

RESOLUTION NO. 85-2

WHEREAS, a petition has been filed by a qualified land owner to vacate part of certain public streets, alleyways or roads hereinafter described; and

WHEREAS, this Board has heretofore passed a resolution as required by Section 336.09, Florida Statutes, and Notice of Public Hearing has been duly published and Proof of Publication has been filed with this Board; and

WHEREAS, it appears that there are no objections and the averments of said petition are true.

NOW THEREFORE, IN CONSIDERATION OF THE PREMISES, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AS FOLLOWS:

1.

That the following described street, alleyway or road, to wit:

That portion of Twenty-Fourth Street lying between the West right of way line of Palm Street and the East right of way line of Myrtle Street, as shown on the Plat of North Beach, a subdivision of U.S. Lots 2 & 3 of Section 29, all Fractional Section 30 and Section 44 (Joseph Arnau Grant) all in Township 6 South, Range 30 East, recorded in Map Book 3, page 28, of the public records of St. Johns County, Florida.

be, and the same is hereby vacated, abandoned, discontinued and closed, and this Board hereby renounces and disclaims any right of the County and the public in and to the above described streets, alleyways or road, and any land in connection therewith.

2.

That the notice required by Section 336.10, Florida Statutes, of the adoption of this resolution is hereby authorized to be published.

DATED this 8th day of January, 1985.

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

BY: Way Walker

Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Marie Hudson

Deputy Clerk

PETITION TO VACATE CERTAIN  
STREETS, ALLEYWAYS AND ROADS

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF  
ST. JOHNS COUNTY, FLORIDA

COMES NOW, NORTH BEACH INVESTMENT, INC., a Florida Corporation, and respectfully petition this Honorable Board as follows:

1. To vacate, abandon, discontinue and close those certain public streets, alleyways or roads situate in St. Johns County, Florida, hereinafter more particularly described; to renounce and disclaim any right of St. Johns County and the public in and to the lands constituting such streets, alleyways or roads; and to renounce and disclaim any right of St. Johns County and the public in and to any lands or interests therein acquired by purchase, gift, devise, dedication or prescription for said streets, alleyways or roads; which said streets, alleyways or roads are designated as follows, to wit:

That portion of Twenty-Fourth Street lying between the West right of way line of Palm Street and the East right of way line of Myrtle Street, as shown on the Plat of North Beach, a subdivision of U.S. Lots 2 & 3 of Section 29, all Fractional Section 30 and Section 44 (Joseph Arnau Grant) all in Township 6 South, Range 30 East, recorded in Map Book 3, page 28, of the public records of St. Johns County, Florida.

2. To adopt a resolution declaring that at a definite time and place a public hearing will be held to consider the advisability of the above, and to publish notice as prescribed by Section 336.10, Florida Statutes, one (1) time in a newspaper of general circulation advising of a public hearing in connection with the above matter, and thereafter adopting a resolution renouncing and disclaiming any right of the County and the public in and to the above streets, alleyways or roads, and vacating, abandoning, discontinuing and closing same.

3. In support hereof, petitioners show that they are the owners of all lands abutting said above described streets, alleyways or roads as more fully appears by certificate attached and a copy

of a portion of the described plat being attached hereto marked Exhibit "A" and by reference made a part hereof; and petitioners are the only persons who would be affected thereby; and said streets, alleyways or roads are no longer necessary nor desirable.

4. Petitioners further show that said streets, alleyways or roads sought to be vacated are neither State nor Federal Highways and are wholly without the limits of any municipality.

NORTH BEACH INVESTMENT, INC.,  
a Florida Corporation

BY: *Frank D. Usina*  
FRANK D. USINA, President

ATTEST: *Elizabeth K. Usina*  
ELIZABETH K. USINA, Secretary

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

FRANK D. USINA and ELIZABETH K. USINA, as President and Secretary respectively of NORTH BEACH INVESTMENT, INC., a Florida Corporation, the corporation named in the foregoing instrument, being by me, the undersigned officer, first duly sworn, says on oath that they are the petitioners named in the foregoing Petition to Vacate Certain Streets, Alleyways, or Roads; that they have read same and know the contents thereof, and that the statements contained herein are true.

