

ORDINANCE NUMBER: 2005-43

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM AGRICULTURE-INTENSIVE (A-I) TO INDUSTRIAL (I); 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, Chapters 125 and 163, Florida Statutes provided 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, 163.3187 and 163.3189, 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 Comprehensive Plan is amended to change the future Land Use Map designation from Agriculture-Intensive (A-I) to Industrial (I), for property located at 5850 Leonard Road:

- (a) The amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
- (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 Ordinance No. 2000-34, as amended; and St. Johns County Land Development Code as amended.

SECTION 2. The remaining portions of the St. Johns County Comprehensive Plan Ordinance No. 2000-34, as amended, 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 affect 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 Administration Commission issues a final order determining the adoption small scale amendment is in compliance.

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.

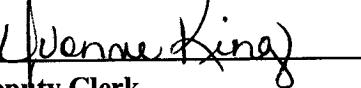
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 4th DAY OF May, 2005.

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

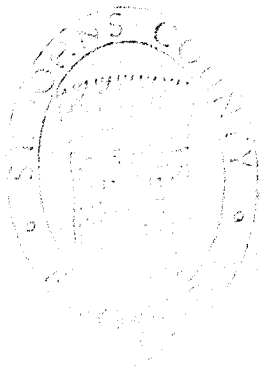
BY: 
Bruce A. Maguire, Chairman

RENDITION DATE 05/05/05

ATTEST: CHERYL STRICKLAND, CLERK

BY: 
Deputy Clerk

EFFECTIVE DATE: 06/04/05



③
4097

Prepared By And Return To:
SOUTHEAST TITLE GROUP, LLP
Address: 83 Orange Street
St. Augustine, FL 32084
SE File #99S-03020
Tax Parcel I.D. #(s): 048780-000 / 048730-0000

Public Records of
St. Johns County, FL
Clerk# 00-006343
O.R. 1474 PG 752
12:40PM 02/15/2000
REC \$13.00 SUR \$2.00
Doc Stamps \$0.70

CORRECTIVE WARRANTY DEED

THIS WARRANTY DEED made and executed the ^{14th} day of February, 2000, by WETUMPKA FRUIT COMPANY, a Florida corporation, whose principal place of business at 8650 Hastings Boulevard, Hastings, FL 32145, hereinafter called the Grantor, to OAKLEY BREWER and JOYCE BREWER, HIS WIFE, whose address is 11616 Columbia Park Drive West, Jacksonville, FL 32258, hereinafter called the Grantee:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate, lying and being in St. Johns County, State of Florida, viz:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

THIS DEED IS BEING RECORDED IN ORDER TO CORRECT THAT CERTAIN LEGAL DESCRIPTION SET FORTH IN WARRANTY DEED DATED APRIL 26, 1999, FILED MAY 4, 1999 AND RECORDED IN OFFICIAL RECORDS BOOK 1406, PAGE 952.

Subject to Restrictions, Reservations and Easements of Record.

TOGETHER with all the tenements, hereditaments and appurtenances thereto 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, and hereby 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, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 1998.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

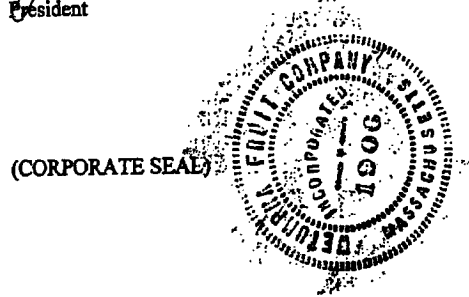
Signed, sealed and delivered in the presence of:

WETUMPKA FRUIT COMPANY

[Signature]
Witness Signature
Printed Name: *[Name]*

By: *[Signature]*
WILLIAM R. COTTON
Its: President

[Signature]
Witness Signature
Printed Name: *[Name]*



(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared WILLIAM R. COTTON, as President of WETUMPKA FRUIT COMPANY who produced the identification described below, and who acknowledged before me that they executed the foregoing instrument.

Witness my hand and official seal in the county and state aforesaid this ^{14th} day of February, 2000.



[Signature]
Notary Public:
Identification Examined.

