

4

ORDINANCE NUMBER: 2007-65

Public Records of
St. Johns County, FL
Clerk # 2007061469,
O.R. 2980 PG 613-616
09/12/2007 at 09:27 AM,
REC. \$17.00 SUR. \$18.50

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OPEN RURAL (OR) TO PUBLIC SERVICE (PS) 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, the development of the lands within this rezoning shall proceed in accordance with the application, dated June 18, 2007 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2007-24, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

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 PS 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 PS is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of PS is consistent with the land uses allowed in the land use designation of Public as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2007-24 the zoning classification is hereby changed to Public Service (PS).

SECTION 3. To the extent that they do not conflict with the unique, specific and detailed provisions of this

Dr. Kel - G. King
10-12

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 immediately upon receipt of the Ordinance 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 21st DAY OF August 2007.

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

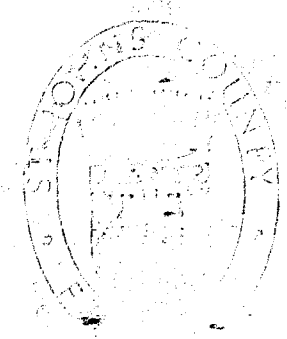
BY: Ben Rich
Ben Rich, Chairman

REMOPTION DATE 08/23/07

ATTEST CHERYL STRICKLAND, CLERK

BY: Gwenne King
Deputy Clerk

EFFECTIVE DATE: 08/29/07



85 13168

REC 676 PAGE 1825

This Instrument Prepared by:
JOHN D. BAILEY, JR.
Upchurch, Bailey and Upchurch, P.A.
501 Atlantic Bank Building
St. Augustine, Florida 32084

WARRANTY DEED

THIS INDENTURE, Made this 21 day of JUNE, 1985, Between JOHN D. BAILEY, SR., and MARGARET B. BAILEY, his wife, and A. H. RUMK and MARY P. RUMK, his wife, of the County of St. Johns and State of Florida, Grantors, and ST. JOHNS COUNTY, a Political Subdivision of the State of Florida, whose post office address is Post Office Box 306, St. Augustine, Florida 32085, of the County of St. Johns and State of Florida, Grantee.

WITNESSETH, That said Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable considerations to said Grantors in hand paid by said Grantees, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said Grantee and Grantee's successors and assigns forever, the following described land situate, lying and being in St. Johns County, Florida, to-wit:

A parcel of land being a part of the Northwest Quarter of the Northwest Quarter of Section 33, Township 7 South, Range 30 East, St. Johns County, Florida, more particularly described as follows:

Beginning at the intersection of the northerly right of way line of 16th Street, having a right of way width of 100 feet as it is now established, with the westerly right of way line of Mizell Road, having a right of way width of 60 feet as it is now established; thence North 00 degrees 40 minutes 06 seconds East along said westerly right of way line of Mizell Road, a distance of 1,272.29 feet to the southerly right of way line of Pope Road, having a right of way width of 100 feet as it is now established; thence North 89 degrees 18 minutes 30 seconds West, along said southerly right of way line of Pope Road, also being the north line of said Northwest Quarter of the Northwest Quarter of Section 33, a distance of 1,290 feet, more or less, to the Northwest corner of said Section 33; thence South along the west line of said Section 33, a distance of 480.0 feet, more or less, to the north line of that parcel for the Sewage Treatment Plant; thence South 89 degrees 18 minutes 30 seconds East along said north line, 990.0 feet; thence South 00 degrees 40 minutes 06 seconds West, 792.0 feet to the aforementioned northerly right of way line of 16th Street; thence South 89 degrees 18 minutes 30 seconds East along said northerly right of way line, a distance of 300.00 feet to the point of beginning; containing 19.68 acres, more or less.

SUBJECT TO: Taxes for the year 1985 and subsequent years.

and said Grantors do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT. OF REVENUE
JUN 21 1985
706.05

not to be recorded

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals on the day and year first above written.