NORTH BEACH INVESTMENT, INC.,  
a Florida Corporation

BY: *Frank D. Usina*  
FRANK D. USINA, President

ATTEST: *Elizabeth K. Usina*  
ELIZABETH K. USINA, Secretary

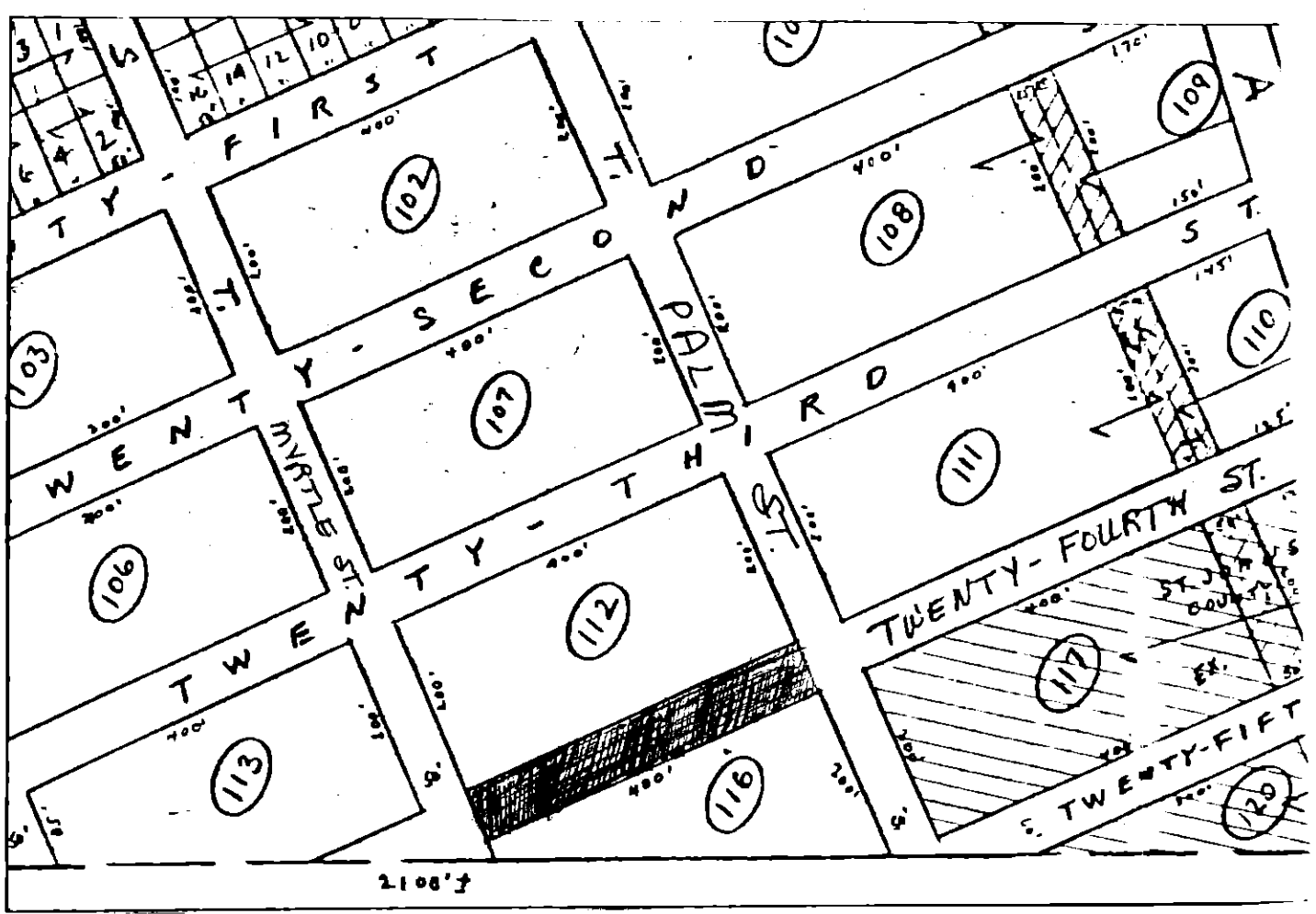
SWORN TO AND SUBSCRIBED before me this 6<sup>th</sup> day of

November, 1984.

*Elizabeth A. Betty*  
NOTARY PUBLIC

My Commission Expires: 4-24-88

EXHIBIT "A"



October 31, 1984

ATTORNEY'S OPINION


THIS IS TO CERTIFY that the abutting land owners and persons affected by the proposed street vacation are as follows:

(a). NORTH BEACH INVESTMENT, INC.

That the County Road sought to be vacated is described as follows:

That portion of Twenty-Fourth Street lying between the West right of way line of Palm Street and the East right of way line of Myrtle Street, as shown on the Plat of North Beach, a subdivision of U.S. Lots 2 & 3 of Section 29, all Fractional Section 30 and Section 44 (Joseph Arnau Grant) all in Township 6 South, Range 30 East, recorded in Map Book 3, Page 28, of the public records of St. Johns County, Florida.

Respectfully submitted,  
WEINSTEIN, CONN, PELLICER & JOYCE

BY:   
Attorneys for Petitioner  
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