EXHIBIT "A"

PARCEL 1

A PARCEL OF LAND LYING IN SECTIONS 29 AND 32, TOWNSHIP 9 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; FOR A POINT OF COMMENCEMENT BEGIN AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 28 EAST SAID POINT ALSO BEING THE EASTERLY RIGHT OF WAY OF WHITE TOWER ROAD; THENCE ALONG SAID RIGHT OF WAY NORTH $00^{\circ}34'15''$ WEST 4541.12 FEET; THENCE RUN SOUTH $89^{\circ}54'03''$ WEST 40.00 FEET TO THE WESTERLY RIGHT OF WAY OF WHITE TOWER ROAD AND THE NORTHERLY RIGHT OF WAY OF BRADBURY ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT OF WAY OF BRADBURY ROAD CONTINUE SOUTH $89^{\circ}53'49''$ WEST 1953.10 FEET; THENCE RUN NORTH $00^{\circ}37'30''$ WEST 1979.56 FEET; THENCE SOUTH $89^{\circ}53'49''$ EAST 1927.00 FEET TO THE WESTERLY RIGHT OF WAY OF WHITE TOWER ROAD (RIGHT OF WAY VARIES); THENCE ALONG SAID WESTERLY RIGHT OF WAY OF WHITE TOWER ROAD SOUTH $01^{\circ}21'09''$ EAST 1320.43 FEET; THENCE SOUTH $89^{\circ}53'49''$ EAST 10.01 FEET; THENCE SOUTH $00^{\circ}34'15''$ EAST 652.55 FEET TO THE POINT OF BEGINNING.

PARCEL 2

PARCEL "C":

A PARCEL OF LAND LYING IN SECTION 29, TOWNSHIP 9 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA. SAID PARCEL BEING THE EAST 20 FEET OF LOT 4 AND A PORTION OF LOT 5 OF LEONARD'S SUBDIVISION AS RECORDED IN MAP BOOK 1, PAGE 120, OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE CENTERLINE INTERSECTION OF HASTINGS BOULEVARD (70' WIDE RIGHT OF WAY) AND LEONARD AVENUE (40' FOOT WIDE RIGHT OF WAY) AS SHOWN ON THE ~~FLAT OF SAID LEONARD'S~~ SUBDIVISION, SAID POINT ALSO BEING THE CENTERLINE INTERSECTION OF THE EXISTING PAVED ROADS; THENCE SOUTH 89 DEGREES 25 MINUTES 00 SECONDS EAST ALONG THE CENTERLINE OF LEONARD AVENUE, 2,608.97 FEET; THENCE SOUTH 01 DEGREE 21 MINUTES 09 SECONDS EAST, 20.01 FEET TO THE SOUTH RIGHT OF WAY LINE OF LEONARD AVENUE AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS EAST ALONG THE SOUTH RIGHT OF WAY LINE OF LEONARD AVENUE, 1,289.14 FEET; THENCE SOUTH 01 DEGREE 21 MINUTES 09 SECONDS EAST ALONG A LINE 50 FEET OFFSET FROM AN PARALLEL WITH THE EAST LINE OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 28 EAST, 3,301.52 FEET TO THE SOUTH LINE OF SAID LOT 5 OF LEONARD'S SUBDIVISION; THENCE NORTH 89 DEGREES 53 MINUTES 49 SECONDS WEST, 1,358.26 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 46 SECONDS WEST, 223.56 FEET; THENCE NORTH 28 DEGREES 41 MINUTES 42 SECONDS EAST, 173.25 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 05 SECONDS WEST, 757.00 FEET; THENCE NORTH 02 DEGREES 32 MINUTES 30 SECONDS WEST, 273.97 FEET; THENCE NORTH 16 DEGREES 43 MINUTES 49 SECONDS WEST, 193.20 FEET; THENCE NORTH 01 DEGREE 16 MINUTES 16 SECONDS WEST, 113.50 FEET; THENCE NORTH 13 DEGREES 48 MINUTES 47 SECONDS EAST, 169.91 FEET; THENCE NORTH 02 DEGREES 46 MINUTES 06 SECONDS WEST, 789.64 FEET TO A POINT ON THE SOUTH LINE OF LOT 4 OF LEONARD'S SUBDIVISION; THENCE NORTH 01 DEGREE 21 MINUTES 09 SECONDS WEST, 645.57 FEET TO THE POINT OF BEGINNING.

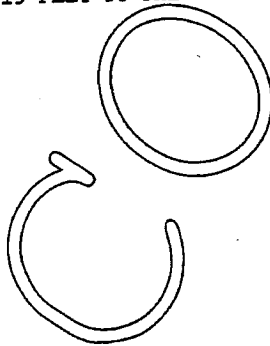
SAID PARCEL BEING SUBJECT TO TWO (2) 30' DRAINAGE EASEMENTS, SAID EASEMENTS LYING 15 FEET ON EACH SIDE OF THE CENTERLINE OF EXISTING PLUS OR MINUS 15' WIDE DRAINAGE DITCHES AND DESIGNATED EASEMENTS C-1 AND C-2, AS DESCRIBED BELOW:

EASEMENT C-1:

