-
way, 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-judi-
cial rules of procedures. It is anticipated that one or
more County Commissioners may attend this meet-
ing. 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 communica-
tion care of St. Johns County Planning Division,
P.O. Drawer 349, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

BRUCE A. MAGUIRE, CHAIRMAN

FILE NUMBER: REZ 2005-01 Whetstone Place
LB04-5 Apr 5, 2005



FILED

05 APR 26 AM 8:52

FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

April 25, 2005

Ms. Cheryl Strickland
Secretary
St. Johns County
Minutes & Records Division
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Yvonne King, Supervisor-Minutes and Records Department

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated April 22, 2005 and certified copies of St. Johns County Ordinance Nos. 2005-38 and 2005-39, which were filed in this office on April 25, 2005.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/kcs

STATE LIBRARY OF FLORIDA
R.A. Gray Building • Tallahassee, Florida 32399-0250 • (850) 245-6600
FAX: (850) 488-2746 • TDD: (850) 922-4085 • <http://www.dos.state.fl.us>
 LEGISLATIVE LIBRARY SERVICE RECORDS MANAGEMENT SERVICES FLORIDA STATE ARCHIVES
(850) 488-2812 • FAX: (850) 488-9879 (850) 487-2180 • FAX: (850) 413-7224 (850) 245-6700 • FAX: (850) 488-4894
 ADMINISTRATIVE CODE AND WEEKLY
(850) 245-6270 • FAX: (850) 245-6282

ORDINANCE BOOK 36 PAGE 738