Signed, sealed and delivered in the presence of

Deane O. Lewis
Patricia J Wood
Deane O. Lewis
Witnesses to Baileys

John D. Bailey, Sr.
John D. Bailey, Sr.
Margaret B. Bailey
Margaret B. Bailey

Deane O. Lewis
Patricia J Wood
Witnesses to Runks

A. H. Runk
A. H. Runk
Mary P. Runk
Mary P. Runk

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day before me, the under-
signed authority, personally appeared JOHN D. BAILEY, SR., and
MARGARET B. BAILEY, his wife, to me known to be the persons described
in and who executed the foregoing instrument and acknowledged before
me that they executed the same for the uses and purposes therein
expressed.

WITNESS my hand and official seal in the County and State
last aforesaid this 18th day of June, 1985.

Patricia J Wood
Notary Public, State of Florida
My Commission Expires: NOTARY PUBLIC, STATE OF FLORIDA
My Commission Expires Aug. 17, 1988

STATE OF FLORIDA
COUNTY OF ST. JOHNS

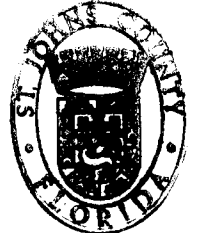
I HEREBY CERTIFY that on this day, before me, the under-
signed authority, personally appeared A. H. RUNK and MARY P. RUNK, his
wife, known to be to be the persons described in and who executed the
foregoing instrument and they acknowledged before me that they
executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal in the County and State
last aforesaid this 18th day of June, 1985.

Patricia J Wood
Notary Public, State of Florida
My Commission Expires: NOTARY PUBLIC, STATE OF FLORIDA
My Commission Expires Aug. 17, 1988

FILED AND RECORDED IN
1985 JUN 21 AM 10:17
Paul "Tom" Hanks
CLERK OF COUNTY COURT

I HEREBY CERTIFY
IS A TRUE AND CORRECT
ON RECORD IN ST. JOHNS COUNTY
WITNESS MY HAND AND OFFICIAL SEAL
THIS 11th DAY OF September 20 07
CHERYL STRICKLAND, CLERK.
Ex-Officio Clerk of the Board of County Commissioners
BY: Yvonne King D.C.



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 a **NOTICE OF HEARING** in the matter **REZ 07-24 ANASTASIA WASTEWATER** was published in said newspaper in the issues of **AUGUST 6, 2007**.

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 **6TH** day of **AUGUST, 2007**.

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)

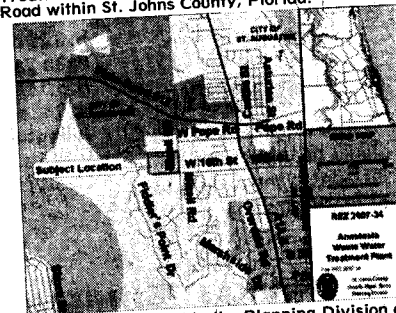
PATRICIA A. BERGQUIST

COPY OF ADVERTISEMENT

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, August 21, 2007 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 Open Rural (OR) to Public Service (PS). Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property is the existing Wastewater Treatment Plant south of Pope Road, west of Mizell Road within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the Permit Center, 4040 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 the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. 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. It is anticipated that one or more County Commissioners may attend this meeting. 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 notified 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
BEN RICH, CHAIRMAN
FILE NUMBER: REZ 2007-24
Anastasia Waste Water Treatment Plant
L2081-7 Aug 6, 2007



FLORIDA DEPARTMENT OF STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

August 31, 2007

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

Attention: Yvonne King, Deputy Clerk

FILED
SEP 7
07 AM 6:20 PH 3:20
CLERK OF CIRCUIT COURT AND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 28, 2007 and certified copies of St. Johns County Ordinance Nos. 2007-65 through 2007-67, which were filed in this office on August 29, 2007.

Sincerely,

[Handwritten signature: Liz Cloud (AK)]

Liz Cloud
Program Administrator

LC/lbh

DIRECTOR'S OFFICE
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • http://dlis.dos.state.fl.us

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