A 30 FOOT WIDE DRAINAGE EASEMENT LYING 15 FEET ON EACH SIDE OF THE CENTERLINE OF AN EXISTING PLUS OR MINUS 15 FOOT WIDE DITCH, THE CENTERLINE OF SAID EASEMENT AND DITCH BEING DESCRIBED AS FOLLOWS: BEING A PORTION OF SAID PARCEL "C" LYING IN SECTION 29, TOWNSHIP 9 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING A PORTION OF LOT 5, OF LEONARD'S SUBDIVISION, AS RECORDED IN MAP BOOK 1, PAGE 120 OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE CENTERLINE INTERSECTION OF HASTINGS BOULEVARD (70' WIDE RIGHT OF WAY) AND LEONARD AVENUE (40' WIDE RIGHT OF WAY) AS SHOWN ON THE PLAT OF SAID LEONARD'S SUBDIVISION, SAID POINT BEING THE CENTERLINE INTERSECTION OF THE EXISTING PAVED ROADS; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS EAST ALONG THE CENTERLINE OF LEONARD AVENUE, 3,898.11 FEET; THENCE SOUTH 01 DEGREE 21 MINUTES 09 SECONDS EAST, 714.15 FEET TO THE POINT OF BEGINNING AND CENTERLINE OF THE HEREIN DESCRIBED EASEMENT; THENCE NORTH 89 DEGREES 53 MINUTES 49 SECONDS WEST, 1,288.38 FEET TO THE TERMINUS OF SAID EASEMENT.

EASEMENT C-2:

A 30 FOOT WIDE DRAINAGE EASEMENT LYING 15 FEET ON EACH SIDE OF THE CENTERLINE OF AN EXISTING PLUS OR MINUS 15 FOOT WIDE DITCH, THE CENTERLINE OF SAID EASEMENT AND DITCH BEING DESCRIBED AS FOLLOWS: LYING IN SECTION 29, TOWNSHIP 9 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, SAID PARCEL BEING A PORTION OF LOT 5 OF LEONARD'S SUBDIVISION AS RECORDED IN MAP BOOK 1, PAGE 120 OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE CENTERLINE INTERSECTION OF HASTINGS BOULEVARD (70 FOOT WIDE RIGHT OF WAY) AND LEONARD AVENUE (40' WIDE RIGHT OF WAY) AS SHOWN ON THE PLAT OF SAID LEONARD'S SUBDIVISION, SAID POINT ALSO BEING THE CENTERLINE OF THE EXISTING PAVED ROADS: THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS EAST ALONG THE CENTERLINE OF LEONARD AVENUE, 3,898.11 FEET; THENCE SOUTH 01 DEGREE 21 MINUTES 00 SECONDS EAST, 2,158.87 FEET TO THE POINT OF BEGINNING AND CENTERLINE OF THE HEREIN DESCRIBED EASEMENT; THENCE NORTH 89 DEGREES 54 MINUTES 20 SECONDS WEST ALONG THE CENTERLINE OF SAID DITCH, 1,258.19 FEET TO THE TERMINUS OF SAID EASEMENT.

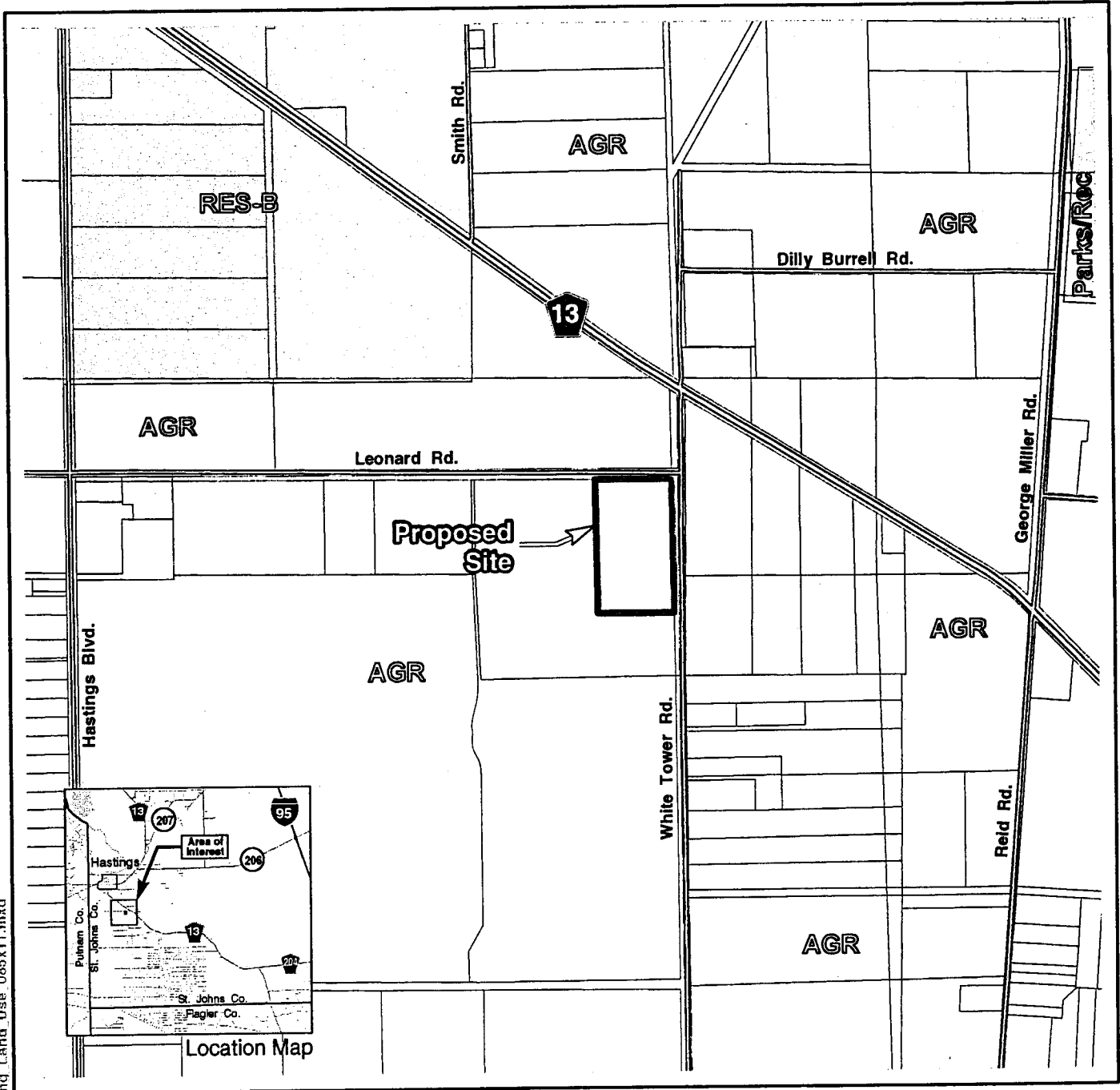


Legal Description

EASEMENT C-1:

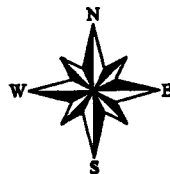
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Future Land Use Map



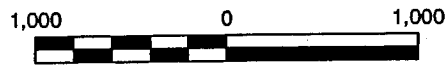
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St. Johns County



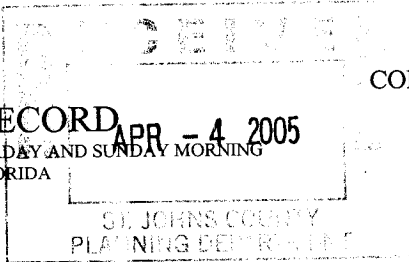
BHR—An Arcadis Company
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Jacksonville, FL 32207

(904) 721-2991
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Scale: 1"=1,000'

OT Flex Tooling



COPY OF ADVERTISEMENT

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 **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 **DISPLAY ADVERTISEMENT** in the matter **NOTICE OF PUBLIC HEARING (5850 LEONARD RD)** was published in said newspaper in the issues of **APRIL 1, 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 **1ST** 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)

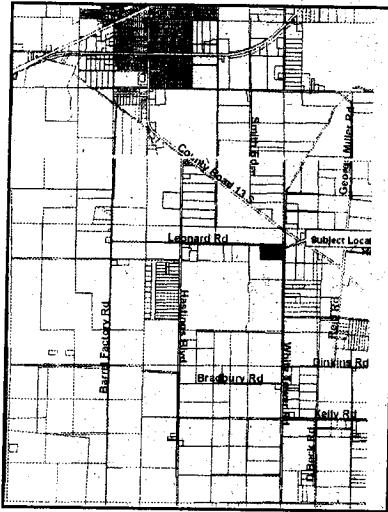


Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

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



NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, April 21, 2005 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency, and Wednesday, May 4, 2005 at 9:00 a.m. by the Board of County Commissioners, to consider a proposed amendment to the St. Johns County 2015 Future Land Use Map. Said hearings will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding the proposed amendment.

The subject property is 9.99 acres and is located at 5850 Leonard Road at the Southwest corner of White Tower Road. A complete description is available in the St. Johns County Planning Office. See map generally depicting the location. The amendment proposes to change the Future Land Use Map designation from Agriculture Intensive (A-I) to Industrial (I).

The proposed amendment is known as File Number CPA (SS)-2005-01, OT Flex Tooling, and is available for review at the local County Planning Offices and Libraries and may be examined by interested parties prior to said public hearing.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he/she will need records of the proceedings and for such purpose may need to ensure that verbatim records of the proceedings are made, which record includes 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 ADA Coordinator, at (904) 823-2501 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.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
RONALD S. SCHUMAKER, CHAIRMAN
File Number: CPA(SS) 2005-01 OT Flex Tooling

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BRUCE A. MAGUIRE, CHAIRMAN